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WEDNESDAY, JULY 14, 1976

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Twelve agencies have agreed to a six-month trial period based on the assignment of two days a week beginning February 9 and ending August 6 (See 41 FR 5453). The participating agencies and the days assigned are as follows:

Monday	Tuesday	Wednesday	Thursday	Friday
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DOT/PSOO	LABOR		DOT/PSOO	LABOR

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 trial program are invited. Comments should be submitted to the Director of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

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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 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

[Docket No. R-0021]

PART 226—TRUTH IN LENDING

Description of Finance Charges

On March 9, 1976, the Board published for comment in the FEDERAL REGISTER proposed amendments to §§ 226.8(c)(8)(i) and 226.8(d)(3) of Regulation Z (41 FR 10077). The amendments reflect the position stated in the Board's previously issued Interpretation § 226.820, stating that a finance charge must be itemized only where the total finance charge is composed of more than one type of charge. The Board now adopts those amendments as proposed.

The interpretation was issued on November 21, 1975, and affirmed the Board's position that finance charges consisting solely of one type of charge need not be further described as to the nature of that charge. The publication of this position as an interpretation rather than a formal rulemaking procedure was challenged in the recent case of *Hatten* v. *Board of Governors* (D.C. Conn. Civ. No. N76-14, filed January 7, 1976), in which plaintiffs argued that the issue should have been the subject of a substantive rulemaking procedure. While continuing to uphold the validity of the interpretation and the procedures used in adopting it, the Board on March 9, 1976, published its position as proposed amendments to the Regulation, in order to provide for a fuller opportunity for public comment.

The Notice of proposed rulemaking solicited comment on three alternative courses of action: (1) To clarify the Board's position that the requirement for itemization is confined to finance charges consisting of more than one type of charge; (2) to amend the Regulation to require itemization of finance charges regardless of the number of components in the finance charge; and (3) to eliminate entirely the requirement for itemization of the finance charge in all cases.

The Board received a total of 59 comments in response to the notice. Thirty-one of those responding, including seven out of eight Federal Reserve banks, a government agency, eleven banks, and four nonbank financial institutions, supported the proposed amendments to require itemization only in cases where the finance charge consists of more than one component. The remainder of the comments were almost evenly divided between the other alternatives, with 15 favoring itemization in all cases and 13 urging elimination of all itemization requirements. All consumer organizations and consumer representatives responding were in the former category, while the latter group consisted primarily of banks and a variety of nonbank creditor representatives.

Most of the 15 commenters supporting itemization of the finance charge in all cases took the position that this alternative provides the consumer with important additional information on the transaction and that such disclosure serves an important enforcement purpose by discouraging the creditor from concealing a variety of charges within a so-called single-component finance charge.

In the Board's view, Truth in Lending was intended to provide consumers with meaningful information which assists them in understanding credit terms and in comparing various sources of credit. Labels such as "finance charge (time price differential)" or "finance charge (interest)" would not seem to be of greater assistance to consumers than "finance charge" in fulfilling these purposes of the Act. In addition, the Board is concerned that a term which is of questionable benefit, when added to already lengthy and complex disclosure statements, could further detract from the important disclosures of annual percentage rate and total finance charge. On balance, the arguable benefits of this additional disclosure do not, in the Board's view, outweigh the need for simplified and concise Truth in Lending disclosures.

With regard to the possible enforcement benefits to be derived from itemization of a finance charge consisting of only one type of charge, the Board notes that the government agency and seven of the eight Federal Reserve banks commenting on the proposal did not support this alternative to require itemization in all cases. Since these agencies bear a primary enforcement responsibility for Truth in Lending, their comments provide evidence that required itemization of single-component finance charges would not significantly enhance their enforcement efforts.

Of the 13 commenters supporting the alternative of eliminating all requirements for itemization of finance charges, many took the position that further description of the components of a finance charge is unnecessary and potentially confusing. In the Board's view, however, the requirement for itemization of multiple-component finance charges was originally intended to serve primarily as an enforcement tool rather than an informational device. In view of the fact that no enforcement agency supported the alternative to eliminate this requirement, the Board believes that itemization of finance charges consisting of more than one type of charge may continue to serve a useful enforcement purpose.

Thirty-one commenters supported the proposed amendments to require itemization of multiple-component finance charges as an appropriate method of fulfilling the goals of the Act. In general, these commenters viewed the alternative of requiring itemization of single-component finance charges as unnecessary, but stated that the information derived from itemizing multiple-component finance charges might be useful to consumers.

After consideration of these comments, the Board has determined that, at the present time, the proposed amendments to require itemization where the finance charge consists of more than one type of charge would best serve the purposes of the Truth in Lending Act. In making this determination, the Board was particularly mindful of two factors. First, itemization is not required by the Truth in Lending Act itself but was added to Regulation Z primarily to help assure that all charges are properly taken into account in computing the total finance charge. The government agency and seven of the eight Federal Reserve banks responding, all of which have enforcement responsibility for the Act, supported the proposed amendments as opposed to either of the two alternatives. The Board views this as evidence that itemization of multiple-component finance charges may assist in enforcement of the Act. However, the Board does not view itemization of a single-component finance charge as necessary to fulfill this purpose. Second, the Board shares the concerns expressed in Congress and elsewhere that lengthy and complex Truth in Lending disclosures do not serve consumers' needs for clear and meaningful information and may be counterproductive to the goals of Truth in Lending.

Effective date: These amendments become effective August 6, 1976. Accordingly, Interpretation § 226.820, previously issued by the Board, is rescinded effective August 6, 1976, inasmuch as the amendments to the Regulation make this interpretation unnecessary.

Therefore, pursuant to the authority granted in 15 U.S.C. 1604 (1968), the Board hereby amends § 226.8 (c)(8) and (d)(3) of 12 CFR Part 226, effective August 6, 1976, as follows:

§ 226.8 Credit other than open end: specific disclosures.

* * * * *

(c) * * *

(8) * * *

(i) The total amount of the finance charge, using the term "finance charge," and where the total charge consists of

two or more types of charges, a description of the amount of each type, and

(ii) * * *

(d) * * *

(3) * * * the total amount of the finance charge,[11] using the term "finance charge," and where the total charge consists of two or more types of charges, a description of the amount of each type.

By order of the Board of Governors, July 6, 1976.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-20317 Filed 7-13-76;8:45 am]

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

PART 265—RULES REGARDING DELEGATION OF AUTHORITY

The Board of Governors of the Federal Reserve System has decided to amend its Rules Regarding Delegation of Authority, pursuant to the provision of section 11(k) of the Federal Reserve Act (12 U.S.C. 248(k)), to delegate to the Secretary of the Board the authority to approve future Annual Reports to the Office of Management and Budget on implementation of the Privacy Act (5 U.S.C. 552a).

The provisions of 5 U.S.C. 553, relating to notice and public participation and deferred effective date, are not being followed in connection with the adoption of this amendment because the rule involved relates solely to matters of agency procedure and practice, and does not constitute a substantive rule subject to the requirements of that section.

12 CFR Part 265 is amended by adding a new paragraph (17) to § 265.2(a) as follows:

§ 265.2 Specific functions delegated to Board employees and to Federal Reserve banks.

(a) The Secretary of the Board (or, in his absence, the Acting Secretary) is authorized:

* * * * *

(17) Pursuant to the requirement of the Privacy Act (5 U.S.C. 552a(p)), to approve future Annual Reports on the Privacy Act from the Board of Governors to the Office of Management and Budget for inclusion in the President's annual consolidated report to the Congress.

* * * * *

Effective date: These amendments are effective July 1, 1976.

Board of Governors of the Federal Reserve System.

J. P. GARBARINI,
Assistant Secretary of the Board.

[FR Doc.76-20315 Filed 7-13-76;8:45 am]

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[11] The disclosure required by this subparagraph need not be made with respect to interim student loans made pursuant to federally insured student loan programs under Pub. L. 89-329, Title IV Part B of the Higher Education Act of 1965, as amended.

Title 14—Aeronautics and Space

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-958; Amdt. 31]

PART 221—CONSTRUCTION, PUBLICATION, FILING AND POSTING OF TARIFFS OF AIR CARRIERS AND FOREIGN AIR CARRIERS

Editorial Amendment

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., July 8, 1976.

Part 221 of the Board's Economic Regulations (14 CFR Part 221) sets forth the regulations pertaining to tariffs of air carriers and foreign air carriers. Section 221.38(a)(5) requires, in part, that each tariff shall contain the rules and regulations relating to the transportation of explosives and other dangerous materials, and that such regulations shall be in conformity with Part 103 of the Federal Aviation Regulations (14 CFR Part 103).

By final rule published April 15, 1976 (41 FR 15972), the Materials Transportation Bureau of the Department of Transportation (DOT) issued amendments designed to consolidate its air, water, and surface transportation of hazardous materials regulations. As a result of that recodification, Part 103 of the Federal Aviation Regulations has been incorporated into 49 CFR Parts 171–173 and 175. Therefore it has become necessary to amend § 221.38(a)(5) of the Board's Economic Regulations so as to reflect that recodification of the Federal Aviation Regulations to which it refers.

This editorial amendment is issued by the undersigned pursuant to delegation of authority from the Board to the General Counsel in 14 CFR § 385.19, and shall become effective on August 3, 1976. Procedures for review of the amendment are set forth in Subpart C of Part 385 (14 CFR §§ 385.50 through 385.54).

Accordingly, the Board hereby amends § 221.38(a)(5) to read as follows:

§ 221.38 Rules and regulations.

(a) * * *

* * * * *

(5) The rules and regulations relating to the transportation of explosives and other dangerous or restricted articles, showing the articles which are not acceptable for transportation as well as those articles which are acceptable for transportation only when specified packing, marking, and labeling requirements have been met. Such rules and regulations shall further provide the specified packing, marking, and labeling requirements. All such provisions shall be in conformity with the applicable provisions of the Hazardous Materials Regulations set forth in 49 CFR Parts 171–173 and 175 (as amended or revised from time to time). The rules and regulations required by this subparagraph are required to be set forth only in those tariffs which contain rates or charges for the transportation of explosives and other dangerous or restricted articles or in a tariff issued in accordance with § 221.104.

* * * * *

(Secs. 204(a) and 403(a) of the Federal Aviation Act of 1958, as amended; 72 Stat. 743 and 758, as amended; 49 U.S.C. 1324 and 1373.)

By the Civil Aeronautics Board.

JAMES C. SCHULTZ,
General Counsel.

[FR Doc.76-20302 Filed 7-13-76;8:45 am]

SUBCHAPTER B—PROCEDURAL REGULATIONS

[Reg. PR-152, Amdt. 8]

PART 310—INSPECTION AND COPYING OF BOARD OPINIONS, ORDERS, AND RECORDS

Public Release of Board Decisions in Cases Where the Action of the Board is Subject to the Review or Approval of the President

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., July 9, 1976.

For the reasons stated in Regulation PS-69, issued contemporaneously herewith, the Civil Aeronautics Board hereby amends Part 310 of its Procedural Regulations (14 CFR Part 310), effective July 11, 1976, as follows:

Appendix B, heading (5), the third item described is changed to read as follows:

Copies of Board decisions awaiting Presidential action except as provided in section 399.101 of the Board's Policy Statements.

(Secs. 204, 801, and 1001, 72 Stat. 743, 782, and 788, 49 U.S.C. 1324, 1461, and 1481, and 5 U.S.C. 552.)

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.76-20301 Filed 7-13-76;8:45 am]

SUBCHAPTER F—POLICY STATEMENTS

[Reg. PS-69, Amdt. 48]

PART 399—STATEMENTS OF GENERAL POLICY

Public Release of Board Decisions in Cases Where the Action of the Board Is Subject to the Review or Approval of the President

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., July 9, 1976.

On June 11, 1976, the President issued an Executive Order designed to establish Executive Branch procedures for the processing of Board decisions submitted to the President for approval or review in accordance with the provisions of section 801 of the Federal Aviation Act. Under the Executive Order the Board is authorized, with certain exceptions, to make public its decision on or after the sixth day following submission to the President. The attached policy statement sets forth the Board's policy with respect to the public release of such decisions.

Since the amendment relates to matters of agency procedure, notice and pub-

lic procedures hereon are required. The amendments shall become effective on July 11, 1976, which is the effective date of the Executive Order.

Accordingly, the Board hereby amends Part 399 of the statements of general policy (14 CFR 399), effective July 11, 1976, as follows:

1. Amend the table of contents to Part 399 to add a new § 399.101 to read as follows:

Sec. 399.101 Public release of Board decisions in cases where the action of the Board is subject to the review or approval of the President.

2. Add a new § 399.101 to read as follows:

§ 399.101 Public release of Board decisions in cases where the action of the Board is subject to the review or approval of the President.

(a) By Executive Order 11920, 41 FR 23665 (June 11, 1976), effective July 11, 1976, the President has authorized the issuance for public inspection of decisions by the Board in cases where the action of the Board is subject to the review or approval of the President in accordance with section 801 of the Federal Aviation Act. In the interest of national security, and in order to allow for consideration of appropriate action under Executive Order 11652, Executive Order 11920 provides that decisions shall be withheld from public disclosure for five days after submission to the President but may be released on or after the sixth day following receipt by the President as to all unclassified portions of the text if the Board is not notified by the Assistant to the President for National Security Affairs or his designee that all or part of the decision shall be withheld from public disclosure.

(b) It is the policy of the Board to release to the public all decisions by the Board in section 801 cases as promptly as possible but no later than the tenth working day following submission of such decision to the President. This period provides the Board with a reasonable opportunity to submit its decision to the President and await timely notice by the Assistant to the President for National Security Affairs as required by the Executive Order, and thereafter print and process its decision for publication, including the excision of any portions as may be required by the Assistant to the President for National Security Affairs. Where the Board is required to withhold portions of the text of its decision it shall make public by the tenth working day those portions of its decision which may be publicly released. Where the Board is required to withhold public release of its decision in its entirety it shall nonetheless publicly indicate that its decision has been transmitted to the President. The Board shall not publicly indicate that its decision has been transmitted to the President in those cases in which the Assistant to the President for National Security Affairs or his designee determines that classification of the existence of the decision is appropriate and so informs the Board.

(c) These provisions are also applicable to decisions submitted to the President for review pursuant to section 801 (b) of the Act. Under section 801(b), Board orders which suspend, reject or cancel a rate, fare, or charge for foreign air transportation, as well as orders rescinding the effectiveness of any such order, must be submitted to the President. The President may disapprove any such Board order no later than ten days following its submission by the Board. The Board proposes to allow the full ten-day period for the President to act (unless the President acts sooner) before publicly releasing its decision. Otherwise, public confusion could be created were the Board to release an order by the tenth day which the President can reject under 801(b) thereafter. As a general rule, the tenth day of the 801(b) Presidential review process coincides with the 29th day of the 30-day notice period under section 403(c), within which the Board may take appropriate suspension action. Thus, if the President rejects a Board suspension order, in most cases, the subject tariff automatically becomes effective. We here note that the public release of the Board's rejected order and the President's rejection may well be delayed beyond the ten-day period prescribed by this rule due to clerical and administrative delays; however, since the tariff is effective no notice problem arises. In any event, the Board shall publicly release its decision as promptly as possible.

(Secs. 204, 801, and 1001, 72 Stat. 743, 782, and 788, 49 U.S.C. 1324, 1461, and 1481, and 5 U.S.C. 552)

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.76-20300 Filed 7-13-76;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER I—COMMODITY FUTURES TRADING COMMISSION

PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

Registration Fees; Correction

On July 17, 1975, the Commodity Futures Trading Commission amended 17 CFR 1.11 Registration fees; form or remittance, for the purpose of exempting associated persons filing on Form 4-Ra from the registration fee requirement (40 FR 30106). That amendment to the regulation inadvertently deleted language concerning the registration fee requirements for commodity trading advisors and commodity pool operators adopted May 12, 1975 (40 FR 20614). It is therefore necessary to amend 17 CFR 1.11 in order to correct the previous error. For the convenience of the reader, the text of the regulation is published in its entirety.

Because this amendment merely republishes an existing requirement, the Commission finds that the notice and public procedure specified in 5 U.S.C. 553 (b) and the publication 30 days before the effective date specified in 5 U.S.C. 553 (d) are inappropriate and unnecessary and, accordingly, has adopted the following amendment effective July 14, 1976.

In consideration of the foregoing, the Commission hereby amends § 1.11 in Chapter I, Part I of Title 17 of the Code of Regulations to read as follows:

§ 1.11 Registration fees; form of remittance.

Each application for registration, or renewal thereof, as a futures commission merchant shall be accompanied by a fee of $200, plus a fee of $6 for each domestic branch office and for each correspondent or agent, operating within the United States authorized to solicit or accept orders for the purchase or sale of any commodity for future delivery on behalf of the applicant. Each application for registration or renewal thereof as a floor broker or as an associated person shall be accompanied by a fee of $20, except that with respect to any application for registration, or renewal thereof, as an associated person filed on Form 4-Ra,[1] no fee is required. Each application for registration or renewal thereof, as a commodity trading advisor or commodity pool operator shall be accompanied by a fee of $50. Fees shall be remitted by money order, bank draft, or check, payable to the Commodity Futures Trading Commission.

(7 U.S.C. 12a (4) and (5) (Supp. IV, 1974).)

Issued in Washington, D.C., on July 9, 1976.

By the Commission.

WILLIAM T. BAGLEY,
Chairman, Commodity Futures Trading Commission.

[FR Doc.76-20253 Filed 7-13-76;8:45 am]

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-12602]

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

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

Municipal Securities Dealer Registration and Withdrawal

On October 15, 1975, the Commission adopted Securities Exchange Act Rules 15Ba2-1, 15Ba2-2, and Form MSD,[2] governing the registration of municipal securities dealers under Section 15B(a) of the Securities Exchange Act of 1934 (the "Act").[3] At that time, the Commission did not consider rules governing the registration of successors to a registered municipal securities dealer, the registration of a fiduciary appointed to continue the business of such a registered munici-

[1] Form 4-Ra filed with original documents.

[2] 17 CFR 240.15Ba2-1, 240.15Ba2-2 and 249.1100. *See* Securities Exchange Act Release No. 11742 (October 15, 1975), 40 FR 49772 (1975).

[3] 15 U.S.C. 78o-4(a).

pal securities dealer, or the withdrawal from registration of a municipal securities dealer. In Securities Exchange Act Release No. 11876 (November 26, 1975)[3] ("Release No. 11876"), the Commission proposed Securities Exchange Act Rules 15Ba2–4, 15Ba2–5, 15Ba2–6, 15Ba3–1, and related Form MSDW,[4] governing those situations and proposed related amendments to Rule 15b1–3.[5] Although two commentators mentioned that they had no objection to the proposals, no substantive public comments were received by the Commission concerning these proposals, and the Commission has adopted the rules and amendments as proposed and has adopted Form MSDW with certain clarifying modifications.

The new rules adopted under Section 15B of the Act[6] provide for: (1) Registration of a successor to a registered municipal securities dealer (Rule 15Ba2–4),[7] (2) registration of fiduciaries (Rule 15Ba2–5), (3) adoption by a successor of an application filed by a predecessor municpal securities dealer (Rule 15Ba2–6), and (4) withdrawal of registration of a municipal securities dealer. (Rule 15Bc3–1). Those rules are patterned after, and are virtually identical in structure to, existing Rules 15b1–3, 15b1–4, 15b2–1 and 15b6–1,[8] governing brokers and dealers registered pursuant to Section 15(b) of the Act.[9]

Apart from an alteration in the time period in Rule 15b1–3, as discussed *supra* in note 7, no changes have been adopted concerning the Commission's registration rules under Section 15(b) of the Act. The existing rules are appropriate for the regulation of those municipal securities brokers and dealers who will be newly registered under Section 15(b) of the Act.[10]

STATUTORY BASIS

The Securities and Exchange Commission, acting pursuant to the provisions of the Act, 15 U.S.C. 78a et seq., as amended by the Securities Acts Amendments of 1975, Pub. L. No. 94–29 (June 4, 1975), and particularly Sections 2, 3, 15, 15B, 17, and 23 thereof (15 U.S.C. 78b, 78c, 78o, 78o–4, 78q, and 78w), hereby adopts §§ 240.15Ba2–4, 240.15Ba2–5, 240.15Ba2–6, and 240.15Bc3–1 of Part 17 of the Code of Federal Regulations and related Form MSDW, 17 CFR 249.1110, and amends § 240.15b1–3 of Part 17 of the Code of Federal Regulations, effective August 16, 1976. The Commission finds that any burdens on competition which may be imposed by the aforementioned rules and amendments are appropriate in furtherance of the purposes of the Act which contemplated that the Commission will establish procedures for the registration and withdrawal of registration of brokers, dealers, and municipal securities dealers.

(Secs. 2, 3, 15, 17, 23, 48 Stat. 881, 882, 895, 897, 901, as amended by secs. 2, 3, 11, 14, 18, 89 Stat. 97, 97–104, 121–127, 137–141, 155–156; sec. 13, 89 Stat. 131–137 (15 U.S.C. 78b, 78c, 78o, 78q, and 78w, as amended by Pub. L. No. 94–29; 15 U.S.C. 78o–4, as added by Pub. L. No. 94–29.))

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

JULY 7, 1976.

1. Section 240.15b1–3 is amended by revising paragraph (a) as follows:

§ 240.15b1–3 Registration of successor to registered broker or dealer.

(a) In the event that a broker or dealer succeeds to and continues the business of another registered broker or dealer, the registration of the predecessor shall be deemed to remain effective as the registration of the successor for a period of 75 days after such succession, provided that an application for registration on Form BD is filed by such successor within 30 days after such succession.

* * * * *

2. Section 240.15Ba–2–4 is added as follows:

§ 240.15Ba2–4 Registration of successor to registered municipal securities dealer.

In the event that a municipal securities dealer succeeds to and continues the business of another registered municipal securities dealer the registration of the predecessor shall be deemed to remain effective as the registration of the successor for a period of 75 days after such succession, provided that an application for registration on Form MSD, in the case of a municipal securities dealer which is a bank or a separately identifiable department or division of a bank, or Form BD, in the case of any other municipal securities dealer, is filed by such successor within 30 days after such succession.

3. Section 240.15Ba2–5 is added as follows:

§ 240.15Ba2–5 Registration of fiduciaries.

The registration of a municipal securities dealer shall be deemed to be the registration of any executor, administrator, guardian, conservator, assignee for the benefit of creditors, receiver, trustee in insolvency or bankruptcy, or other fiduciary, appointed or qualified by order, judgment, or decree of a court of competent jurisdiction to continue the business of such registered municipal securities dealer, provided that such fiduciary files with the Commission, within 30 days after entering upon the performance of his duties, a statement setting forth as to such fiduciary substantially the information required by Form MSD, if the municipal securities dealer is a bank or a separately identifiable department of a bank, or Form BD, if the municipal securities dealer is other than a bank or a separately identifiable department or division of a bank.

4. Section 240.15Ba2–6 is added as follows:

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[3] 40 FR 60084 (1975).

[4] 17 CFR 240.15Ba2–4, 240.15Ba2–5, 240.15Ba2–6, 240.15Bc3–1, and 249.1110.

[5] 17 CFR 240.15b1–3. The Commission is currently studying proposed Rule 17a–21, which was also announced in Release No. 11876. In Securities Exchange Act Release No. 12468 (May 20, 1976), the Commission announced its action with respect to other proposals in Release No. 11876. Amendments to Rule 15c1–3 announced in Release No. 12468 omit a reference to municipal securities dealers contained in the rule as adopted and published at 41 FR 22820 (June 7, 1976). The text of the rule as amended is as follows:

§ 240.15c1–3 Misrepresentation by brokers, dealers and municipal securities dealers as to registration.

The term "manipulative, deceptive, or other fraudulent device or contrivance," as used in Section 15(c)(1) of the Act, is hereby defined to include any representation by a broker, dealer or municipal securities dealer that the registration of a broker or dealer, pursuant to Section 15(b) of the Act, or the registration of a municipal securities dealer pursuant to Section 15B(a) of the Act, or the failure of the Commission to deny or revoke such registration, indicates in any way that the Commission has passed upon or approved the financial standing, business, or conduct of such registered broker, dealer or municipal securities dealer or the merits of any security or any transaction or transactions therein.

[6] 15 U.S.C. 78o–4.

[7] The 75-day period in Rule 15Ba2–4 is intended to accommodate the 30-day period which the successor has to file his application and also the 45-day period which the Commission has to either approve the application or institute proceedings to disapprove the application. Since the procedure for handling applications of brokers and dealers under Section 15(b) of the Act, 15 U.S.C. 78o(b), also requires the Commission to act affirmatively on applications within 45 days (rather than permitting the application to become effective by lapse of time after 30 days), the Commission has amended Rule 15b1–3 to provide a 75-day time period for the registration of a predecessor to remain in effect after succession.

[8] 17 CFR 240.15b1–3, 240.15b1–4, 240.15b2–1 and 240.15b6–1.

[9] The only significant difference is that Rule 15Bc3–1 does not provide, as does Rule 15b6–1, that a withdrawal from registration which is otherwise effective shall not become effective for an additional six months for purposes of the Securities Investor Protection Act of 1970 ("SIPA"). Since municipal securities dealers registered under Section 15B(a) of the Act (i.e., banks and their departments and divisions and intrastate dealers) are not subject to SIPA, there appears to be no need to provide any additional time period.

[10] Neither the newly adopted rules for succession under Section 15B nor the Commission's existing succession rules under Section 15(b) provide procedures for the succession of a broker or dealer registered under Section 15(b) by a municipal securities dealer required to register under Section 15B, or the succession of a municipal securities dealer registered pursuant to Section 15B by a broker or dealer required to register under Section 15(b). The Commission believes that successions of that type will be infrequent and can be handled on a case-by-case basis under the Commission's authority under Sections 15(a)(2) and 15B(a)(4) to grant exemptions from registration when consistent with the public interest, the protection of investors, and, in the case of exemptions under Section 15B(a)(4), the purposes of Section 15B of the Act.

§ 240.15Ba2–6 Adoption of application filed by predecessor.

Registration of a municipal securities dealer pursuant to an application filed on behalf of such municipal securities dealer by a predecessor shall terminate on the 30th day after the effective date thereof unless the successor shall adopt the application as its own by filing a statement adopting such application on or before such date. Any statement adopting such an application shall constitute a representation to the Commission that the information contained in such application, and in the supplements and amendments thereto, is true and correct.

Section 240.15 Bc 3–1 is added as follows:

§ 240.15Bc3–1 Withdrawal from registration of municipal securities dealers.

(a) Notice of withdrawal from registration as a municipal securities dealer pursuant to section 15B(c) shall be filed on Form MSDW, in the case of a municipal securities dealer which is a bank or a separately identifiable department or division of a bank, or Form BDW, in the case of any other municipal securities dealer, in accordance with the instructions contained therein.

(b) Except as hereinafter provided, a notice to withdraw from registration filed by a municipal securities dealer pursuant to section 15B(c) shall become effective for all matters on the 60th day after the filing thereof with the Commission or within such shorter period of time as the Commission may determine. If a notice to withdraw from registration is filed with the Commission at any time after the date of the issuance of a Commission order instituting proceedings pursuant to section 15B(c) to censure, place limitations on the activities, functions or operations of, or suspend or revoke the registration of, such municipal securities dealer, or if, before the effective date of the notice of withdrawal pursuant to this paragraph (b), the Commission institutes such a proceeding or a proceeding to impose terms or conditions upon such withdrawal, the notice of withdrawal shall not become effective pursuant to this paragraph (b) except as such time and upon such terms and conditions as the Commission deems necessary or appropriate in the public interest or for the protection of investors.

(c) Every notice of withdrawal filed pursuant to this section shall constitute a "report" within the meaning of Section 17 and 32(a) of the Act.

ADOPTION OF FORM

Subpart L of Part 249 is hereby amended by adding § 249.1110 to that subpart as follows:

§ 249.1110 Form MSDW, Notice of withdrawal from registration as a municipal securities dealer pursuant to Rule 15Bc3–1 (17 CFR 240.15Bc3–1).

This form is to be used by a bank or a separately identifiable department or division of a bank (as defined by the Municipal Securities Rulemaking Board) to withdraw from registration with the Securities and Exchange Commission as a municipal securities dealer pursuant to section 15B(c) of the Securities Exchange Act of 1934.

NOTE.—Copies of Form MSDW have been filed with the Office of the Federal Register as part of this document. Copies of Form MSDW may be obtained from the Publications Section, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

FORM MSDW

Notice of Withdrawal From Registration as a Municipal Securities Dealer Pursuant to Rule 15Bc3–1 (17 CFR 240.15Bc3–1).

GENERAL INSTRUCTIONS

1. This Form is required by Securities Exchange Act Rule 15Bc3–1 (17 CFR 240.15Bc 3–1), which states:

Rule 15Bc3–1 Withdrawal from registration of municipal securities dealers.

(a) Notice of withdrawal from registration as a municipal securities dealer pursuant to Section 15B(c) shall be filed on Form MSDW, in the case of a municipal securities dealer which is a bank or a separately identifiable department or division of a bank, or Form BDW, in the case of any other municipal securities dealer, in accordance with the instructions contained therein.

(b) Except as hereinafter provided, a notice to withdraw from registration filed by a municipal securities dealer pursuant to Section 15B(c) shall become effective for all matters on the 60th day after the filing thereof with the Commission or within such shorter period of time as the Commission may determine. If a notice to withdraw from registration is filed with the Commission at any time after the date of the issuance of a Commission order instituting proceedings pursuant to Section 15B(c) to censure, place limitations on the activities, functions or operations of, or suspend or revoke the registration of, such municipal securities dealer, or if, before the effective date of the notice of withdrawal pursuant to this paragraph (b), the Commission institutes such a proceeding or a proceeding to impose terms or conditions upon such withdrawal, the notice of withdrawal shall not become effective pursuant to this paragraph (b) except at such time and upon such terms and conditions as the Commission deems necessary or appropriate in the public interest or for the protection of investors.

(c) Every notice of withdrawal filed pursuant to this section shall constitute a "report" within the meaning of Sections 17 and 32(a) of the Act.

2. One signed original and one signed copy of this Form must be completed and filed with the Securities and Exchange Commission, Washington, D.C. 20549, before registration as a municipal securities dealer may be terminated. An exact copy should be retained by the registrant. In addition, an original signed copy of the Form must be filed with registrant's appropriate regulatory agency, determined in accordance with Section 3(a)(34) of the Securities Exchange Act of 1934. Registrants which are national banks, banks operating under the Code of Law for the District of Columbia, or departments or divisions of such banks, must file Form MSDW with the Comptroller of the Currency, Washington, D.C. 20219; registrants which are State member banks of the Federal Reserve System, or departments or divisions of such banks, must file Form MSDW with the Federal Reserve Board, Washington, D.C. 20551; registrants which are banks insured by the Federal Deposit Insurance Corporation (other than members of the Federal Reserve System), or departments or divisions of such banks, must file Form MSDW with the Federal Deposit Insurance Corporation, Washington, D.C. 20429.

3. Both copies of this Form filed with the Commission shall be executed with a manual *signature* in Item 11. Form MSDW shall be signed in the name of the registrant by a principal officer of the registrant or, if registrant is a department or division of a bank, by a principal officer of the bank, in each case duly authorized to sign this Form, who is directly engaged in the management, direction, or supervision of the registrant's municipal securities dealer activities.

4. Individuals' names except the executing signature in Item 11 must be given in full, and all other items must be answered in full.

5. If the space provided for any answer is insufficient, the complete answer should be prepared on a separate sheet under the heading "Answer to Item ——" and attached to the Form. Reference thereto must be made on the Form under the item.

6. A Form MSDW which is not completed and signed properly may be returned as not acceptable for filing. Acceptance of this Form, however, will not mean that the Commission has found that it has been filed as required or that the information submitted is true, correct, or complete.

7. *Definitions:*

(a) Unless the context clearly indicates otherwise, all terms used in this Form have the same meaning as in the Securities Exchange Act of 1934 and in the General Rules and Regulations of the Commission thereunder (17 Code of Federal Regulations, Part 240).

(b) Municipal securities dealer activities—the term "municipal securities dealer activities" includes:

(1) Underwriting, trading and sales of municipal securities;

(2) Processing and clearance activities with respect to municipal securities;

(3) Research, analysis and the preparation of literature for use in connection with the activities described in (1) above; and

(4) Maintenance of records pertaining to the activities described in (1) through (3) above.

FORM MSDW

Notice of Withdrawal From Registration as a Municipal Securities Dealer Pursuant to Rule 15Ba3–1 (17 CFR 240.15Ba3–1).

Read instruction sheet before preparing form. Please print or type.

IN COMPLIANCE WITH THE APPLICABLE SECURITIES LAWS, THE REGISTRANT HEREBY SUBMITS THE FOLLOWING INFORMATION

1. Registrant is a: ☐ Bank ☐ Department or Division of a Bank

2. Full name of registrant:

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3. Name under which municipal securities dealer activities are conducted, if different from above:

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4. Address of actual location of registrant's principal place of business:

(No. and Street) (City) (State Zip Code)

5. If registrant is a department or division of a bank, name, principal business address, mailing address, if different, and telephone number of bank:

(Name)

(No. and Street) (City) (State Zip Code)

Address of bank's principal place of business

(No. and Street) (City) (State Zip Code)
Telephone Number:

(Area Code) (Telephone Number)

6. In connection with its activities as a municipal securities dealer does registrant owe any money or securites to any customer, broker, dealer, or municipal securities dealer? Yes ☐ No ☐

(If answer is "yes" furnish all the following information:)

(a) Amount of money owed_____
(b) Market value of securities owed_____
(c) Arrangements made for payment_____

7. Is registrant involved in any legal action or proceeding? Yes ☐ No ☐

If so, furnish complete information with respect to each.

8. Are there are unsatisfied judgments or liens against registrant?

Yes ☐ No ☐

If so, furnish complete information regarding each judgment and lien.

9. Furnish below the name and address of the person who has or will have custody or possession of registrant's books and records with respect to registrant's activities as a municipal securities dealer:

(Name)

(No. and Street) (City) (State Zip Code)

10. Furnish below the address of the place where such books and records will be located:

(No. and Street) (City) (State Zip Code)

11. EXECUTION. The registrant submitting this Form and its attachments and the person executing it to the best of the undersigned's knowledge and belief and on the basis of diligent inquiry, represent hereby that it, and all materials filed in connection with it contain a true, correct and complete statement of all required information.

Registrant also consents hereby to make the books and records he is required to preserve by rule or regulation of the Securities and Exchange Commission or the Municipal Securities Rulemaking Board available for examination by authorized representatives of the Securities and Exchange Commission during the period such rules require that such books and records be preserved; and hereby authorizes the person having custody of such books and records to make them available.

Dated the __ day of _____ 19__.

(Name of Registrant)

(Manual signature of duly authorized officer)

(Title)

ATTENTION

Intentional Misstatements or omissions of facts constitute federal criminal violations

(See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).)

[FR Doc. 76-20239 Filed 7-13-76;8:45 am]

Title 19—Customs Duties

CHAPTER II—UNITED STATES INTERNATIONAL TRADE COMMISSION

PART 201—RULES OF GENERAL APPLICATION

Confidential Business Information and Initiation of Investigations

The provisions contained herein establish regulations for this agency with regard to the classification of records, documents, and other information in conformity with the Freedom of Information Act, 5 U.S.C. 552, as amended by Pub. L. 93-502, 88 Stat. 1561, and pursuant to section 335 of the Tariff Act of 1930, as amended (72 Stat. 680; 19 U.S.C. 1335), section 135(g)(1)(A) of the Trade Act of 1974 (88 Stat. 1997-1998; 19 U.S.C. 2155), section 201(d)(2) of the Trade Act of 1974 (88 Stat. 2012; 19 U.S.C. 2251), section 406(a)(4) of the Trade Act of 1974 (88 Stat. 2062; 19 U.S.C. 2436), section 201(d)(3) of the Antidumping Act, 1921, as amended (88 Stat. 2045; 19 U.S.C. 160), and 18 U.S.C. 1905.

On November 21, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 54265, as corrected in 40 FR 56936) proposing to revise title 19, chapter II, § 201.6, of the Code of Federal Regulations to provide rules and regulations for the submission, classification, and appeals from classification of confidential business information. Notice was given that comments concerning the proposed section were to be submitted to the United States International Trade Commission on or before January 5, 1976. The following comments have been received to this date.

A comment with respect to § 201.6(b)(2) objected to the requirement that in the absence of good cause shown any request for confidentiality relating to material to be submitted during the course of a hearing shall be submitted at least 3 working days prior to the commencement of such hearing. The comment suggested that the provision for showing good cause be omitted and the mandatory 3-day time limit be made directory rather than mandatory. It is the position of the Commission that the provisions of § 201.6(b)(2) are not burdensome. It will be the rare case in which material does not exist or has not been considered for presentation less than 3 days before the desired submission. The advanced ruling procedure will not be taxed by the few cases in which presentation for a ruling is delayed and good cause is shown. To omit the good cause requirement allowing delayed presentations would not only interfere with the ruling procedure for confidential materials, but unnecessarily burden hearings with procedural rulings.

Another comment stated that the language of § 201.6(b)(3) is ambiguous. The comment indicated that it was unclear whether the Commission required that it have the underlying materials for which confidential treatment was sought in its possession, control, or custody in order to make a ruling on confidentiality. The same comment suggested that the provision be reworded to provide that underlying materials need not be submitted with a request for a ruling as to their confidentiality. It is the position of the Commission that the submission of a written description of the nature of the subject information, a justification for the request for its confidential treatment, and a certification in writing under oath that substantially identical information is not available to the public will suffice for a ruling on confidentiality. It is the position of the Commission that a submitter has the option of providing the record, documents, or other information for which confidential treatment is sought at the time the written description of the information, the justification for the request for its confidential treatment, and certification that substantially identical information is not available to the public are provided for a ruling on the confidentiality of the information. In order to avoid any possible confusion concerning the Commission's position in this regard, an additional statement has been added to the end of the first sentence under § 201.6(b)(4).

A comment with respect to § 201.6(b)(3)(c) objected to the provision that the submitter of information requesting a ruling as to its confidentiality be required to certify in writing under oath that substantially identical information is not available to the public, that is, in public sources. The comment suggested that the affidavit was unnecessarily troublesome and the solemnity of an oath not necessary.

If the Commission determines, pursuant to this section, that the record, document, or other information submitted contains trade secrets or confidential business information, the Commission must determine whether the public right to be fully apprised as to the bases for Commission orders, recommendations, and conclusions outweighs the right for the protection of a competitive position. With these considerations, it is the position of the Commission that when confidential treatment of submitted information has been granted, the public is entitled to be fully apprised as to the bases of the Commission for the action and that a writing under oath is not inappropriate for such purposes.

Another comment objects to the provision of § 201.6(g) enabling a submitter to withdraw a tender of information not accorded confidential treatment "unless it is the subject of a request under the Freedom of Information Act or of judicial discovery proceedings." The comment indicates that allowing third parties immediate access to material not accorded confidential treatment under the Freedom of Information Act could have a "chilling effect on the submission of information to the Commission." It is the position of the Commission that persons wishing to submit information to

the Commission but not willing that such information be subject to the Freedom of Information Act, or otherwise available to the public, have the option to submit only those documents described in § 201.6(b)(3), not the underlying records or documents themselves.

In addition, title 19, Chapter II, § 201.7, of the Code of Federal Regulations is amended as set forth below. The amendment adopted provides for the initiation of investigations by, among others, the Special Representative for Trade Negotiations, as provided for in section 201(b)(1) of the Trade Act of 1974. No notice of proposed rulemaking was published with regard to this amendment as it is affirmatory and uncontroversial.

In consideration of the above, Part 201 of Chapter II, Title 19, of the Code of Federal Regulations is amended as set forth below. The effective date of these amendments shall be August 13, 1976.

Section 201.6 is revised as follows:

§ 201.6 Confidential business information.

(a) *Definition.* Confidential business information is information which concerns or relates to the trade secrets, processes, operations, style of works, or apparatus, or to the production, sales, shipments, purchases, transfers, identification of customers, inventories, or amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or other organization, the disclosure of which is likely to have the effect of either (1) impairing the Commission's ability to obtain such information as is necessary to perform its statutory functions, or (2) causing substantial harm to the competitive position of the person, firm, partnership, corporation, or other organization from which the information was obtained, unless the Commission is required by law to disclose such information.

(b) *Procedure for submitting business information in confidence.*

(1) A request for confidential treatment of business information shall be addressed to the Secretary, United States International Trade Commission, 701 E Street NW., Washington, D.C. 20436, and shall indicate clearly on the envelope that it is a request for confidential treatment.

(2) In the absence of good cause shown, any request relating to material to be submitted during the course of a hearing shall be submitted at least three (3) working days prior to the commencement of such hearing.

(3) With each submission of, or offer to submit, business information which a submitter desires to be treated as confidential under paragraph (a)(2) of this section, the submitter shall provide the following, which may be disclosed to the public: (i) A written description of the nature of the subject information, (ii) a justification for the request for its confidential treatment, and (iii) a certification in writing under oath that substantially identical information is not available to the public.

(4) The submission of the documents itemized in paragraph (b)(3) of this section will provide the basis for rulings on the confidentiality of submissions, including rulings on the confidentiality of submissions offered to the Commission which have not yet been placed under the possession, control, or custody of the Commission. The submitter has the option of providing the business information for which confidential treatment is sought at the time the documents itemized in paragraph (b)(3) of this section are provided or of withholding them until a ruling on their confidentiality has been issued.

(c) *Identification of business information submitted in confidence.* Business information which a submitter desires to be treated as confidential shall be clearly labeled "confidential business information" when submitted, and shall be segregated from other material being submitted.

(d) *Approval or denial of requests for confidential treatment.* Approval or denial of requests shall be made only by the Secretary or Acting Secretary. A denial shall be in writing, shall specify the reason therefor, and shall advise the submitter of the right to appeal to the Commission.

(e) *Appeals from denial of confidential treatment.* (1) For good cause shown, the Commission may grant an appeal from a denial by the Secretary of a request for confidential treatment of a submission. Any appeal filed shall be addressed to the Chairman, United States International Trade Commission, 701 E Street NW., Washington, D.C. 20436, and shall clearly indicate that it is a confidential submission appeal. An appeal may be made within twenty (20) days of a denial or whenever the approval or denial has not been forthcoming within ten (10) days (excepting Saturdays, Sundays, and Federal legal holidays) of the receipt of a confidential treatment request, unless an extension notice in writing with the reasons therefor has been provided the person requesting confidential treatment.

(2) An appeal will be decided within twenty (20) days of its receipt (excepting Saturdays, Sundays, and Federal legal holidays) unless an extension, noticed in writing with the reasons therefor, has been provided the person making the appeal.

(f) *Appeals from approval of confidential treatment.* An appeal from an approval of a request for confidential treatment of a submission shall be made to the Secretary, United States International Trade Commission, 701 E Street NW., Washington, D.C. 20436, shall comply with § 201.17 through § 201.19 of the Commission's rules of practice and procedure implementing the Freedom of Information Act, and shall show that a copy thereof has been served upon the submitter.

(g) *Granting confidential status to business information.* Any business information submitted in confidence and determined to be entitled to confidential treatment shall be maintained in confidence by the Commission and not disclosed except as required by law. In the event that any business information submitted to the Commission is not entitled to confidential treatment, the submitter will be permitted to withdraw the tender unless it is the subject of a request under the Freedom of Information Act or of judicial discovery proceedings.

(h) *Scope of provisions.* The provisions of §§ 201.6(b) and 201.6 (d) through (g) shall not apply to adjudicative investigations under subchapter C, Part 210, of the Commission's rules of practice and procedure.

Section 201.7 is revised as follows:

§ 201.7 Initiation of investigations.

Investigations may be initiated by the Commission on the Commission's own motion, upon request of the President or the Special Representative for Trade Negotiations, upon resolution of the Committee on Ways and Means of the House of Representatives or the Committee on Finance of the Senate, upon resolution of either branch of Congress, or upon application, petition, complaint, or request of private parties, as required or provided for in the pertinent statute, Presidential proclamation, Executive order, or in this chapter.

By order of the Commission.

Issued: July 8, 1976.

KENNETH R. MASON,
Secretary.

[FR Doc.76-20181 Filed 7-13-76;8:45 am]

Title 21—Food and Drugs

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

[FRL 582-1; FAP5H5081/T18]

PART 193—TOLERANCES FOR PESTICIDES IN FOOD ADMINISTERED BY THE ENVIRONMENTAL PROTECTION AGENCY

PART 561—TOLERANCES FOR PESTICIDES IN ANIMAL FEEDS ADMINISTERED BY THE ENVIRONMENTAL PROTECTION AGENCY

Acephate

On April 28, 1975, the Environmental Protection Agency gave notice (40 FR 18489) that Chevron Chemical Co., 940 Hensley St., Richmond CA 94804, had submitted a petition (FAP 5H5081) which proposed to amend 21 CFR 121 (since redesignated 21 CFR 193) by the establishment of a regulation permitting the use of the insecticide acephate (*O,S*-dimethyl acetylphosphoramidothioate) in a proposed experimental use program involving application of the pesticide to growing grapes with a tolerance of 10 parts per million (ppm) for combined residues of acephate and its cholinesterase-inhibiting metabolite *O,S*-dimethyl phosphoramidothioate in rasins in accordance with an experimental use permit to be issued concurrently under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

Chevron Chemical Co. has subsequently amended the petition by requesting that the tolerance in raisins be in-

creased to 12 ppm (of which not more than 1 ppm is *O,S*-dimethyl phosphoramidothioate), and by adding requests for tolerances in grape pomace at 15 ppm (of which not more than 2 ppm is *O,S*-dimethyl phosphoramidothioate), and in raisin waste at 6 ppm (of which not more than 1 ppm is *O,S*-dimethyl phosphoroamidothioate).

The scientific data reported and other relevant material have been evaluated, and it has been determined that the pesticide may be safely used in accordance with the provisions of the experimental use permit issued under FIFRA. It has further been determined that since residues of the pesticide may result in raisins, grape pomace, and raisin waste from the agricultural uses provided for by the experimental use permit, the food additive regulations requested by the petitioner should be established and should include the tolerance limitations.

Accordingly, food additive regulations are established as set forth below. Any person adversely affected by these regulations may, on or before August 13, 1976, file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M St. SW, East Tower, Room 1019, Washington DC 20460. Such objections should be submitted in quintuplicate and should specify both the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective July 14, 1976, 21 CFR 193 is amended by the adding the new § 193.10, and 21 CFR 561.20 is revised as set forth below.

(Sec. 409(c) (1) & (4) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 348(c) (1) & (4)].)

Dated: July 8, 1976.

EDWIN L. JOHNSON,
Deputy Assistant Administrator for Pesticide Programs.

Part 193 is amended by adding the new § 193.10 to read as follows:

§ 193.10 Acephate.

(a) A tolerance of 12 parts per million is established for combined residues of the insecticide acephate (*O,S*-dimethyl acetylphosphoramidothioate) and its cholinesterase-inhibiting metabolite *O,S*-phosphoramidothioate in raisins resulting from application of the insecticide in accordance with the provisions of an experimental use permit that expires July 6, 1977.

(b) Residues in raisins not in excess of 12 parts per million (of which not more than 1 part per million is *O,S*-dimethyl phosphoramidothioate) resulting from the use described in paragraph (a) of this section remaining after expiration of the experimental program will not be considered to be actionable if the pesticide is legally applied during the term of and in accordance with the provisions of the experimental use permit and food additive tolerance.

(c) Chevron Chemical Co. shall immediately notify the Environmental Protection Agency of any findings from the experimental use that have a bearing on safety. The firm shall also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the Environmental Protection Agency or the Food and Drug Administration.

Section 561.20 is revised by designating the existing tolerances as paragraph (a) and by adding the new paragraphs (b), (c), and (d) to read as follows:

§ 561.20 Acephate.

(a) * * *

(b) Tolerances of 15 parts per million (of which not more than 2 parts per million are *O,S*-dimethyl phosphoramidothioate) in grape pomace and 6 parts per million (of which not more than 1 part per million is *O,S*-dimethyl phosphoramidothioate) in raisin waste are established for combined residues of the insecticide acephate (*O,S*-dimethyl acetylphosphoramidithioate) and its cholinesterase-inhibiting metabolite *O,S*-dimethyl phosphoramidothioate resulting from application of the insecticide in accordance with the provisions of an experimental use permit that expires July 6, 1977.

(c) Residues in grape pomace not in excess of 15 parts per million (of which not more than 2 parts per million are *O,S*-dimethyl phosphoramidothioate) and 6 parts per million in raisin waste (of which not more than 1 part per million is *O,S*-dimethyl phosphoramidothioate) resulting from the use described in paragraph (b) of this section remaining after expiration of the experimental use program will not be considered to be actionable if the pesticide is legally applied during the term of and in accordance with the provisions of the experimental use permit and food additive tolerance.

(d) Chevron Chemical Co. shall immediately notify the Environmental Protection Agency of any findings from the experimental use that have a bearing on safety. The firm shall also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the Environmental Protection Agency or the Food and Drug Administration.

[FR Doc.76-20339 Filed 7-13-76;8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER II—CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY

PART 209—ADMINISTRATIVE PROCEDURE

Public Hearings

On January 16, 1975, the Department of the Army acting through the Corps of Engineers, published proposed regulations prescribing the policies and procedures to be followed by all District and Division offices in the conduct of public hearings.

Several comments were received in response to this regulation. Those responding to the regulation included environmental groups and representatives of industry, as well as Corps Districts and Divisions. These comments addressed both substantive and procedural aspects of the public hearing regulation. These comments are available for public inspection at the Office, Chief of Engineers and have been entered into the record for the development of this regulation. All comments have been carefully considered and many have been adopted or substantially satisfied by editorial changes, deletions or additions to the regulation.

Accordingly, the Department of the Army, acting through the Corps of Engineers, is publishing herewith a final regulation which prescribes the policies and procedures to be followed by all District and Division offices in the conduct of all public hearings. This regulation is applicable to Corps of Engineers permit actions under Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403), Section 404 of the Federal Water Pollution Control Act (33 U.S C. 1344) and Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413), (See 33 CFR 209.120) as well as Corps of Engineers projects involving the disposal of dredged or fill material which fall under the latter two authorities. (See 33 CFR 209.145.)

There follows a brief discussion of the pertinent sections of this regulation that have been changed in response to comments received on the proposed regulation:

Paragraph (a): This paragraph has been rewritten to clarify the scope of the regulation by indicating that it applies to all public hearings conducted by the Corps of Engineers including those held pursuant to Section 404 of the FWPCA and Section 103 of the MPRSA.

Paragraph (d)(1): The definition of "public hearing" has been changed to eliminate the term "affected person." Any person may now request a public hearing to present views, opinions and information on the evaluation of a permit action or Federal project.

Paragraph (d)(2): The Outer Continental Shelf Lands Act of 1953 (43 U.S.C. 1333) has been added to the list of statutory authorities involved in the processing of applications for Corps permits.

Paragraph (e)(1): This paragraph has been changed to now require the holding of a public hearing during the evaluation of any permit application or Corps project under Section 404 of the FWPCA or Section 103 of the MPRSA whenever a public hearing will assist in making a decision on the permit action or Corps project. Public hearings must also be held in connection with any proposed action to modify or revoke an existing Corps permit.

Paragraph (e)(2): This paragraph has been changed to allow any person to request a public hearing, in writing, sub-

ject to certain time constraints to consider those significant issues in the evaluation of the permit application or Corps project under Section 404 of the FWPCA or Section 103 of the MPRSA. The requestor of the public hearing does not have to identify the effect which the proposed action will have on him in this request (as suggested by the proposed regulation), but does have to state the specific reasons for holding the public hearing. A request for a public hearing under Section 404 of the FWPCA or Section 103 of the MPRSA will be granted unless the District Engineer determines, in writing, that there are no substantial issues to be addressed in the public hearing or that no valid interest will be served by the hearing.

Paragraph (e)(5): This paragraph has been added to require that consideration be given to the convenience and necessity of the public in fixing the time and place for the hearing.

Paragraph (f)(2): This paragraph has been modified to require that materials submitted in opposition to the proposed permit action and the hearing transcript also be included in the hearing file. In addition, while this paragraph indicates that the hearing file is available for public inspection, a provision has been added to exempt from this inspection any material that is exempt from disclosure under the Freedom of Information Act such as preliminary recommendations and conclusions of the District Engineer.

Paragraph (h): This paragraph has been changed to permit any person to be represented by others at a public hearing rather than leaving such representation to the discretionary decision of the Presiding Officer.

Paragraph (i): Procedures for argument and rebuttal are reflected in this paragraph including the opportunity for any person to submit proposed findings and recommendations to the Presiding Officer.

Paragraph (j): This paragraph has been modified to require the Presiding Officer to address all substantial and valid issues arising at the public hearing in his decision or recommendation.

This regulation shall become effective on July 14, 1976.

A new § 209.133 is added to 33 CFR Part 209 to read as follows:

§ 209.133 Public hearings.

(a) *Purpose.* This regulation prescribes the policy, practice and procedures to be followed by the U.S. Army Corps of Engineers in the conduct of public hearings conducted in the evaluation of a proposed Department of the Army permit action or Federal project as defined in subparagraph (d) below including those held pursuant to Section 404 of the FWPCA (33 U.S.C. 1344) and Section 103 of the MPRSA (33 U.S.C. 1413).

(b) *Applicability.* This regulation is applicable to all Divisions and Districts responsibe for the conduct of public hearings.

(c) *References.* (1) Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403).

(2) Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) (hereafter referred to as FWPCA).

(3) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413) (hereafter referred to as MPRSA).

(4) 33 CFR 209.120, "Permits for Work in Navigable or Ocean Waters."

(5) 33 CFR 209.145, "Federal Projects Involving the Disposal of Dredged Material in Navigable and Ocean Waters."

(d) *Definitions.* (1) Public hearing means a public proceeding conducted for the purpose of acquiring information or evidence which will be considered in evaluating a proposed Department of the Army, permit action, or Federal project, and which affords to the public the opportunity to present their views, opinions and information on such permit actions or Federal projects.

(2) Permit action, as used herein, means the review of an application for a permit pursuant to Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403), Section 404 of the FWPCA (33 U.S.C. 1344), The Outer Continental Shelf Act (43 U.S.C. 1333(f)), and Section 103 of the MPRSA of 1972 (33 U.S.C. 1413), or the modification or revocation of any Department of the Army permit. (See 33 CFR 209.120.)

(3) Federal project means a Corps of Engineers project, work or activity of any nature for any purpose which is to be performed by the Chief of Engineers pursuant to Congressional authorizations involving the discharge of dredged or fill material into navigable waters or the transportation of dredged material for the purpose of dumping it in ocean waters subject to Section 404 of the FWPCA (33 U.S.C. 1344), or Section 103 of the MPRSA (33 U.S.C. 1413); and 33 CFR 209.145.

(e) *General policy.* (1) A public hearing will be held in connection with the consideration of a Department of the Army permit application under Section 404 of the FWPCA or Section 103 of the MPRSA, or a Federal project whenever a public hearing will assist in making a decision on such permit application or Federal project. In addition, a public hearing may be held when it is proposed to modify or revoke a permit. (See 33 CFR 209.120(o).)

(2) Unless the public notice specifies that a public hearing will be held, any person may request, in writing, within 30 days of the issuance of a public notice on a Department of the Army permit application under Section 404 of the FWPCA or Section 103 of the MPRSA or on a Federal project, that a public hearing be held to consider the material matters in issue in the permit application or Federal project. Upon receipt of any such request, stating with particularity the reasons for holding a public hearing, the District Engineer shall promptly set a time and place for the public hearing, and give due notice thereof, as prescribed in paragraph (1) of this regulation. Requests for a public hearing under this paragraph shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing. The District Engineer will make such a determination in writing, and communicate his reasons therefor to all requesting parties.

(3) In cases involving the evaluation of a Department of the Army permit application arising only under Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403), public hearings will be held upon written request whenever the District Engineer determines that there is sufficient public interest to warrant such action. Among the instances warranting public hearings are general public opposition to a proposed work, Congressional requests or request from responsible local authorities, or controversial cases involving significant environmental issues.

(4) In case of doubt, a public hearing shall be held. Prior to officially denying any request for a public hearing, HQDA (DAEN–GCH) and (DAEN–CWO) shall be informed of the proposed denial including the facts involved at least 24 hours before the effective date of such action. HQDA has the discretionary power to require hearings in any case.

(5) In fixing the time and place for a hearing, due regard shall be had for the convenience and necessity of the interested public.

(f) *Presiding officer.* (1) The District Engineer, in whose District a matter arises, shall normally serve as the Presiding Officer. When the District Engineer is unable to serve he may designate the Deputy District Engineer as such Presiding Officer. In any case, he may request the Division Engineer to designate another Presiding Officer. In cases of unusual interest, the Chief of Engineers reserves the power to appoint such person as he deems appropriate to serve as the Presiding Officer.

(2) Hearing file: The Presiding Officer in each case shall establish a hearing file. The hearing file shall include a copy of any permit application or permits and supporting data; any public notices issued in the case; the request or requests for the hearing and any data or material submitted in justification thereof; materials submitted in opposition to the proposed action; the hearing transcript; and such other material as may be relevant or pertinent to the subject matter of the hearing. The hearing file shall be available for public inspection with the exception of material exempt from disclosure under the Freedom of Information Act, such as some recommendations and conclusions of the District Engineer.

(g) *Legal adviser.* In each public hearing, the District Counsel or his designee shall serve as legal adviser to the Presiding Officer in ruling upon legal matters and issues that may arise.

(h) *Representation.* At the public hearing, any person may appear on his own behalf, and may be represented by counsel, or by other representatives.

(i) *Conduct of hearings.* (1) Hearings shall be conducted by the Presiding Officer in an orderly but expeditious manner. Any person shall be permitted to submit oral or written statements concerning the subject matter of the hearing, to call witnesses who may present oral statements, and to present recommendations as to an appropriate decision. Any person may present written statements for the hearing file prior to the time the hearing file is closed to public submissions, and may present proposed findings and recommendations. The Presiding Officer shall afford participants an opportunity for rebuttal.

(2) The Presiding Officer shall have discretion to establish reasonable limits upon the time allowed for statements of witnesses, for arguments of parties or their counsel or representatives, and upon the number of rebuttals.

(3) Cross-examination of witnesses shall not be permitted.

(4) All public hearings shall be reported verbatim. Copies of the transcripts of proceedings may be purchased by any person from the Corps of Engineers or the reporter of such hearing. A copy will be available for public inspection at the office of the appropriate District Engineer.

(5) All written statements, charts, tabulations, and similar data offered in evidence at the hearing shall, subject to exclusion by the Presiding Officer for reasons of redundancy, be received in evidence and shall constitute a part of the hearing file.

(6) At any hearing, the Presiding Officer shall make an opening statement, outlining the purpose of the hearing and prescribing the general procedures to be followed. The Presiding Officer shall afford participants an opportunity to respond to his opening statement.

(7) The Presiding Officer shall allow a period of 10 days after the close of the public hearing for submission of written comments. After such time has expired, unless such period is extended by the Presiding Officer or the Chief of Engineers for good cause, the hearing file shall be closed to additional public written comments.

(8) In appropriate cases, the District Engineer may participate in joint public hearings with other Federal or State agencies, provided the procedures of those hearings meet the requirements of this regulation.

(9) The procedures in subparagraphs (4), (6) and (7) of this section may be waived by the Presiding Officer in appropriate cases.

(j) *Filing of transcript of the public hearing.* Where the Presiding Officer is the initial action authority, the transcript of the public hearing, together with all evidence introduced at the public hearing shall be made a part of the administrative record of the permit action or Federal project. The initial action authority shall fully consider the matters discussed at the public hearing in arriving at his initial decision or recommendation and shall address, in his decision or recommendation, all substantial and valid issues presented at the hearing. Where a person other than the initial action authority serves as Presiding Officer, such person shall forward the transcript of the public hearing and all evidence received in connection therewith to the initial action authority together with a report summarizing the issues covered at the hearing. The report of the Presiding Officer and the transcript of the public hearing and evidence submitted there shall in such cases be fully considered by the initial action authority in making his decision or recommendation to higher authority as to such permit action or Federal project.

(k) *Powers of the presiding officer.* Presiding Officers shall have the following powers:

(1) To regulate the course of hearing including the order of all sessions and the scheduling thereof, after any initial session, and the recessing, reconvening, and adjournment thereof;

(2) To take any other action necessary or appropriate to the discharge of the duties vested in them, consistent with the statutory or other authority under which the Chief of Engineers functions, and with the policies and directives of the Chief of Engineers and the Secretary of the Army.

(l) *Public notice.* (1) Public notice shall be given of any public hearing to be held pursuant to this regulation. Such notice shall provide for a period of not less than 30 days following the date of public notice during which time interested parties may prepare themselves for the hearing, except that, in cases of public necessity, a shorter time may be allowed. Notice shall also be given to all Federal agencies affected by the proposed action, and to State and local agencies having an interest in the subject matter of the hearing. Notice shall be sent to all persons requesting a hearing and shall be posted in appropriate government buildings and published in newspapers of general circulation.

(2) The notice shall contain time, place, and nature of hearing; the legal authority and jurisdiction under which the hearing is held; and location of and availability of the draft Impact Statement or Assessment.

(m) *Applicability of other regulations.* (1) The provisions of 33 CFR 209.405 insofar as they apply to permit actions are rescinded on the effective date of this regulation.

(2) Paragraph (k) of 33 CFR 209.120 is rescinded on the effective date of this regulation.

(3) All references to public meetings in 33 CFR 209.145 are rescinded.

Dated: July 7, 1976.

DRAKE WILSON,
Acting Director of Civil Works.

[FR Doc.76-20262 Filed 7-13-76;8:45 am]

Title 43—Public Lands: Interior

CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

APPENDIX—PUBIC LAND ORDERS

[Public Land Order 5592; I-9100]

IDAHO

Withdrawal for Protection of Recreational and Other Natural Resource Values

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

1. Subject to valid existing rights, the following described public land is hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, 30 U.S.C. Ch. 2, but not from leasing under the mineral leasing laws, for the protection of the recreational, natural, scenic, wildlife, and wasteshed values:

BOISE MERIDIAN

T. 50 N., R. 5 W.,
Sec. 4, lot 13.
The area contains 37.50 acres in Kootenai County.

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

JACK O. HORTON,
Assistant Secretary of the Interior.

JULY 6, 1976.

[FR Doc.76-20267 Filed 7-13-76;8:45 am]

APPENDIX—PUBIC LAND ORDERS

[Public Land Order 5593, NEV-047407, et al.]

NEVADA

Partial and Total Revocation of Stock Driveways

By virtue of the authority contained in section 10 of the Act of December 29, 1916, 39 Stat. 865, as amended, 43 U.S.C. 300, it is ordered as follows:

1. The departmental orders of February 14, 1919, February 25, 1919, October 24, 1919 October 28, 1919, November 3, 1919, November 19, 1919, November 26, 1919, December 19, 1919, and January 17, 1920, creating Stock Driveway Nos. 67, 70, 101, 102, 103, 104, 109, 116, 117, 118, 119, 123, respectively, and any modifications thereof, are hereby revoked in their entireties.

The lands affected by the above orders and stock driveways aggregate 271,791 acres of public lands and 2,216 acres of private lands.

2. The departmental orders of September 13, 1918, May 23, 1919, June 9, 1919, June 18, 1919, and November 8, 1919, creating stock driveway Nos. 37, 83, 84, 85, and 112, respectively, are hereby revoked so far as they relate to the following described lands:

MOUNT DIABLO MERIDIAN

STOCK DRIVEWAY NO. 37 (PARTIAL)

T. 39 N., R. 52 E.,
Sec. 3, lots 2, 3, 4, SW¼NE¼, S½NW¼, E½SW¼, W½SE¼;
Sec. 4, lot 1;
Sec. 10, NE¼NE¼, S½NE¼, SE¼.
T. 40 N., R. 52 E.,
Sec. 10, SE¼SE¼;
Sec. 15, N½NE¼, E½SW¼, S½SE¼;
Sec. 22, E½, E½W½;
Sec. 23, W½;
Sec. 26, W½;
Sec. 27, E½, E½W½, SW¼NW¼, W½SW¼;
Sec. 28, SE¼SE¼;
Sec. 33, NE¼, E½SE¼;
Sec. 34, N½, SW¼.
T. 38 N., R. 53 E.,
Secs. 3 and 4;
Sec. 9, N½, E½SE¼;
Sec. 10, N½, W½SW¼, SE¼SW¼, SW¼SE¼;
Sec. 11, W½;
Sec. 14, W½;
Secs. 15 and 22;
Sec. 23, W½;
Sec. 25, SW¼, S½SE¼, NE¼SE¼;
Secs. 26 and 27;
Sec. 35, N½;
Sec. 36, N½.
T. 39 N., R. 53 E.,
Sec. 19, lots 2, 3, SE¼NW¼, NE¼SW¼, SE¼SE¼;
Sec. 20, S½S½;
Sec. 27, SW¼;
Sec. 28, W½NE¼, SE¼NE¼, NW¼, S½;
Sec. 29, N½, N½SE¼;
Sec. 30, N½NE¼, SE¼NE¼, NE¼SE¼;
Sec. 33;
Sec. 34, W½, S½SE¼.
T. 36 N., R. 54 E.,
Sec. 2.
T. 37 N., R. 54 E.,
Secs. 4, 26, 34.
T. 38 N., R. 54 E.,
Sec. 30, S½;
Secs. 31 and 32.
T. 34 N., R. 55 E.,
Sec. 4.
T. 35 N., R. 55 E.,
Sec. 32.

STOCK DRIVEWAY NO. 83 (PARTIAL)

T. 32 N., R. 51 E.,
Sec. 36, E½, SE¼SW¼.
T. 26 N., R. 52 E.,
Secs. 5, 8, 17.
T. 27 N., R. 52 E.,
Sec. 5, lots 3, 4, S½NW¼, SW¼;
Sec. 6, lots 1, 2, S½NE¼, SE¼;
Sec. 7, NE¼;
Sec. 8, S½NE¼, W½, SE¼;
Secs. 17, 20, 29, 32.
T. 28 N., R. 52 E.,
Sec. 4;
Sec. 8, NE¼, N½SE¼;
Sec. 9, N½S½;
Sec. 10, W½NW¼, NW¼SW¼;
Sec. 15, SW¼NW¼, SW¼, W½SE¼;
Sec. 16, E½E½, W½NE¼;
Sec. 22, W½NE¼, NW¼, S½SW¼;
Sec. 27, W½, W½E½;
Sec. 28;
Sec. 29, S½;
Sec. 31, E½;
Sec. 32, N½, SW¼;
Sec. 33, NW¼.
T. 29 N., R. 52 E.,
Sec. 2;
Sec. 4, lots 1, 2, S½NE¼, SE¼;
Sec. 10, W½;
Sec. 16, E½;
Sec. 22, W½;
Sec. 28.
T. 30 N., R. 52 E.,
Secs. 10, 22, 26.
T. 31 N., R. 52 E.,
Secs. 10, 22, 34.
T. 32 N., R. 52 E.,
Sec. 10, N½NE¼, SE¼NE¼, W½, SE¼;
Sec. 22;
Sec. 32, lots 1 through 12;
Sec. 34.

STOCK DRIVEWAY NO. 84 (PARTIAL)

T. 32 N., R. 55 E.,
Sec. 26.

STOCK DRIVEWAY NO. 85 (PARTIAL)

T. 33 N., R. 52 E.,
Sec. 2;
Sec. 12, W½;
Sec. 14, N½, E½SW¼, SE¼.
T. 34 N., R. 52 E.,
Secs. 12, 24, 36.
T. 35 N., R. 52 E.,
Sec. 12, NE¼, S½NW¼, W½SW¼, SE¼SW¼, SE¼;
Sec. 24, NE¼, N½NW¼, SW¼NW¼, S½;
Sec. 36.
T. 36 N., R. 52 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½, SW¼;
Sec. 12;
Sec. 24, NE¼, E½NW¼, S½;
Sec. 36, N½, SW¼, W½SE¼.
T. 36 N., R. 53 E.,
Sec. 6.
T. 37 N., R. 53 E.,
Sec. 3, lots 1, 2, 3, 4, S½N½, SW¼, NE¼SE¼, S½SE¼;
Sec. 10, N½, SW¼, N½SE¼, SE¼SE¼;
Sec. 15;
Sec. 22, W½, W½SE¼;
Secs. 28, 29, 30, 31.
T. 38 N., R. 53 E.,
Sec. 34;
Sec. 35, S½;
Sec. 36, S½.
T. 37 N., R. 54 E.,
Sec. 4.
T. 38 N., R. 54 E.,
Secs. 31 and 32;
Sec. 36, E½, E½W½.
T. 43 N., R. 56 E.,
Sec. 3, S½N½, SE¼;
Sec. 9, NE¼NE¼, SW¼NE¼, E½NW¼, NE¼SW¼, N½SE¼;
Sec. 10, N½, SE¼.

STOCK DRIVEWAY NO. 112 (PARTIAL)

T. 26 N., R. 48 E. (partially unsurveyed),
Secs. 4, 9, 16.
T. 27 N., R. 48 E. (partially unsurveyed)
Secs. 1, 11, 12, 14, 15, 12, 22, 28, 33.
T. 27 N., R. 49 E. (unsurveyed),
Secs. 7, 8, 17, 18.
T. 28 N., R. 49 E.,
Secs. 8, 20, 29;
Sec. 30, SE¼;
Sec. 31;
Sec. 32, E½, N½NW¼, SW¼NW¼, SW¼.
T. 29 N., R. 49 E.,
Sec. 4, lots 3, 4, 5, 6, 11, 12, SW¼;
Secs. 8, 20, 32.
T. 30 N., R. 49 E.,
Secs. 4, 16, 28.
T. 31 N., R. 49 E.,
Sec. 6, SE¼;
Sec. 8, SW¼;
Sec. 18, E½;
Sec. 20, W½;
Sec. 30, E½;
Sec. 32.

The areas described above aggregate 73,881 acres of public and 677 acres of private lands.

The total areas affected aggregate approximately 345,672 acres of public lands and 2,893 acres of patented land in Elko, Lander, and Eureka Counties. Topography is flat to mountainous. The vegetative cover consists of native sagebrush.

3. At 10 a.m. on August 11, 1976, the public lands shall be open to operation of the public land laws generally, subject to valid existing rights and the requirements of applicable law and procedures. All valid applications received at or prior to 10 a.m. on August 11, 1976, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in order of filing.

4. The lands have been and continue to be open to applications and offers under the mineral leasing laws, and to location under the mining laws.

Inquiries concerning the lands should be addressed to the Chief, Public Affairs, Nevada State Office, Bureau of Land Management, Reno, Nevada 89509.

JACK O. HORTON,
Assistant Secretary of the Interior.

JULY 6, 1976.

[FR Doc.76-20268 Filed 7-13-76;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER C—ACCOUNTS, RECORDS, AND REPORTS

[No. 36210]

PART 1220—PRESERVATION OF RECORDS

Uniform Systems of Accounts, Destruction of Records; Records and Reports

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 21st day of June 1976.

Consideration having been given to the matters and things involved in this proceeding, and the said Commission, on the date thereof, having made and filed a report herein containing its findings and conclusions, which report is hereby made a part hereof:

It is ordered, That, effective 30 days after the date of service of this order, the regulations prescribed in Parts 1201–1210, 1220–1239, 1253 of Chapter X, Subchapter C of Title 49 of the Code of Federal Regulations be, and they are hereby, revised to read as set forth in the October 29, 1975, FEDERAL REGISTER, Part II (40 FR 50384) except insofar as those regulations are further revised as set forth below.

It is further ordered, That service of this order shall be made on all affected carriers; and to the Governor of every State and to the Public Utilities Commissions or Boards of each State having jurisdiction over transportation; and that notice of this order shall 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 a copy with the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

And it is further ordered, That this proceeding be, and it is hereby, discontinued.

(49 U.S.C. 5b, 12, 20, 304, 320, 904, 913, 917, 1003, and 1012.)

By the Commission.

ROBERT L. OSWALD,
Secretary.

By order dated October 14, 1975, published in the FEDERAL REGISTER on October 29, 1975 (40 FR 50384), the Interstate Commerce Commission issued revised and consolidated regulations governing preservation of records. Because the consolidated and revised regulations allowed immediate microfilming of records and generally reduced retention periods, they were thought to essentially ease recordkeeping and accordingly were issued without giving the public prior notice and an opportunity to comment.

Subsequent petitions for reconsideration of that decision, however, pointed out that the regulations adopted therein included at least two instances of new substantive requirements. In view of those petitions, the order entered October 14, 1975, was stayed December 4, 1975.

Subsequently, by notice of proposed rulemaking dated March 12, 1976, served March 16, 1976, and published in the FEDERAL REGISTER March 19, 1976 (41 FR 11565), the Commission announced that petitions for reconsideration of the order of October 14, 1975, be granted. All interested parties wishing to comment on the proposed revised regulations were given the opportunity to submit their views and comments in writing by April 19, 1976; and that the matters raised by petitioners were deemed resubmitted.

BACKGROUND

Currently, there are eight separate destruction of records regulations. This sometimes results in a different retention period for the same record for different modes.

The Commission found that by consolidating the present eight regulations into a single set of general instructions and record-retention schedules, allowing the immediate microfilming of any record, and reducing retention periods where possible, the burden of recordkeeping on companies under the jurisdiction of the Commission would be reduced.

REPRESENTATIONS

The notice of proposed rulemaking provided that any person desiring to participate could do so by filing, within a prescribed time, written statements of facts, views or arguments. Comments were received from six participants and are summarized below:

Terminal Transport Company, Inc. (TTC) and Georgia Highway Express, Inc. (GHE) take exception to § 1220.3, Index of records. This section would require an index of records to be maintained at each office, and a master index to be maintained in the company's general office showing the physical location of the various classes of records, the period to which they relate and the locations, names and titles of the custodians.

Respondents argue that the requirement for an index of records is unnecessary, burdensome, time consuming and costly. They maintain that there has been no business reason for maintaining a master index, and that there are specific practical reasons for not attempting to compile the type of master index required by the new regulations. They request that this section be deleted from the preservation of records regulations.

Association of American Railroads (AAR) also objects to the requirement of the maintenance of a master index of records. In addition, AAR objects to the requirement of the appointment of an officer to supervise the preservation records. They maintain that the existing recordkeeping system has not been less efficient nor has the review of records been hampered by the lack of a requirement that each railroad appoint an officer or other responsible employee to supervise the preservation of records.

Middle Atlantic Conference (MAC), Central States Motor Freight Bureau (CENTRAL) and Central and Southern Motor Freight Tariff Association (C&S) all point out that under the proposed retention requirements general ledgers and general journals must be retained for a period of 50 years, whereas, under the former retention requirements for ratemaking organizations, only a 10-year retention period was required for these same items. They point out that in view of the former 10-year provision, most general ledgers and general journals beyond 10 years old have been destroyed.

MAC, Central, and C&S also contend that as to records required to be maintained by § 1253.20 (49 CFR 1253.20) Other Records, the provisions of the new regulations are unclear, indefinite, and ambiguous. They also aver that they are unable to determine the specific point at which the two-year retention period is to begin for tariff records.

DISCUSSION AND CONCLUSIONS

The issues raised by the parties will be discussed in topical fashion.

Section 1220.3, Index of Records.—TTC, GHE, and AAR all requested this entire section be deleted from the regulations. We do not agree that it should be deleted in its entirety. However, we do believe there is merit in a modification that would still allow Commission representatives adequate access to the carriers' records. The section will be modified to require only that at each office of the carrier or rate bureau where records are kept or stored, records be arranged and filed so that they may be readily identified and made available to representatives of the Commission. We believe this requirement is a necessary aid to Commission representatives in expeditiously locating records they deem necessary to the performance of their audits and investigation functions.

Designation of Supervisory Official.—AAR requests that the Commission not require the appointment of an officer to supervise the preservation of records. Instead, it urges retention of the existing regulations under which the Commission requires railroads to maintain a record of the destruction of all carrier records and documents for which there is a prescribed retention period. We would point out, however, that designation of a supervisory official is not a new requirement. All of the current destruction of records regulations contain the requirement that an official be appointed to supervise the destruction of records and documents. Specifically, 49 CFR 1220.4(a) reads "Within six months after the effective date of the regulations in this subpart, or within six months after becoming subject to this provision, each carrier shall appoint an officer or other responsible employee to supervise the destruction of records and documents." We see no merit in AAR's argument and the requirement should not be modified.

Increase in Retention Requirements for Rate Bureaus.—Retention requirements for general ledgers and general journals were increased from 10 to 50 years. An easing of the new requirement and a return to the original 10-year retention period for these particular records for rate bureaus is warranted. Rate bureaus are not carriers. They neither have transportation equipment or facilities nor provide transportation service. The current 10-year retention period for general ledgers and general journals has proven to be satisfactory. Accordingly, we will require rate bureaus to preserve these two records 10 years.

Recordkeeping on Tariff Information.—MAC, CENTRAL, and C&S argue that recordkeeping for tariff information is unclear. We believe this argument has merit and therefore have added an item clarifying the recordkeeping of § 1253.20 information.

FINDINGS

We find that Parts 1201–1210, 1220–1239, and 1253 of Chapter X of Title 49 of the Code of Federal Regulations should be amended to reflect the modifications as set forth in the order entered herein; that such modifications are reasonable and necessary to the effective enforcement of the provisions of the Interstate Commerce Act, as amended; that such rules, as modified, are otherwise lawful and consistent with the public interest and the National Transportation Policy; and that this is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

An appropriate order will be enacted.

Commissioner Corber did not participate.

Part 1220—Preservation of Records, as published in the October 29, 1975 FEDERAL REGISTER (40 FR 50384) is amended as follows:

The title and text of § 1220.3, Index of records, is revised to read:

§ 1220.3 Availability of records.

At each office where records are kept or stored, such records as are herein required to be preserved shall be so ar-

ranged and filed so that they may be readily identified and made available to representatives of the Commission.

Items 1 and 2 under § 1220.10 category C are amended and item 7 under § 1220.10 category K is added, to read as follows:

§ 1220.10 Schedule of records and periods of retention.

* * * * *

Schedule of records and periods of retention

Item	Category of records	Retention period
	* * * * *	
	C. FINANCIAL AND ACCOUNTING	
1	Ledgers:	*Years*
	(a) General and subsidiary ledgers with indexes thereto (except for ratemaking organizations)	50
	(b) General and subsidiary ledgers with indexes thereto (ratemaking organizations only)	10
	(c) Balance sheets and trial balance sheets of general and subsidiary ledgers	5
2	Journals:	
	(a) General journals (except for ratemaking organizations)	50
	(b) General journals (ratemaking organizations only)	10
	(c) Subsidiary journals and any supporting data, except as otherwise provided for, necessary to explain journal entries	6
	(d) Schedules of recurring or standard journal entries with entry identifications	(1)
	* * * * *	
	K. TARIFFS AND RATES	
	* * * * *	
7	Records and documents required by provisions of sec. 1253.20 to be maintained	2
	* * * * *	

[1] Until superseded.

[FR Doc.76-20328 Filed 7-13-76;8:45 am]

Title 32—National Defense

CHAPTER VI—DEPARTMENT OF THE NAVY

PART 761—NAVAL DEFENSIVE SEA AREAS; NAVAL AIRSPACE RESERVATIONS; AREAS UNDER NAVY ADMINISTRATION; AND THE TRUST TERRITORY OF THE PACIFIC ISLANDS

Editorial and Organizational Structure Changes

Pursuant to the authority conferred in 5 U.S.C. 301, 10 U.S.C. 133, 5031, and 6011, 18 U.S.C. 2152 and 32 CFR 700.1202, the Chief of Naval Operations amends 32 CFR Part 761. Part 761 is based on a Chief of Naval Operations Instruction entitled "Regulations governing the issuance of entry authorizations for naval defense sea areas, naval airspace reservations, areas under Navy administration, and the Trust Territory of the Pacific Islands" (OPNAVINST 5500.11C). On January 31, 1975, a revision of this instruction was adopted (OPNAVINST 5500.11D) and the amendment to Part 761 reflects the provisions of the new, revised instruction.

These revisions reflect nonsubstantive changes of organizational structure and pertain to military functions which are exempt from public rule-making requirements under 5 U.S.C. 553, and were adopted prior to April 1, 1975, the effective date of the administratively-established public rule-making procedures prescribed in 32 CFR 296.5. It has therefore been determined that invitation of public comment on these amendments is not required and would be impracticable.

Part 761 of 32 CFR is therefore amended as follows:

1. The authority citations are amended to read as follows:

AUTHORITY: 5 U.S.C. 301; 10 U.S.C. 133, 5031, and 6011; and 18 U.S.C. 2152. The text of Part 761 contains additional references, including Executive Orders.

2. Paragraph (a)(1)(i) of § 761.3 is deleted.

3. Paragraph (a)(1)(ii) of § 761.3, first line, the number "(ii)" is deleted.

4. Paragraph (c) of § 761.3 is amended to provide as follows:

§ 761.3 Authority.

(a) * * *

(1) * * *

(i) and (ii) [Deleted]

* * * * *

(c) *Trust Territory of the Pacific Islands.* The Trust Territory of the Pacific Islands is a strategic area administered by the United States under the provisions of a Trusteeship Agreement with the United Nations. Under Executive Order 11021 of May 7, 1962 (27 FR 4409; 3 CFR 1959–1963 comp. p. 600), the Secretary of the Interior is charged with responsibility for administration of the civil government of the Trust Territory of the Pacific Islands. Under a July 1, 1963 amendment to agreements effective July 1, 1951 and July 1, 1962 between the Department of the Navy and the Department of the Interior concerning responsibility for administration of the Government of the Trust Territory, the entry of individuals, ships and aircraft into the Trust Territory (other than areas under the control of the Department of the Army (Kwajalein Atoll) and of the Defense Nuclear Agency (Eniwetok Atoll) see § 761.4) is controlled by the High Commissioner of the Trust Territory and the Department of the Navy as follows:

(1) Entry of U.S. citizens, U.S. nationals and citizens of the Trust Territory, into areas of the Trust Territory other than those areas under control of the Department of the Army and the Defense Nuclear Agency as outlined above, shall be controlled by the High Commissioner.

(2) *All other persons.* Applications for entry into the Trust Territory, except for those areas under control of the Department of the Army or of the Defense Nuclear Agency, of all persons who are not U.S. citizens, U.S. nationals, or who are not citizens of the Trust Territory, shall be made to the High Commissioner for processing in accordance with the laws and regulations of the Trust Territory: *Provided*, That prior to the issuance of an authorization to enter the Trust Territory, the High Commissioner shall provide the Department of the Navy in all cases (with the exception of alien individuals who possess a valid U.S. visa and seek admission to the Trust Territory for a period of 30 days or less for the purpose of tourism) information on the applicants for its consideration and comment, granting thereby the Department of the Navy the right to object to the issuance of an authorization.

(3) *Ships and aircraft.* (i) The entry of ships and aircraft, other than U.S. public ships and aircraft, documented under either the laws of the United States or the laws of the Trust Territory into areas of the Trust Territory, excepting those areas where entry is controlled by the Department of the Army (Kwajalein Atoll) and the Defense Nuclear Agency (Eniwetok Atoll), shall be controlled solely by the High Commissioner.

(ii) Applications for entry into the Trust Territory, except for those areas under military control, of ships and aircraft not documented under the laws of the United States, or the laws of the Trust Territory, shall be made to the High Commissioner for processing in accordance with the laws and regulations of the Trust Territory: *Provided*, That prior to the issuance of an authorization to enter the Trust Territory, the High Commissioner shall provide the Department of the Navy in all cases with information on the applicants for its consideration and comment, granting thereby the right of the Department of the Navy to object to the issuance of an authorization.

* * * * *

5. Section 761.4 is revised to provide as follows:

§ 761.4 Special provisions.

(a) Entry into islands in the Kwajalein Atoll under military jurisdiction is controlled by the Department of the Army. Inquiries concerning entries into islands under military control in the Kwajalein Atoll should be directed to: National Range Commander, U.S. Army Safeguard System Command, ATTN: SSC–R, P.O. Box 1500, Huntsville, AL 35807.

(b) Entry into Eniwetok Atoll is controlled by the Defense Nuclear Agency. Inquiries concerning entries into Eniwetok Atoll should be directed to: Commander, Field Command, Defense Nuclear Agency, Kirtland Air Force Base, NM 87115.

(c) Entry into Johnston Atoll is controlled by the Defense Nuclear Agency. Inquiries concerning entries into Johnston Atoll should be directed to: Commander, Johnston Atoll (FCDNA), APO San Francisco, CA 96305.

(d) *Suspension of restrictions.* Restrictions imposed under the authority of

the above cited Executive Orders on entry into the following Naval Defensive Sea Areas and Naval Airspace Reservations and Administrative Areas have been suspended subject to reinstatement without notice at any time when the purposes of national defense may require.

(1) All Naval Airspace Reservations, except the Guantanamo Bay Naval Airspace Reservation.

(2) Honolulu Defensive Sea Area.

(3) Kiska Island Naval Defensive Sea Area.

(4) Kodiak Island Naval Defensive Sea Area.

(5) Unalaska Island Naval Defensive Sea Area.

(6) Wake Island Naval Defensive Sea Area except for entry of foreign flag ships and foreign nationals.

(7) The portion of Kaneohe Defensive Sea Area lying beyond a 500 yard buffer zone around the perimeter of the Kaneohe Marine Corps Air Station (Mokapu Peninsula) and eastward therefrom to Kapoho Point, Oahu.

(e) Suspension of restrictions on entry into a naval airspace reservation, naval defensive sea area, or naval administrative area, does not affect the authority of a commanding officer or other appropriate commander to control entry into or passage through any base, station, or other installation or area, including port or harbor facilities under Navy control.

6. Paragraph (i)(1) of § 761.5 is amended to provide as follows:

§ 761.5 Definitions.

* * * * *

(i) * * *

(1) *Trust Territory.* In accordance with Title 19, section 101(3), of the Trust Territory Code "* * * that part of the sea comprehended within the envelope of all arcs having a radius of three marine miles drawn from all points of the barrier reef, fringing reef, or other reef system of the Trust Territory, measured from the low waterline, or, in the absence of such reef system, the distance to be measured from the low water line of any island, islet, atoll, reef, or rocks within the jurisdiction of the Trust Territory."

* * * * *

7. Paragraph (b)(7) of § 761.6 is amended to provide as follows:

§ 761.6 Criteria.

* * * * *

(b) * * *

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

* * * * *

§ 761.7 [Amended]

* * * * *

8. Paragraph (d) of § 761.7, seventh and eighth lines, the words "Department of the Air Force" are changed to "Defense Nuclear Agency."

* * * * *

9. Section 761.9 is revised to provide as follows:

§ 761.9 Entry control commanders.

The following commanders are designated Entry Control Commanders with authority to approve or disapprove individual entry authorizations for persons, ships, or aircraft as indicated (Commander Seventeenth Coast Guard District has been designated an Entry Control Commander by the authority of the Commandant, U.S. Coast Guard and Commander, Western Area, U.S. Coast Guard):

(a) *Chief of Naval Operations.* Authorization for all persons, ships, or aircraft to enter all defense areas.

(b) *Commander in Chief U.S. Atlantic Fleet.* Authorization for all persons, ships, or aircraft to enter defense areas in the Atlantic.

(c) *Commander in Chief U.S. Pacific Fleet.* Authorization for all persons, ships, or aircraft to enter areas in the Pacific.

(d) *Commander U.S. Naval Forces Caribbean.* Authorization for all persons, ships, or aircraft to enter the Guantanamo Bay Naval Defensive Seat Area and the Guantanamo Bay Naval Airspace Reservation. (This authority delegated to Commander U.S. Naval Base, Guantanamo Bay.)

(e) *Commander U.S. Naval Base, Guantanamo Bay.* Authorization for all persons, ships, or aircraft to enter the Guantanamo Bay Naval Sea Area and the Guantanamo Bay Naval Airspace Reservation.

(f) *Commander Third Fleet.* Authorization for U.S. citizens and U.S. registered private vessels to enter Midway Island, Kingman Reef, Kanoehe Bay Naval Defensive Sea Area, Pearl Harbor Defensive Sea Area and Filipino workers employed by U.S. contractors to enter Wake Island.

(g) *Commander U.S. Naval Forces, Marianas.* Authorization in conjunction with the High Commissioner, for non-U.S. citizens, ships, or aircraft documented under laws other than those of the United States or the Trust Territory to enter those portions of the Trust Territory where entry is not controlled by the Department of the Army or the Defense Nuclear Agency.

(h) *Senior naval commander in defense area.* Emergency authorization for persons, ships, or aircraft in cases of emergency or distress. In all cases the Chief of Naval Operations, and as appropriate, the Commander in Chief, U.S. Atlantic Fleet or the Commander in Chief, U.S. Pacific Fleet, and other interested commands, shall be informed immediately of the nature of the emergency, and action taken.

(i) *U.S. Coast Guard.* The U.S. Coast Guard regulates the movement of shipping within the Honolulu Harbor under the authority of Executive Orders 10173 and 10289; such shipping is considered to be under U.S. authorized supervision within the meaning of Executive Order 8987. The Commandant, Fourteenth Naval District, as representative of the Secretary of the Navy, retains responsibility for security of the Honolulu Defensive Sea Area, as required by naval interest, and, as such, issues amplifying instructions relating to the Honolulu Defensive Sea Area.

§ 761.11 [Amended]

10. In paragraph (a) of § 761.11, 33rd through 38th lines, the following last sentence is deleted: "The processing of applications of persons residing in the United States (other than Alaska and Hawaii) will be expedited if they are mailed direct to the Chief of Naval Operations."

11. Section 761.14 is revised to provide as follows:

§ 761.14 Aircraft: Group authorizations.

Aircraft in the following categories, except those aircraft which have been denied individual authorization or have had a prior authorization revoked, may enter the defense areas indicated without individual authorization:

(a) U.S. Public aircraft to enter all defense areas.

(b) U.S. private aircraft which are under charter to the Department of Defense (including the Military Airlift Command), or operating under a contract with the Department of Defense providing for the employment of such aircraft to overfly U.S. island positions, to enter defense areas as authorized by controlling Defense Department agency. If landing at U.S. military facilities is required, see § 761.15(a).

(c) Foreign flag aircraft for which special arrangements have been made under international agreements or treaties.

(d) Aircraft operated by companies authorized to utilize naval facilities in defense areas for regular commercial activity, to enter defense areas associated therewith. For landing clearance at U.S. military facilities, see § 761.15(a).

(e) Any aircraft in distress, subject to local clearance and control by senior officer present.

12. Section 761.15 is revised to provide as follows:

§ 761.15 Aircraft: Individual authorizations.

(a) *Special procedures.* In addition to the entry authorization to enter or navigate within the defense area concerned, certain special procedures must be followed by aircraft:

(1) If landing at U.S. naval aviation facilities, an Aviation Facility License must be obtained, in accordance with Secretary of the Navy Instruction 3770.1B, Use of Department of the Navy

aviation facilities by other than United States Department of Defense aircraft.

(2) If landing at U.S. Air Force aviation facilities, a Civil Aircraft Landing Permit must be obtained, in accordance with Department of the Air Force Regulation 55–20, Use of United States Air Force installations by other than United States Department of Defense aircraft.

(3) Foreign public aircraft must obtain diplomatic clearance or clearance under applicable special agreements or treaties.

(b) *Application, form, filing.* Applications for authorizations to navigate aircraft within the limits of defense areas shall be made by letter or telegram addressed to the appropriate entry control commander as indicated in § 761.9 with information copies to the Chief of Naval Operations, Commander in Chief, U.S. Atlantic (or Pacific) Fleet, as appropriate, and other local commanders who are known to be concerned. Applications shall include the following:

(1) Type and serial number of aircraft (the number of aircraft in flight if a mass movement is involved), nationality, and name of registered owner.

(2) Name and rank of senior pilot.

*(3) Number in crew.

*(4) Number of passengers and whether military or civilian; include name (and rank) of distinguished passengers.

(5) Purpose of flight.

(6) Plan of flight route, including:

(i) Point of origin of flight and its destination.

(ii) Estimated date and times of arrival and departure at all airspaces covered by this Part 761 including stops within the Trust Territory, when pertinent.

(7) Radio call signs of aircraft and radio frequencies available.

(8) Whether cameras are to be carried and whether they will be used.

*(9) Whether arms are to be carried.

*(10) Whether authorization to land as indicated in § 761.15(a) has been obtained.

NOTE.—Information on those items marked with an asterisk (*) need not be reported when the aircraft will only overfly the areas covered by this part.

(c) *Processing.* Authorization for individual entries or for multiple entries for a period not to exceed three months may be granted by an Entry Control Commander. Authorizations for multiple entries over a period to exceed three months and applications for group authorizations must be forwarded to the Chief of Naval Operations with appropriate comments and recommendations.

§ 761.18 [Amended]

* * * * *

13. Paragraph (d) of § 761.18 is deleted.

14. A § 761.19 is added, which provides as follows:

§ 761.19 Forms.

The following forms shall be used in connection with the processing of applications for authorization to enter defense areas and for revocation of authorizations as indicated:

(a) *Application.* Statement of Personal History (Form DD 398, Stock Number 0102–004–220) may be obtained from NAVPUBFORMCEN, Building 26, 5801 Tabor Ave., Philadelphia, PA 19120.

(b) *Entry authorization.* (1) Defense Area Entry Authorization (OPNAV Form 4600–2 (Rev. 5–59) may be obtained from Office of the Chief of Naval Operations (OP–09B33), Navy Department, Washington, DC 20350.

(2) Letter or message authorization.

(c) *Disapproval of request for entry authorization.*

MY DEAR _____: Your application of _____ has been reviewed and we regret to advise you that the requested authorization for _____ to enter _____ is not granted as the entry at this time for the purpose stated is not considered to be in the interest of national defense.

The application may be resubmitted again in six months at which time it will be reconsidered in the light of then existing circumstances.

If you desire to appeal this decision, you may do so by submitting a letter to this office setting forth in full why you consider that the granting of the application would be in the interest of national defense and any other information that you believe will be of value of this person considering the appeal. Your letter will be forwarded to the appropriate authority for review and you will be advised in due course of his determination.

Sincerely,yours,

(d) *Revocation of entry authorization.*

MY DEAR _____: This is to notify you that entry authorization to enter _____ granted by (issuing activity) on _____ is hereby revoked effective this date.

Sincerely yours,

LARRY G. PARKS,
Assistant Judge Advocate General
(Civil Law).

JUNE 30, 1976.

[FR Doc.76–20263 Filed 7–13–76;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI–2135]

PART 1915—IDENTIFICATION AND MAPPING OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

The purpose of this notice is the identification of communities with areas of special flood or mudslide or erosion hazards in accordance with Part 1915 of Title 24 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 U.S.C. 4001–4128). The identification of such areas is to provide guidance so that communities may adopt appropriate flood plain management measures to minimize damage caused by flood losses and to guide future construction, where practicable, away from locations which are threatened by flood hazards.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special flood hazards that is located within any community participating in the National Flood Insurance Program.

One year after the identification of the community as flood prone, the requirement applies to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition and construction in these areas unless the comunity has entered the program. The prohibition, however, does not apply to loans by a Federally regulated, insured, supervised or approved bank prior to March 1, 1976, to finance the acquisition of a previously occupied residential dwelling.

The effective date of identification shall be 30 days after the date of publication in the FEDERAL REGISTER, or the date which appears in this notice; whichever is later.

This 30 day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity for a period of six months to establish that it is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. The six months period shall be considered to begin 30 days after the date of publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a community has to enter the program under section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin 30 days after publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later.

Where several dates appear in the column set forth below marked Effective Date of Identification, the first date is the date of initial identification, and all other dates represent modification by additions or deletions to identified areas with special hazards.

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

§ 1915.3 List of communities with special hazard areas (FTBM's in effect).

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Arkansas	Lawrence	College City, city of	H 050316 01	Mayor, P.O. Box 1, College City, Ark. 72476	Aug. 13, 1976
Do	Van Buren	Shirley, town of	H 050287 01 through H 050287 03.	Mayor, Town Hall, Shirley, Ark. 72153	Do.
Colorado	Weld	Ault, town of	H 080179A 01	Mayor, Town Hall, 210 1st, Ault, Colo. 80610	May 17, 1974 June 18, 1976
Do	Garfield	Grand Valley, town of	H 080215 01	Mayor, P.O. Box 217, Grand Valley, Colo. 81635	Aug. 13, 1976
Do	Hinsdale	Lake City, city of	H 080082 01	Mayor, Town Hall, Lake City, Colo. 81235	Do.
Do	Mesa	Palisade, town of	H 080198 01	Mayor, c/o Russell Goddard, Clerk, Box 128, Palisade, Colo. 81526.	Do.
Do	Custer	Westcliffe, town of	H 080227 01	Clerk, Westcliffe, Colo. 81252	Do.
Florida	Clay	Green Cove Springs, city of	H 120065A 01	Mayor, 229 Walnut St., Green Cove Springs, Fla. 32043	Apr. 12, 1974 June 18, 1976
Do	Pasco	New Port Richey, city of	H 120232A 01 through H 120232A 10.	Mayor, 320 East Main St., New Port Richey, Fla. 33552	Jan. 16, 1974 June 18, 1976
Georgia	Meriwether and Talbot.	Manchester, city of	H 130225A 01 through H 130225A 04.	Chairman of City Commission, Box 166, Manchester, Ga. 31816.	Dec. 6, 1974 June 18, 1976
Do	Pierce	Unincorporated areas	H 130151 01 through H 130151 29.	Chairman, Pierce County Courthouse, Black Shear, Ga. 31516.	Aug. 13, 1976
Do	Walton	Walnut Grove, town of	H 130413 01	Mayor, Town Hall, Covington, Ga. 30209	Do.
Idaho	Camas	Fairfield, city of	H 160035 01	Mayor, City of Fairfield, Fairfield, Idaho 83327	Do.
Do	Minidoka	Heyburn, city of	H 160171 01	Mayor, P.O. Box 83336, Heyburn, Idaho 83336	Do.
Do	Bonner	Ponderay, city of	H 160150 01	Mayor, P.O. Box 184, Ponderay, Idaho 83852	Do.
Illinois	St. Clair	Alorton, village of	H 170617A 01 through H 170617A 12.	Village President, 4821 Bond Ave., East St. Louis, Ill. 62207.	Apr. 5, 1974 June 18, 1976
Do	Rock Island	Andalusia, village of	H 170583A 01	Village President, Village Hall, 221 1st St., Andalusia, Ill. 61232.	Mar. 15, 1974 June 18, 1976
Do	Boone	Belvidere, city of	H 170008A 01 through H 170008A 04.	Mayor, 123 South State St., Belvidere, Ill. 61008	Mar. 15, 1974 June 18, 1976
Do	Ogle	Byron, city of	H 170526A 01	Mayor, 120 North Union St., Byran, Ill. 61010	May 10, 1974 June 18, 1976
Do	Will	Crest Hill, city of	H 170699A 01 through H 170699A 02	Mayor, 2100 Oakland Ave., Crest Hill, Ill. 60435	Mar. 29, 1974 June 18, 1976
Do	do	Crete, village of	H 170700A 01 through H 170700A 02.	Mayor, 524 Exchange St., Crete, Ill. 60417	Apr. 12, 1974 June 18, 1976
Do	Lake	Round Lake Heights, village of.	H 170390A 01	Mayor, 629 Pontiac Ct., Round Lake Heights, Ill. 60073	Mar. 29, 1974
Do	Marion	Salem, city of	H 170454A 01 through H 170454A 03.	Mayor, 101 South Broadway, Salem, Ill. 62881	May 3, 1974 June 18, 1976
Do	De Kalb	Shabbona, village of	H 170189A 01	Village President, Village Hall, Shabbona, Ill. 60550	June 7, 1974 June 18, 1976
Do	Lee	Steward, village of	H 170420A 01	Village President, P.O. Box 60, Steward, Ill. 60553	Sept. 13, 1974 June 18, 1976
Do	Saline	Stonefort, village of	H 170600A 01	Village President, Village Hall, Stonefort, Ill. 62987	Aug. 30, 1974 June 18, 1976
Indiana	Hendricks	Brownsburg, town of	H 180087A 01 through H 180087A 02.	Town Board President, 51 East Main St., Town Hall, Brownsburg, Ind. 46112.	Nov. 23, 1973 June 18, 1976
Do	Montgomery	Crawfordsville, city of	H 180171A 01 through H 180171A 02.	Mayor, City Bldg., Crawfordsville, Ind. 47933	Jan. 23, 1974 June 18, 1976
Do	Carroll	Delphi, city of	H 180020A 01	Mayor, City Bldg., Delphi, Ind. 46923	Nov. 23, 1973 June 18, 1976
Do	Lake	Dyer, town of	H 180129A 01 through H 180129A 02.	Town Board President, 226 Schulte St., Dyer, Ind. 46311	Feb. 1, 1974 June 18, 1976
Do	Daviess	Elnora, town of	H 180036A 01 through H 180036A 02.	President, Town Board, P.O. Box 338, Elnora, Ind. 47529	Dec. 7, 1973
Do	Lake	Hobart, city of	H 180136A 01 through H 180136A 04.	Mayor, 414 Main St., Hobart, Ind. 46342	Apr. 12, 1974 June 18, 1976
Do	Parke	Mecca, town of	H 180330A 01	President, Town Board, Box 83, Mecca, Ind. 47860	Jan. 23, 1974 June 18, 1976
Do	White	Monon, town of	H 180295A 01 through H 180295A 02.	President, Town Board, Town Hall, Monon, Ind. 47959	May 31, 1974 June 18, 1976
Do	Jackson	Seymour, city of	H 180099A 01 through H 180099A 02.	Mayor, 220 North Chestnut St., Seymour, Ind. 47274	Dec. 17, 1973 June 18, 1976
Do	Shelby	Shelbyville, city of	H 180236A 01 through H 180236A 07.	Mayor, 44 West Washington St., Shelbyville, Ind. 46176	Dec. 17, 1976 June 18, 1976
Do	Warrick	Tennyson, town of	H 180350A 01	Town Board President, Town Hall, Tennyson, Ind. 47367.	Feb. 1, 1974 June 18, 1976
Iowa	Palo Alto	Ayrshire, city of	H 190699 01 through H 190699 02.	Clerk, P.O. Box 355, Ayrshire, Iowa 50515	Aug. 13, 1976
Do	Guthrie	Bagley, city of	H 190700 01	Mayor, City Hall, Bagley, Iowa 50026	Do.
Do	Scott	Blue Grass, city of	H 190554 01	Mayor, City Hall, Blue Grass, Iowa 52726	Do.
Do	Sioux	Chatsworth, city of	H 190509 01	Mayor, City Hall, Chatsworth, Iowa 51011	Do.
Do	Franklin	Coulter, city of	H 190388 01 through H 190388 04.	Mayor, City Hall, Coulter, Iowa 50431	Do.
Do	Dallas	Dawson, city of	H 190358 01	Mayor, City Hall, Dawson, Iowa 50068	Dec. 17, 1973
Do	Wapello	Eldon, city of	H 190271A 01	Mayor, City Hall, Eldon, Iowa 52554	June 18, 1976 Aug. 13, 1976
Do	Guthrie	Jamaica, city of	H 190744 01	Mayor, City Hall, Jamaica, Iowa 50128	Do.
Do	Hamilton	Jewell, city of	H 190600 01 through H 190600 02	Mayor, City Hall, Jewell, Iowa 50130	Do.
Do	Worth	Joice, city of	H 190746 01	Mayor, City Hall, Joice, Iowa 50446	Do.
Do	Keokuk	Kinross, city of	H 190436 01	Mayor, City Hall, Kinross, Iowa 52250	Do.
Do	Calhoun	Knierim, city of	H 190339 01 through H 190339 02.	Mayor, City Hall, Knierim, Iowa 50552	Do.
Do	Johnson	Lone Tree, city of	H 190610 01	Mayor, City Hall, Lone Tree, Iowa 52755	Do.
Do	Jones	Martelle, city of	H 190775 01	Mayor, City Hall, Martelle, Iowa 52305	Do.
Do	Delaware	Masonville, city of	H 190365 01	Mayor, City Hall, Masonville, Iowa 50654	Do.
Do	Van Buren	Mount Sterling, city of	H 190523 01	Mayor, City Hall, Mount Sterling, Iowa 52573	Do.
Do	Pocahontas	Palmer, city of	H 190793 01	Mayor, City Hall, Palmer, Iowa 50571	Do.
Do	Washington	Riverside, city of	H 190648 01	Mayor, City Hall, Riverside, Iowa 52327	Do.
Do	Fremont	Riverton, city of	H 190393 01	Clerk, Riverton, Iowa 51650	Do.
Do	Palo Alto	Ruthven, city of	H 190650 01	Mayor, City Hall, Ruthven, Iowa 51358	Do.
Do	Ringgold and Union	Shannon City, city of	H 190521 01 through H 190521 02.	Mayor, City Hall, Shannon City, Iowa 50861	Do.
Do	Monona	Soldier, city of	H 190805 01	City Clerk, Town of Soldier, Soldier, Iowa 51572	Do.
Do	Johnson	Solon, city of	H 190432 01	Mayor, c/o City Clerk, Salon, Iowa 52333	Do.
Do	Hamilton	Stanhope, city of	H 190807 01	Mayor, City Hall, Stanhope, Iowa 50246	Do.

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
*	*	*	*	*	*
Do	Marshall	State Center, city of	H 190660 01	Mayor, State Center, Iowa 50247	Do.
Do	Cerro Gordo	Swaledale, city of	H 190809 01	Mayor, City Hall, Swaledale, Iowa 50477	Do.
Do	Johnson	Swisher, city of	H 190810 01	Mayor, City Hall, Swisher, Iowa 52338	Do.
Do	Montgomery	Villisca, city of	H 190468 01	Mayor, City Hall, Villisca, Iowa 50864	Do.
Do	Fayette	Wadena, city of	H 190380 01	Mayor, City Hall, Wadena, Iowa 52169	Do.
Do	Benton	Walford, city of	H 190820 01	Mayor, Walford, Iowa 52351	Do.
Do	Kossuth	Wesley, city of	H 190681 01	Mayor, City Hall, Wesley, Iowa 50483	Do.
Do	Plymouth	Westfield, city of	H 190482 01	Mayor, City Hall, Westfield, Iowa 51062	Do.
Kansas	Russell	Dorrance, city of	H 200405 01	Mayor, City Hall, Dorrance, Kans. 67634	Do.
Do	Wyandotte	Edwardsville, city of	H 200362A 01 through H 200362 04.	Mayor, City Hall, 5th and Pacific, Edwardsville, Kans. 66113.	Apr. 5, 1974 June 18, 1976
Do	Douglas	Lawrence, city of	H 200060 01 through H 200060 08.	Mayor, City Hall, 910 Massachusetts, Lawrence, Kansas 66044.	Aug. 13, 1976
Do	Jefferson	Nortonville, city of	H 200150A 01	Mayor, City Hall, Main St., Nortonville, Kansas 66060	Mar. 1, 1974 June 18, 1976
Do	Pottawatomie	Onaga, city of	H 200544 01	Mayor, P.O. Box 14, Onaga, Kansas 66521	Aug. 13, 1976
Do	Reno	Pretty Prairie, city of	H 200549 01	Mayor, P.O. Box 156, Pretty Prairie, Kansas 67570	Do.
Do	Pottawatomie	St. Marys, city of	H 200275A 01	Mayor, City Hall, 412 West Bertrand, St. Marys, Kansas 66536.	Dec. 7, 1973 June 18, 1976
Do	Shawnee	Willard, city of	H 200337A 01	Mayor, Ciy Hall, R.F.D. No. 8, Topeka, Kansas 66604	Aug. 16, 1974 June 18, 1976
Kentucky	Simpson	Franklin, city of	H 210210A 01 through H 210210A 02.	Mayor, 107 South Main, Franklin, Ky. 42134	June 7, 1974 June 18, 1976
Do	Scott	Georgetown, city of	H 210208A 01 through H 210208A 02.	Mayor, Court St., Georgetown, Ky. 40324	May 24, 1974
Do	Green	Greensburg, city of	H 210086A 01 through H 210086A 02.	Mayor, 107 Court St., Greensburg, Ky. 42743	Feb. 1, 1974
Do	Muhlenberg	Greenville, city of	H 210176A 01 through H 210176A 02.	Mayor, City Hall, Greenville, Ky. 42345	Mrr. 24, 1974 June 18, 1976
Do	Lincoln	Hustonville, town of	H 210144A 01	Mayor, City Hall, Hustonville, Ky. 40437	Aug. 2, 1974 June 18, 1976
Do	Estill	Irvine, city of	H 210064A 01 through H 210064A 02.	Mayor, 142146 Broadway, Irvine, Ky. 40336	May 17, 1974 June 18, 1976
Do	Bullitt	Lebanon Junction, city of	H 210304A 01	Mayor, P.O. Box 61, Lebanon Junction, Ky. 40150	Mar. 15, 1974
Do	Hopkins	St. Charles, town of	H 210320 01	Mayor, Town Hall, St. Charles, Ky	Aug. 13, 1976
Louisiana	Natchitaches	Ashland, village of	H 220263 01 through H 220263 04.	Mayor, Village Hall, Ashland, La. 71002	Do.
Do	St. Mary Parish	Baldwin, town of	H 220193A 01	Mayor, Town Hall, Baldwin, La. 70514	Sept. 7, 1973 June 18, 1976
Do	Cadwell Parish	Grayson, village of	H 220329 01	Clerk, General Delivery, Grayson, La. 71435	Aug. 13, 1976
Do	Sabina Parish	Noble, village of	H 220301 01	Clerk, P.O. Box 35, Noble, La. 71462	Do.
Do	Livingston Parish	Port Vincent, village of	H 220119 01 through H 220119 02.	Mayor, Village Hall, Route 3, Denham Springs, Port Vincent, La. 70726.	Do.
Maine	Cumberland	Freeport, town of	H 230046A 01 through H 230046A 18.	Chairman, RFD No. 1, Freeport, Maine 04032	July 26, 1976 June 18, 1947
Do	Penobscot	Howland, town of	H 230391 01 through H 230391 14.	Town Manager, Town Hall, P.O. Box 337, Howland, Maine 04448.	Aug. 13, 1976
Do	Oxford	Peru, town of	H 230098A 01 through H 230098A 18.	Selectman, Town Hall, Peru, Maine 04272	Oct. 18, 1974 June 18, 1976
Do	Androscoggin	Sabattus, town of	H 230011A 01 through H 230011A 11.	Selectmen, Town Hall, Sabattus, Maine 04252	May 31, 1974 June 18, 1976
Maryland	Queen Anne's	Queenstown, town of	H 240120A 01	President of Commissioners, Box 4, Queenstown, Md. 21658.	Dec. 20, 1974
Massachusetts	Middlesex	Melrose, city of	H 250206A 01 through H 250206A 03.	Mayor, City Hall, 562 Main St., Melrose, Mass. 02176	June 28, 1974 June 18, 1976
Do	Essex	Marblehead, town of	H 250091A 01 through H 250091 05.	Selectman, Town Hall, Abbot Hall, Marblehead, Maine 01945.	June 28, 1974 June 18, 1976
Michigan	Gogebic	Bessemer, city of	H 260298A 01 through H 260298A 04.	Mayor, City Hall, Bessemer, Mich. 49911	Mar. 29, 1974 June 18, 1976
Do	Oakland	Birmingham, city of	H 260168A 01 through H 260168A 02.	Mayor, 151 Martin St., Birmingham, Mich. 48011	Apr. 6, 1973 June 18, 1976
Do	do	Bloomfield, township of	H 260160A 01 through H 260160A 11.	Supervisor, 510 Wilshire, Bloomfield Hills, Mich. 48013	May 17, 1974 June 18, 1976
Do	Wayne	Flat Rock, city of	H 260224A 01 through H 260224A 02.	Mayor, 25500 Gilbrator Rd., Flat Rock, Mich. 48134	May 17, 1974 June 18, 1976
Do	Genesee	Flint, city of	H 260076B 01 through H 260076B 10.	Mayor, 1101 South Saginaw, Flint, Mich. 48502	Oct. 18, 1974 June 18, 1976
Do	Kent	Grandville, City of	H 260271A 01 through H 260271 02.	Mayor, 3063 Wilson Ave., Grandville, Mich. 48418	July 13, 1973 June 18, 1976
Do	Wayne and Macomb.	Grosse Pointe Shores, village of.	H 260250A 01 through H 260250A 02.	Village President, 795 Lake Shore Rd., Grosse Pointe Shores, Mich. 48236.	Apr. 12, 1974 June 18, 1976
Do	Berrien	Michiana, village of	H 260275A 01	President, 4059 Lake Shore Dr., New Buffalo, Mich. 49117.	June 14, 1974 June 18, 1976
Do	Washtenaw	Milan, city of	H 260151A 01 through H 260151A 02.	Mayor, 147 Wabash St., Milan, Mich. 48160	Jan. 23, 1974
Do	Oakland	Milford, village of	H 260317A 01 through H 260317A 02.	Village President, 1100 Atlantic St., Milford, Mich. 48042	May 10, 1974
Do	Macomb and St. Clair.	New Baltimore, city of	H 260125A 01 through H 260125A 02.	Mayor, 36535 Green, New Baltimore, Mich. 48047	Apr. 12, 1974 June 18, 1976
Do	Berrien	Niles, township of	H 260041A 01 through H 260041A 11.	Supervisor, 320 Bell Rd., Niles, Mich. 49120	June 21, 1974 June 18, 1976
Do	Clinton	Ovid, village of	H 260318A 01	Village President, 117 East Front St., Ovid, Mich. 48866	Apr. 5, 1974 June 18, 1976
Do	Kent	Plainfield, township of	H 260109A 01 through H 260109A 12.	Township Supervisor, Township Hall, 6156 Belmont Ave. NE., Belmont, Mich.	Nov. 9, 1973 June 18, 1976
Do	Oakland	Pontiac, township of	H 260263A 01 through H 260263A 09.	Supervisor, 2060 Updyke Rd., Pontiac, Mich. 48057	June 28, 1974 June 18, 1976
Do	Berrien	Shoreham, village of	H 260280A 01	Mayor, 2185 North Hanley Rd., St. Joseph, Mich. 49085	June 21, 1974 June 18, 1976
Do	Josco	Tawas City, city of	H 260102A 01 through H 260102A 04	Mayor, 508 Lake St., West, Tawas, Mich. 48763	May 31, 1974 June 18, 1976
Do	Kent	Walker, city of	H 260110A 01 through H 260110A 11	Mayor, 4243 Remembrance Rd. NW., Walker, Mich. 49504	Oct. 12, 1973 June 18, 1976
Do	Saginaw	Zilwaukee, city of	H 260285A 01	Mayor, 319 Tittabawasse St., Saginaw, Mich. 48604	May 17, 1974

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Minnesota	Roseau	Badger, city of	H 270412A 01	Mayor, City Hall, Badger, Minn. 56714	Aug. 23, 1974 June 18, 1976
Do	Todd	Bertha, city of	H 270474A 01	Mayor, City Hall, Bertha, Minn. 56437	Apr. 12, 1974
Do	Goodhue	Cannon Falls, city of	H 270141A 01 through H 270141A 02	Mayor, 302 West Hoffman St., Cannon Falls, Minn. 55009	May 24, 1974 June 18, 1976
Do	Carlton	Carlton, city of	H 270041A 01 through H 270041A 02	Mayor, City Hall, Carlton, Minn. 55718	Nov. 9, 1973 June 18, 1976
Do	Fillmore and Olmsted.	Chatfield, city of	H 270125 01	Mayor, City Hall, Chatfield, Minn. 55923	Aug. 13, 1976
Do	Stearns	Melrose, city of	H 270450A 01 through H 270450A 02	Mayor, 225 East 1st St., North, Melrose, Minn. 56352	Apr. 12, 1976 June 18, 1976
Do	Pine	Pine City, city of	H 270348A 01 through H 270348A 02	Mayor, 200 North 3d St., Pine City, Minn. 55063	Jan. 9, 1974 June 18, 1976
Mississippi	Monroe	Aberdeen, city of	H 280115A 01 through H 280115A 03	Mayor, P.O. Box 96, Aberdeen, Miss. 39730	Jan. 23, 1974 June 18, 1976
Do	Franklin	Bude, town of	H 280054A 01	Mayor, P.O. Box 255, Bude, Miss. 39630	June 7, 1974 June 18, 1976
Do	Coahoma	Clarksdale, city of	H 280039A 01 through H 280039A 04.	Mayor, P.O. Box 940, Clarksdale, Miss. 38614	June 7, 1974
Do	Webster	Eupora, town of	H 280183A 01	Mayor, P.O. Box 572, Eupora, Miss. 39744	Do.
Do	Amite	Gloster, town of	H 280004A 01	Mayor, P.O. Box 117, Gloster, Miss. 39633	June 18, 1976 June 7, 1974 June 18, 1976
Do	Leflore	Itta Bena, city of	H 280103A 01	Mayor, P.O. Box 563, Itta Bena, Miss. 38941	June 7, 1974
Do	Attala	Kosciusko, city of	H 280007A 01 through H 280007A 03.	Mayor, City Hall, Kosciusko, Miss. 39090	Jan. 23, 1974 June 18, 1976
Do	Quitman	Lambert, town of	H 280139A 01	Mayor, P.O. Box 122, Lambert, Miss. 38643	June 7, 1974 June 18, 1976
Do	Washington	Leland, city of	H 280181A 01	Mayor, P.O. Box 271, Leland, Miss. 38756	May 31, 1974
Do	Coahoma	Lula, town of	H 280042A 01	Mayor, Box 326, Lula, Miss. 38644	Sept. 6, 1974
Do	Quitman	Marks, city of	H 280140A 01	Mayor, P.O. Box 315, Marks, Miss. 38646	June 7, 1974 June 18, 1976
Do	Bolivar	Merigold, town of	H 280019A 01	Mayor, P.O. Box 324, Merigold, Miss. 38750	June 7, 1974 June 18, 1976
Do	Sunflower	Moorhead, city of	H 280166A 01	Mayor, P.O. Box 578, Moorhead, Miss. 38761	May 10, 1974
Do	Union	New Albany, town of	H 280174A 01	Mayor, P.O. Box 56, New Albany, Miss. 38652	Feb. 1, 1974
Do	Jefferson Davis	Prentiss, town of	H 280090A 01	Mayor, P.O. Box 840, Prentiss, Miss. 39474	June 7, 1974 June 18, 1976
Do	Tippah	Ripley, city of	H 280173A 01 through H 280173A 03.	Mayor, 205 East Spring St., Ripley, Miss. 38663	June 7, 1974 June 18, 1976
Do	Sunflower	Sunflower, town of	H 280168A 01	Mayor, Town Hall, Sunflower, Miss. 38778	May 17, 1974
Do	Tallahatchie	Tutwiler, town of	H 280197A 01	Mayor, P.O. Box 176, Tutwiler, Miss 38963	July 19, 1974
Do	Montgomery	Winona, city of	H 280119A 01 through H 280119A 09.	Mayor, P.O. Box 29, Winona, Miss. 38967	Aug. 23, 1974
Missouri	Scott	Benton, city of	H 290852 01	Clerk, Scott County, City Hall, Benton, Mo. 63736	Aug. 13, 1976
Do	St. Louis	Dellwood, city of	H 290346 01	Mayor, City Hall, 1415 Chambers Rd., Ferguson Mo. 63135	Aug. 12, 1976
Do	do	Ferguson, city of	H 290351A 01 through H 290351A 02.	Mayor, City Hall, 110 Church St., Ferguson, Mo. 63136	Sept. 14, 1973 June 18, 1976
Do	do	Kinloch, city of	H 290361A 01 through H 290361A 02.	Mayor, City Hall, 5625 Martin Luther King Blvd., Kinloch, Mo. 63140.	Jan. 9, 1974 June 18, 1976
Do	do	Marlborough, village of	H 290368A 01	Chairman, Village Hall, 7826 Wimbledon Dr., Webster Groves, Mo. 63119.	May 31, 1974 June 18, 1976
Do	Howell	Mountain View, city of	H 290165A 01	Mayor, City Hall, Mountain View, Mo. 65548	May 10, 1974 June 18, 1976
Do	Putnam	Unionville, city of	H 290301 01	Mayor, City Hall, 1611 Grant St., Unionville, Mo. 63565	Aug. 13, 1976
Do	St. Louis	Valley Park, city of	H 290391A 01 through H 290391A 04.	Mayor, City Hall, 320 Benton St., Valley Park, Mo. 63088	Dec. 17, 1973 June 18, 1976
Do	Benton	Warsaw, city of	H 290030A 01 through H 290030A 02.	Mayor, Box 153, Warsaw, Mo. 65355	Mar. 29, 1974 June 18, 1976
Do	St. Louis	Wellston, city of	H 290395A 01 through H 290395A 02.	Mayor, City Hall, 1804 Kienlen Ave., Wellston, Mo. 63133	Dec. 17, 1973 June 18, 1976
Do	Barry	Wheaton, city of	H 290636 01	Mayor, City Hall, Wheaton, Mo. 64874	Aug. 13, 1976
Nebraska	Dodge	Fremont, city of	H 310069A 01 through H 310069A 04.	Director of Public Works, City Hall, Fremont, Nebr. 68025	June 7, 1974 June 18, 1976
Do	Dawson	Lexington, city of	H 310063 01 through H 310063 04.	Mayor, City Hall, Lexington, Nebr. 68850	Aug. 13, 1976
Do	Lincoln	Maxwell, village of	H 310300 01	Chairman, Village Hall, Maxwell, Nebr. 69151	Do.
Do	Franklin	Naponee, village of	H 310083 01	Mayor, Village Hall, Naponee, Nebr. 68960	Do.
Do	Saunder	Yutan, village of	H 310406 01	Clerk, Village Hall, Yutan, Nebr. 68073	Do.
Do	do	Wahoo, city of	H 310204A 01 through H 310204A 02.	Mayor, City Hall, Wahoo, Nebr. 68066	Oct. 12, 1973 June 18, 1976
Nevada	Elko	Wells, city of	H 320024A 01 through H 320024A 02.	Mayor, City Hall, P.O. Box 366, Wells, Nev. 89835	July 26, 1974 June 18, 1976
New Hampshire	Hillsborough	Greenville, town of	H 330088A 01 through H 330088A 10.	Selectman, Town Office, Greenville, N.H. 03048	July 26, 1974 June 18, 1976
Do	do	Milford, town of	H 330096A 01 through H 330096A 11.	Selectman, Town Hall, Milford, N.H. 03055	Mar. 22, 1974 June 18, 1976
New Jersey	Atlantic	Buena Vista, township of	H 340525A 01 through H 340525A 13.	Mayor, Rural Delivery No. 5, Buena Vista, Municipal Bldg., Vineland, N.J. 08360.	Dec. 20, 1974 June 18, 1976
Do	Bergen	Cresskill, borough of	H 340024A 01 through H 340024A 02.	Mayor, 67 Union Ave., Cresskill, N.J. 07626	July 26, 1974 June 18, 1976
Do	Burlington	Edgewater Park, township of.	H 340096A 01	Mayor, 400 Delanco Rd., Edgewater Park, N.J. 08010	Sept. 13, 1974 June 18, 1976
Do	Morris	Jefferson, township of	H 340522A 01 through H 340522A 06.	Mayor, Weldon Rd., Lake Hopatcong, N.J. 07849	Oct. 25, 1974 June 18, 1976
Do	do	Kinnelon, borough of	H 340345A 01 through H 340345A 05.	Mayor, Kinnelon Borough, Kinnelon, N.J. 07405	July 13, 1973
Do	Warren	Liberty, township of	H 340489A 01 through H 340489A 04.	Mayor, Box 134 F, Mountain Lake Rd., Great Meadows, N.J. 07838.	Aug. 9, 1974 June 18, 1976
Do	Passaic	Little Falls, township of	H 340401A 01 through H 340401A 03.	Mayor, 35 Stevens Ave., Little Falls, N.J. 07424	Dec. 28, 1973 June 18, 1976
Do	Bergen	Montvale, borough of	H 340052A 01 through H 340052A 06.	Mayor, Memorial Dr., Montvale, N.J. 07645	Sept. 6, 1974 June 18, 1976
Do	Morris	Morristown, town of	H 340352A 01 through H 340352A 04.	Mayor, 110 South St., Morristown, N.J. 07960	Feb. 1, 1974 June 18, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
*	*	*	*	*	*
Do.	Bergen	Palisades Park, borough of	H 340061A 01 through H 340061A 03.	Mayor, 275 Broad Ave., Palisades Park, N.J. 07650	Dec. 28, 1973
Do.	Gloucester	Pitman, borough of	H 340211A 01	Mayor, 8 North Broadway, Pitman, N.J. 08071	Mar. 15, 1974 June 18, 1976
Do.	Monmouth	South Belmar, borough of	H 340328A 01	Mayor, P.O. Box 569, Belmar, N.J. 07719	Feb. 22, 1974
Do.	Sussex	Stanhope, borough of	H 340456A 01	Mayor, 77 Main St., Stanhope, N.J. 07874	May 17, 1974 June 18, 1976
Do.	Passaic	West Paterson, borough of	H 340412A 01 through H 340412A 02.	Mayor, 853 McBelde Ave., West Paterson, N.J. 07424	June 28, 1974 June 18, 1976
New Mexico	Eddy	Artesia, city of	H 350016A 01 through H 350016A 03.	Mayor, P.O. Drawer 1309, 511 West Texas Ave., Artesia, N. Mex. 88210.	Jan. 16, 1974 June 18, 1976
New York	Erie	Alden, village of	H 360224A 01 through H 360224A 02.	Mayor, Village Hall, Alden, N.Y. 14004	May 17, 1974
Do.	Allegany	Alfred, town of	H 360019A 01 through H 360019A 02.	Supervisor, Rural Delivery No. 1, Alfred Station, N.Y. 14803.	May 17, 1974 June 18, 1976
Do.	do.	Alfred, village of	H 360018A 01	Mayor, Village Hall, Alfred, N.Y. 14802	Aug. 2, 1974 June 18, 1976
Do.	Montgomery	Amsterdam, town of	H 360441A 01 through H 360041A 05.	Supervisor, Rural Delivery No. 5, Town Office, Bldg., Amsterdam, N.Y. 12010.	July 19, 1974 June 18, 1976
Do.	Greene	Athens, town of	H 361117 01 through H 361117 09.	Supervisor, 38 North Franklin, Athens, N.Y. 12015	Aug. 13, 1976
Do.	Suffolk	Belle Terre, village of	H 361532A 01 through H 361532A 02.	Mayor, Box 61, Port Jefferson, N.Y. 11777	Dec. 27, 1974 June 18, 1976
Do.	Wyoming	Bennington, town of	H 36091A 01 through H 360941A 08.	Supervisor, 80 Clinton St., Alden, N.Y. 14004	July 26, 1974 June 18, 1976
Do.	Albany	Colonie, town of	H 360007A 01 through H 360007A 09.	Supervisor, Memorial Town Hall, Newtonville, N.Y. 12128.	Sept. 20, 1974 June 18, 1976
Do.	Wyoming	Covington, town of	H 360042A 01 through H 360942A 04.	Supervisor, 636 Perry Rd., Pavillion, N.Y. 14525	Aug. 2, 1974 June 18, 1976
Do.	Herkimer	Danube, town of	H 360300A 01 through H 360300A 02.	Supervisor, Rural Delivery, Little Falls, N.Y. 13365	Apr. 5, 1974 June 18, 1976
Do.	Delaware	Davenport, town of	H 360192A 01 through H 360192A 17.	Town Supervisor, Town Hall, West Davenport, N.Y. 13860.	July 26, 1974 June 18, 1976
Do.	Madison	De Ruyter, town of	H 361291A 01 through H 361291A 09.	Supervisor, Town Hall, De Ruyter, N.Y. 13151	Sept. 20, 1974 June 18, 1976
Do.	Delaware	Deposit, town of	H 360195A 01 through H 360195A 05.	Supervisor, Star Route, Deposit, N.Y. 13754	June 21, 1974 June 18, 1976
Do.	Schenectady	Duanesburg, town of	H 361191A 01 through H 361191A 18.	Supervisor, Town Hall, Duanesburg, N.Y. 12056	Oct. 25, 1974 June 18, 1976
Do.	Ulster	Ellenville, village of	H 360975A 01 through H 360975A 05.	Mayor, North Main St., Ellenville, N.Y. 12428	May 24, 1974 June 18, 1976
Do.	Dutchess	Fishkill, village of	H 360218A 01 through H 360218A 02.	Mayor, Van Wick Hall, Main St., Fishkill, N.Y. 12524	June 21, 1974 June 18, 1976
Do.	Oneida	Floyd, town of	H 360528A 01 through H 360528A 05.	Supervisor, Rural Delivery No. 4, Rickmyer Rd., Rome, N.Y. 13440.	Aug. 9, 1974 June 18, 1976
Do.	Montgomery	Fonda, village of	H 360446A 01	Mayor, Main St., Fonda, N.Y. 12068	Mar. 1, 1974 June 18, 1976
Do.	Cattaraugus	Freedom, town of	H 360074A 01 through H 360074A 10.	Town Supervisor, Town Hall, Delevan, N.Y. 14042	May 31, 1974 June 18, 1976
Do.	Wyoming	Gainesville, town of	H 360944A 01 through H 360944A 04.	Supervisor, Box 172, Silver Springs, N.Y. 14550	July 26, 1974 June 18, 1976
Do.	do.	Genesee Falls, town of	H 361003A 01 through H 361003A 03.	Supervisor, Church St., Portageville, N.Y. 14536	Aug. 9, 1974 June 18, 1976
Do.	Cayuga	Genoa, town of	H 360111A 01 through H 360111A 04.	Supervisor, Town Hall, Genoa, N.Y. 13071	June 28, 1974 June 18, 1976
Do.	Rockland	Grand View-on-Hudson, village of.	H 360080A 01 through H 360080A 02.	Mayor, 89 River Rd., Grand View-on-Hudson, N.Y. 10960.	Oct. 18, 1974 June 18, 1976
Do.	Saratoga	Halfmoon, town of	H 360719A 01 through H 360719A 10.	Town Supervisor, 81 Bebbitt Rd., Waterford, N.Y. 12188	June 21, 1974 June 18, 1976
Do.	Orange	Highlands, town of	H 361251A 01 through H 361251A 09.	Supervisor, 213 Main St., Highland Falls, N.Y. 10928	Nov. 1, 1974
Do.	Rensselaer	Hoosick Falls, village of	H 360074A01	Mayor, 25 Main St., Hoosick Falls, N.Y. 12090	May 10, 1974
Do.	Sullivan	Jeffersonville, village of	H 361474A 01	Mayor, P.O. Box 155x, Jeffersonville, N.Y. 12748	Nov. 22, 1974
Do.	Fulton	Johnstown, city of	H 360276A 01 through H 360276A 02.	Mayor, 33-41 East Main St., Johnstown, N.Y. 12095	June 28, 1974 June 18, 1976
Do.	Delaware	Kortright, town of	H 360205A 01 through H 360205A 06.	Supervisor, Main St., Bloomville, N.Y. 13739	June 28, 1974 June 18, 1976
Do.	Oswego	Lacona, village of	H 361350A 01	Mayor, Salina St., Lacona, N.Y. 13083	Nov. 22, 1974 June 18, 1976
Do.	Cattaraugus	Leon, town of	H 3600801 01 through H 360080A 10.	Town Supervisor, R.F.D., Conewango Valley, N.Y. 14726.	May 31, 1974 June 18, 1976
Do.	Suffolk	Lindenhurst, village of	H 360798A 01 through H 360798A 02.	Mayor, 430 South Wellwood Ave., Lindenhurst, N.Y. 11757.	Nov. 9, 1973 June 18, 1976
Do.	Steuben	Lindley, town of	H 360778A 01 through H 360778A 03.	Supervisor, Box 112, Lindley, N.Y. 14858	June 21, 1974 June 18, 1976
Do.	Columbia	Livingston, town of	H 360175A 01 through H 360175A 03.	Supervisor, Town Hall, Livingston, N.Y. 12541	May 24, 1974 June 18, 1976
Do.	Cortland	Marathon, village of	H 360183A 01	Mayor, Village Hall, Marathon, N.Y. 13803	May 3, 1974 June 18, 1976
Do.	Oswego	Mexico, village o	H 361460A 01 through H 361460A 12.	Mayor, P.O. Box 26, Mexico, N.Y. 13114	Dec. 20, 1974
Do.	Cayuga	Moravia, town of	H 360117A 01 through H 360117A 07.	Supervisor, Rural Delivery 4, Moravia, N.Y. 13118	June 14, 1974 June 18, 1976
Do.	Chenango	New Berlin, village of	H 360160A 01	Mayor, Village Office, New Berlin, N.Y. 13411	May 31, 1974 June 18, 1976
Do.	Cayuga	Niles, town of	H 360119A 01 through H 360119A 12.	Supervisor, Rural Delivery 1, Moravia, N.Y. 13118	Aug. 9, 1974 June 18, 1976
Do.	Fulton	Oppenheim, town of	H 361134A 01 through H 361134A 09.	Supervisor, Rural Delivery 1, Dolgeville, N.Y. 13329	Nov. 8, 1974 June 18, 1976
Do.	Oneida	Oriskany Falls, village of	H 361354A 01	Mayor, P.O. Box 457, Oriskany Falls, N.Y. 13425	Nov. 22, 1974 June 18, 1976
Do.	Montgomery	Palatine Bridge, village of	H 360454A 01	Mayor, Village Hall, Palatine Bridge, N.Y. 13428	Feb. 15, 1974
Do.	Oswego	Phoenix, village of	H 360658A 01	Mayor, 821 Main St., Phoenix, N.Y. 13135	Mar. 22, 1974
Do.	Livingston	Portage, town of	H 361029A 01 through H 361029A 04.	Supervisor, Box 912, Hunt, N.Y. 14846	Aug. 16, 1974 June 18, 1976
Do.	Oneida	Remsen, village of	H 360540A 01	Mayor, Village Hall, Remsen, N.Y. 13438	Oct. 18, 1974
Do.	Montgomery	Root, town of	H 360455A 01 through H 360455A 04.	Town Supervisor, Rural Delivery, Spakers, N.Y. 12166	Oct. 25, 1974 June 18, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Nassau	Roslyn, village of	H 360489A 01 through H 360489A 02.	Mayor, 1 Paper Mill Rd., Roslyn, N.Y. 11576	June 28, 1974 June 18, 1976
Do.	Delaware	Roxbury, town of	H 361036A 01 through H 361036A 08.	Supervisor, Town Hall, Roxbury, N.Y. 12474	Aug. 2, 1974 June 18, 1976
Do.	Herkimer	Russia, town of	H 361121A 01 through H 361121A 05.	Town Supervisor, Rural Delivery, Cold Brook, N.Y. 13324.	Nov. 1, 1974 June 18, 1976
Do.	Montgomery	St. Johnsville, village of	H 360457A 01	Mayor, Village Hall, Washington St., St. Johnsville, N.Y. 13452.	Feb. 15, 1974
Do.	Ulster	Saugerties, village of	H 361504A 01 through H 361504A 05.	Mayor, P.O. Box 96, Saugerties, N.Y. 12477	Nov. 15, 1974 June 18, 1976
Do.	Chenango	Sherburne, village of	H 360164A 01	Mayor, West State St., Sherburne, N.Y. 13460	May 31, 1974
Do.	Chautauqua	Silver Creek, village of	H 360144A 01	Mayor, 172 Control Ave., Silver Creek, N.Y. 14136	Feb. 22, 1974 June 18, 1976
Do.	Onondaga	Skaneateles, village of	H 360503A 01	Mayor, No. 46 East Tennessee St., Skaneateles, N.Y. 13152.	May 31, 1974 June 18, 1976
Do.	Madison	Smithfield, town of	H 361294A 01 through H 361294A 06.	Supervisor, Town Hall, Peterboro, N.Y. 13134	Oct. 25, 1974 June 18, 1976
Do.	Chenango	Smyrna, town of	H 361308A 01 through H 361308A 05.	Town Supervisor, Box 108 Beaver, Meadow Rd., Smyrna, N.Y. 13464.	Dec. 20, 1974
Do.	Niagara	Somerset, town of	H 360512A 01 through H 360512A 03.	Supervisor, 9739 Haight Rd., Barker, N.Y. 14012	Mar. 15, 1974 June 18, 1976
Do.	Cattaraugus	South Dayton, village of	H 360090A 01	Mayor, P.O. Box 9, South Dayton, N.Y. 14138	May 31, 1974 June 18, 1976
Do.	Saratoga	South Glens Falls, village of	H 360730A 01	Mayor, 46 Saratoga Ave., Box 1210, South Glens Falls, N.Y. 12801.	Apr. 12, 1974 June 18, 1976
Do.	Monroe	Spencerport, village of	H 360433A 01 through H 360433A 03.	Mayor, 14 Amity St., Spencerport, N.Y. 14559	Feb. 1, 1974 June 18, 1976
Do.	Saratoga	Stillwater, town of	H 360731A 01 through H 360731A 06.	Supervisor, P.O. Box 551, Stillwater, N.Y. 12170	June 21, 1974
Do.	Rockland	Suffern, village of	H 360694A 01 through H 360694A 04.	Mayor, Municipal Bldg., 44 Washington Ave., Suffern, N.Y. 10901.	Dec. 28, 1973 June 12, 1976
Do.	Nassau	Thomaston, village of	H 360494A 01	Mayor, 100 East Shore Rd., Great Neck, N.Y. 11023	June 14, 1974 June 18, 1976
Do.	Oneida	Trenton, village of	H 360557A 01	Mayor, Village Hall, Barneveld, N.Y. 13304	Aug. 30, 1974 June 18, 1976
Do.	Westchester	Tuckahoe, village of	H 360934A 01	Mayor, Box 132, Village Hall, Tuckahoe, N.Y. 10707	May 10, 1974 June 18, 1976
Do.	Rockland	Upper Nyack, village of	H 360695A 01	Mayor, 330 North Broadway, Upper Nyack, N.Y. 10960	Mar. 15, 1974
Do.	Chemung	Veteran, town of	H 361057A 01 through H 361057A 12.	Supervisor, Town Hall, Millport, N.Y. 14864	Oct. 25, 1974 June 18, 1976
Do.	Ontario	Victor, town of	H 361249A 01 through H 361249A 11.	Supervisor, 85 East Main St., Victor, N.Y. 14564	Oct. 25, 1974 June 18, 1976
Do.	Saratoga	Victory, village of	H 360738A 01	Mayor, Box 149, Victory Mills, N.Y. 12884	Apr. 5, 1974
Do.	do	Waterford, town of	H 360734A 01	Supervisor, 65 Broad St., Waterford, N.Y. 12188	Mar. 29, 1974
Do.	Oneida	Waterville, village of	H 360563A 01	Mayor, Village Hall, Waterville, N.Y. 13480	June 14, 1974 June 18, 1976
Do.	Herkimer	Winfield, town of	H 360323A 01 through H 360323A 02.	Mayor, 499 East Main, West Winfield, N.Y. 13491	Mar. 1, 1974 June 18, 1976
North Carolina	Orange	Chapel Hill, town of	H 370180A 01 through H 370180A 05.	Mayor, Municipal Bldg., 306 North Columia St., Chapel Hill, N.C. 27514.	June 21, 1974 June 18, 1976
Do.	Franklin	Louisburg, town of	H 370098A 01	Mayor, 201 North Main St., Louisburg, N.C. 27549	June 14, 1974 June 18, 1976
Do.	Halifax	Scotland Neck, town of	H 370118A 01	Mayor, P.O. Box 156, Scotland Neck, N.C. 27874	Dec. 17, 1973
Do.	Brunswick	Southport city of	H 370028A 01	Mayor, 217 Dry St., Southport, N.C. 28461	May 24, 1974
Do.	Jones	Trenton, town of	H 370141A 01	Mayor, Town Board, Trenton, N.C. 28585	Mar. 1, 1974 June 18, 1976
Do.	Beaufort	Washington, city of	H 370017A 01 through H 370017A 02.	Mayor, P.O. Box 850, Washington, N.C. 27889	Feb. 20, 1973 June 18, 1976
Do.	Columbus	Whiteville, city of	H 370071A 01 through H 370071A 02.	Mayor, P.O. Box 592, Whiteville, N.C. 28472	Feb. 15, 1974 June 18, 1976
North Dakota	Stark	Gladstone, city of	H 380173 01	Mayor, City Hall, Gladstone, N. Dak. 58630	Aug. 13, 1976
Do.	Walsh	Hoople, city of	H 380179 01	Mayor, City Hall, Hoople, N. Dak. 58243	Do.
Do.	La Moure	La Moure, city of	H 380042A 01	Mayor, City Hall, La Moure, N. Dak. 58458	Nov. 16, 1973 June 18, 1976
Do.	Mountrail	Plaza, city of	H 380195 01	Mayor, P.O. Box 145, Plaza, N. Dak. 58771	Aug. 13, 1976
Ohio	Stark	Alliance, city of	H 390508A 01 through H 390508A 04.	Mayor, 470 East Market St., Alliance, Ohio 44601	June 7, 1974 June 18, 1976
Do.	Cuyahoga	Cleveland, city of	H 390104A 01 through H 390104A 27.	Mayor, 601 Lakeside, Cleveland, Ohio 44114	June 7, 1974 June 18, 1976
Do.	do	Euclid, city of	H 390107A 01 through H 390107A 05.	Mayor, 585 East 222d St., Euclid, Ohio 44123	Apr. 5, 1974 June 18, 1976
Do.	do	Mayfield, village of	H 390116A 01 through H 390116A 03.	Mayor, 6621 Wilson Mills Rd., Mayfield, Ohio 44143	Nov. 23, 1973 June 18, 1976
Do.	Lake	Mentor, city of	H 390317A 01 through H 390317A 09.	Mayor, 8500 Civic Center Blvd., Mentor, Ohio 44060	June 14, 1974 June 18, 1976
Do.	Summit	Norton, city of	H 390529A 01 through H 390529A 06.	Mayor, 3230 Greenwich, Norton, Ohio 44203	Mar. 15, 1974 June 18, 1976
Do.	Huron	Norwalk, city of	H 390286A 01 through H 390286A 03.	Mayor, P.O. Box 30, Norwalk, Ohio 44857	Nov. 23, 1973 June 18, 1976
Do.	Cuyahoga	Oakwood, village of	H 390122A 01 through H 390122A 03.	Mayor, 2480 Broadway, Oakwood Village, Ohio 44146	May 17, 1974
Do.	Paulding	do	H 390437A 01	Mayor, 24800 Broadway, Oakwood Village, Ohio 45873	Do.
Do.	Cuyahoga	Parma Heights, city of	H 390124A 01 through H 390124A 02.	Mayor, 6281 Pearl Rd., Parma Heights, Ohio 44130	Mar. 22, 1974 June 18, 1976
Do.	Summit	Peninsula, village of	H 390530A 01 through H 390530A 02.	Mayor, P.O. 52, Peninsula, Ohio 44264	Mar. 22, 1974
Do.	Pike	Piketon, village of	H 390451A 01	Mayor, Municipal Bldg., Piketon, Ohio 45661	Nov. 23, 1973 June 18, 1976
Do.	Franklin and Licking.	Reynoldsburg, city of	H 390177A 01 through H 390177A 04.	Mayor, 2232 East Main St., Reynoldsville, Ohio 43068	Nov. 23, 1973 June 18, 1976
Do.	Cuyahoga	Richmond Heights, city of	H 390126A 01 through H 390126A 02.	Mayor, 457 Richmond Rd., Richmond Heights, Ohio 44143	Mar. 22, 1974 June 18, 1976
Do.	Muskingum	Roseville, village of	H 390646A 01 through H 390646A 02.	Mayor, Town Hall, Roseville, Ohio 43777	Feb. 15, 1974 June 18, 1976
Do.	Summit	Silver Lake, village of	H 390531A 01	Mayor, 2961 Kent Rd., Cuyahoga Falls, Ohio 44224	Feb. 8, 1974 June 18, 1976
Do.	do	Stow, city of	H 390532A 01 through H 390532A 05.	Mayor, 4760 Darrow Rd., Stow, Ohio 44224	Mar. 1, 1974 June 18, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Do	do	Twinsburg, city of	H 390534A 01 through H 390534A 05.	City Manager, 9825 Ravenna Rd., Twinsburg, Ohio 44087	Mar. 15, 1974 June 18, 1976
Do	Hancock	Van Buren, village of	H 390648A 01	Mayor, Town Hall, Van Buren, Ohio 45889	Mar. 22, 1974
Do	Logan	West Mansfield, village of	H 390344A 01	Mayor, Village Hall, West Mansfield, Ohio 43358	May 31, 1974 June 18, 1976
Oklahoma	Le Flore	Arkoma, town of	H 400343 01 through H 400343 03.	Clerk, P.O. Box 277, Arkoma, Okla. 74901	Aug. 13, 1976
Do	Bryan	Bennington, town of	H 400260 01	President, Town Hall, Bennington, Okla. 74723	Do.
Do	Noble	Billings, town of	H 400347 01	Mayor, Route 1, Billings, Okla. 74630	Do.
Do	Bryan	Bokchito, town of	H 400349 01	Mayor, P.O. Box 174 (c/o City Hall) Bokchito, Okla 74726	Do.
Do	Grady	Bradley, town of	H 400263 01	Mayor, Box 71, Bradley, Okla. 73011	Do.
Do	McClain	Byars, town of	H 400267 01	Mayor, P.O. Box 185, Byars, Okla. 74831	Do.
Do	Bryan	Calera, town of	H 400354 01	Chairman of the Board, Calera, Okla. 74730	Do.
Do	Le Flore	Cameron, town of	H 400271 01	Chairman of Town Board, Cameron, Okla. 74032.	Do.
Do	Lincoln	Chandler, city of	H 400237 01 through H 400237 02.	Mayor, City of Chandler, Chandler, Okla	Do.
Do	McIntosh	Checotah, city of	H 400238 01	Mayor, City Hall, 201 North Broadway Ave., Checotah, Okla. 74426.	Do.
Do	Washita	Colony, town of	H 400253 01	President, Town Hall, Colony, Okla. 73021	Do.
Do	Logan	Coyle, town of	H 400097 01	Mayor, Town Hall, Coyle, Okla. 73027	Do.
Do	Seminole	Cromwell, town of	H 400282 01	President, P.O. Box 66, Cromwell, Okla. 74837	Do.
Do	Beckham	Elk City, city of	H 400010A 01 through H 400010A 04.	Mayor, City Hall, 120 South Jefferson, Elk City, Okla. 73644.	May 24, 1974 June 18, 1976
Do	Rodger Mills	Hammon, town of	H 400386 01	Mayor, P.O. Box 218, Hammon, Okla. 73560	Aug. 13, 1976
Do	Creek	Kiefer, town of	H 400393 01 through H 400393 02.	Town Mayor, Town of Kiefer, P.O. Box 337, Kiefer, Okla. 74041.	Do.
Do	Cimarron	Keyes, town of	H 400392 01	Mayor, City Hall, Keyes, Okla. 73947	Do.
Do	Noble	Marland, town of	H 400305 01	Mayor, P.O. Box 638, Marland, Okla	Do.
Do	Logan	Marshall, town of	H 400206 01	Mayor, P.O. Box 56, Marshall, Okla. 73056	Do.
Do	Haskell	McCurtain, town of	H 400397 01	Mayor, P.O. Box 141, McCurtain, Okla. 74944	Do.
Do	Pottawatomie	McLoud, town of	H 400398 01 through H 400398 14.	Mayor, P.O. Box 127, McCloud, Okla. 74851	Do.
Do	Lincoln	Meeker, town of	H 400404 01	Mayor, P.O. Box 428, Meeker, Okla. 74855	Do
Do	Johnston	Mill Creek, town of	H 400309 01	Mayor, Box 62, Mill Creek, Okla. 74856	Do.
Do	Oklahoma	Nicoma Park, city of	H 400424 01 through H 400424 02.	Mayor, P.O. Box T, Nicoma Park, Okla. 73066	Do.
Do	Okfuskee	Okemah, city of	H 400429 01	City Manager, 502 West Broadway St., Okemah, Okla. 74859.	Do.
Do	Logan	Orlando, town of	H 400316 01	Mayor, P.O. Box 147, Orlando, Okla. 73073	Do.
Do	Ottawa	Quapaw, town of	H 400436 01	Mayor, Town Hall, Quapaw, Okla. 74363	Do.
Do	Pawnee	Ralston, town of	H 400164 01	Mayor, Town Hall, Main Street, Ralston, Okla. 74650	Do.
Do	Cotton	Randlett, town of	H 400318 01	Chairman, Town Hall, Randlett, Okla. 73562	Do.
Do	Johnston	Ravia, town of	H 400320 01	Mayor, Town Hall, Ravia, Okla. 37455	Do.
Do	Sequoyah	Sallisaw, city of	H 400199A 01 through H 400199A 05.	Mayor, 111 North Elm, P.O. Box C, City Hall, Sallisaw, Okla.	Apr. 5, 1974 June 18, 1976
Do	Woodward	Sharon, town of	H 400331 01	President, Town Hall, 300 Main St., Sharon, Okla. 73857	Aug. 13, 1976
Do	Mayes	Spavinaw, town of	H 400378 01	Mayor, Town Hall, Spavinaw, Okla. 74366	Do.
Do	Garvin	Stratford, town of	H 400416 01 through H 400416 02.	President, Town Hall, 120 South Hyden, Stratford, Okla. 74872.	Do.
Do	Atoka	Stringtown, town of	H 400329 01 through H 400329 02.	Chairman, City Hall, Stringtown, Okla. 74569	Do.
Do	Tillman	Tipton, Town of	H 400206 01 through H 400206 02.	President, Town Hall, Tipton, Okla. 73570	Do.
Do	Muskogee	Warner, town of	H 400130 01	Mayor, Town Hall, Warner, Okla	Do.
Do	Canadian	Yukon, city of	H 400028A 01 through H 400028A 08.	Mayor, 532 Main St., P.O. Box A, City Hall, Yukon, Okla. 73099.	May 24, 1974 June 18, 1976
Oregon	Yamhill	Lafayette, city of	H 410254A 01	Mayor, City Hall, Lafayette, Oreg. 97127	Nov. 30, 1973 June 18, 1976
Do	Lake	Lakeview, town of	H 410116A 01	Mayor, City Hall, Lakeview, Oreg. 97630	May 24, 1974 June 18, 1976
Do	Wasco	Mosier, city of	H 410234A 01	Mayor, City Hall, Mosier, Oreg. 97040	Oct. 18, 1974 June 18, 1976
Do	Washington	Sherwood, city of	H 410273 01	City Manager, P.O. Box 167, Sherwood, Oreg. 87140	Aug. 13, 1976
Do	Umatilla	Umatilla, city of	H 410214A 01	Mayor, City Hall, Umatilla, Oreg. 97882	Nov. 9, 1973 June 18, 1976
Pennsylvania	Westmoreland	Allegheny, township of	H 420869A 01 through H 420869A 09.	Chairman, Box 152, Rural Delivery No. 5, Apollo, Pa. 15613.	Aug. 2, 1974 June 18, 1976
Do	Westmoreland	Arnold, city of	H 420870A 01 through H 420870A 02.	Mayor, 1829 5th Ave., Arnold, Pa. 15068	June 14, 1974
Do	Delaware	Aston, township of	H 421602A 01 through H 421602A 03.	Township Secretary, 233 Pennell Rd., Aston, Pa. 19041	Oct. 25, 1974 June 18, 1976
Do	Allegheny	Braddock, borough of	H 420015A 01	Mayor, Municipal Bldg., Braddock, Pa. 15104	Mar. 29, 1974 June 18, 1976
Do	Washington	Burgettstown, borough of	H 420847A 01 through H 420847A 02.	Mayor, 115 Main St., Burgettstown, Pa. 15021	Jan. 23, 1974 June 18, 1976
Do	Crawford	Cambridge, township of	H 421564A 01 through H 421564A 03.	Chairman, Rural Delivery 3, Cambridge Springs, Pa. 16403.	Sept. 6, 1974 June 18, 1976
Do	Columbia	Cleveland, township of	H 421000A 01 through H 421000A 06.	Chairman, Rural Delivery 1, Elysburg, Pa. 17824	Oct. 18, 1974 June 18, 1976
Do	Clearfield	Decatur, township of	H 421189A 01 through H 421189A 07.	Chairman, Rural Delivery Box 569, Osceola Mills, Pa. 16666.	Sept. 20, 1974 June 18, 1976
Do	Allegheny	Dravosburg, borough of	H 420067A 01 through H 420067A 03.	Mayor, Box 37, Dravosburg, Pa. 15034	Dec. 28, 1973
Do	Mercer	East Lackawannock, township of.	H 421864A 01 through H 421864A 02.	Supervisor, Rural Delivery No. 7, Mercer, Pa. 16137	Sept. 6, 1974 June 18, 1976
Do	Cumberland	East Pennsboro, township of.	H 420359A 01 through H 420359A 05.	Township Manager, 243 Columbia Rd., Enola, Pa. 17025	Sept. 20, 1974 June 18, 1974
Do	Allegheny	Elizabeth, township of	H 420033A 01 through H 420033A 04.	President, Commissioners, 522 Rock Run Rd., Buena Vista, Pa. 15018.	Mar. 29, 1974 June 18, 1976
Do	Mercer	Farrel, city of	H 420673A 01 through H 420673A 02.	City Manager, 92426 Stearman Ave., Farrel, Pa. 16121	June 28, 1974 June 18, 1976
Do	Allegheny	Glassport, borough of	H 420038A 01 through H 420038A 02.	Mayor, 5th and Monongahela Ave., Glassport, Pa. 15045	Dec. 7, 1973 June 18, 1976
Do	Westmoreland	Greensburg, city of	H 420877A 01 through H 420877A 07.	Mayor, City Hall, 418 South Main St., Greensburg, Pa. 15601.	Dec. 28, 1973 June 18, 1976
Do	Tioga	Hamilton, township of	H 421178A 01 through H 421178A 10.	Township Secretary, 100 Lynd St., Blossburg, Pa. 16912	Aug. 30, 1974 June 18, 1976
Do	Allegheny	Homestead, borough of	H 420044A 01	Mayor, Box 448, Homestead, Pa. 15120	Nov. 30, 1973
Do	Beaver	Hopewell, township of	H 421321A 01 through H 421321A 03.	President, Commissioners, Hopewell, Municipal Bldg., Clark Blvd., Aliquippa, Pa. 15001.	Mar. 8, 1974 June 18, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Montgomery	Horsham, township of	H 420700A 01 through H 420700A 05.	President of Council, 1025 Horsham Rd., Horsham, Pa. 19044.	June 21, 1974 June 18, 1976
Do.	Beaver	Independence, township of	H 421323A 01	Chairman, Rural Delivery 2, Box 670, Aliquippa, Pa. 15001	Aug. 30, 1974 June 18, 1976
Do.	Carbon	Lehighton, borough of	H 420251A 01	Sec./Treas., Municipal Bldg., Lehighton, Pa. 18235	Dec. 28, 1973 June 18, 1976
Do.	Westmoreland	Lower Burrell, city of	H 420885A 01 through H 420885A 07.	Mayor, City Hall, Bethel and Schreiber Sts., Lower Burrell, Pa. 15068.	June 28, 1974 June 18, 1976
Do.	Cambria	Lower Yoder, township of	H 420233A 01 through H 420233A 05.	Supervisor, 81 John St., Johnstown, Pa. 15905	Feb. 15, 1974
Do.	Washington	Marianna, borough of	H 420854A 01 through H 420854A 04.	Mayor, Borough Bldg., Marianna, Pa. 15345	Feb. 8, 1974 June 18, 1976
Do.	Allegheny	McKees Rocks, borough of	H 420052A 01 through H 420052A 02.	Mayor, Borough Bldg., Bell and Linden Sts., McKees Rocks, Pa. 15136.	Aug. 31, 1973 June 18, 1976
Do.	Mercer	Mill Creek, township of	H 421871A 01 through H 421871A 02.	Township Supervisor's Wife, Rural Delivery No. 3, Box 30, Sandy Lake, Pa. 16145.	Dec. 20, 1974
Do.	Westmoreland	Monessen, city of	H 420887A 01 through H 420887A 04.	Mayor, Municipal Bldg., 3d and Donner Ave., Monessen, Pa. 15062.	June 21, 1974 June 18, 1976
Do.	Montgomery	Montgomery, township of	H 421226A 01 through H 421226A 05.	Chairman, Cowpath Rd., P.O. 98, Montgomeryville, Pa. 18936.	Aug. 2, 1974 June 18, 1976
Do.	Bucks	Morrisville, borough of	H 420194B 01	Mayor, 35 Union St., P.O. Box 239, Morrisville, Pa. 19067	Feb. 9, 1973 Mar. 29, 1974 June 18, 1976
Do.	do	New Britain, township of	H 420987A 01 through H 420987A 05.	Chairman, 615 Limekiln Pike, Chalfont, Pa. 18914	Aug. 2, 1974 June 18, 1976
Do.	do	Nockamixon, township of	H 420197A 01 through H 420197A 06.	Supervisor, Box 479, Kintnersville, Pa. 18930	July 19, 1974 June 18, 1976
Do.	Armstrong	North Buffalo, township of	H 421310A 01 through H 421310A 03.	Chairman, Rural Delivery No. 4, Kittaning, Pa. 16201	Apr. 5, 1974 June 18, 1976
Do.	Allegheny	North Fayette, township of	H 421085A 01 through H 421085A 08.	Chairman, Municipal Bldg., Rural Delivery 2, Northbranch and Donaldson Rd., Oakdale, Pa. 15071.	Sept. 20, 1974 June 18, 1976
Do.	Wayne	Palmyra, township of	H 420865A 01 through H 420865A 06.	Supervisor, Rural Delivery No. 1, Hawley, Pa. 18428	July 19, 1974 June 18, 1976
Do.	Cambria	Patton, borough of	H 420235A 01	Mayor, 319 Herriman Ave., Patton, Pa. 16668	Feb. 1, 1974 June 18, 1976
Do.	Armstrong	Plum Creek, township of	H 421313A 01 through H 421313A 05.	Chairman, Box 31, Elderton, Pa. 15736	Sept. 6, 1974 June 18, 1976
Do.	Northumberland	Point, township of	H 421026A 01 through H 421026A 03.	Chairman of Board, Rural Delivery 2, Northumberland, Pa. 17851.	Mar. 15, 1974 June 18, 1976
Do.	Allegheny	Rankin, borough of	H 420067A 01	Mayor, 320 Hawkins Ave., Rankin, Pa. 15104	Mar. 15, 1974
Do.	Bucks	Richland, township of	H 421005A 01 through H 421005A 08.	Chairman, Township Supervisors, Rural Delivery No. 4, Quakertown, Pa. 18951.	Oct. 25, 1974 June 18, 1976
Do.	Berks	Robeson, township of	H 420146A 01 through H 420146A 10.	Chairman, Rural Delivery No. 1, Mohriton, Pa. 19540	Apr. 5, 1974 June 18, 1976
Do.	Jefferson	Rose, township of	H 421734A 01 through H 421734A 02.	Chairman, Rural Delivery No. 3, Brookville, Pa. 15825	Sept. 20, 1974 June 18, 1976
Do.	Northumberland	Rush, township of	H 421943A 01 through H 421943A 09.	Chairman, Rural Delivery 6, Danville, Pa. 17821	Sept. 6, 1974 June 18, 1976
Do.	Westmoreland	St. Clair, township of	H 422191A 01 through H 422191A 03.	Chairman, Township Supervisors, Rural Delivery No. 1, Seward, Pa. 15954.	Sept. 20, 1974 June 18, 1976
Do.	Mercer	Sandy Lake, borough of	H 420677A 01 through H 420677A 02.	Mayor, Borough Bldg., Sandy Lake, Pa. 16145	Jan. 16, 1974 June 18, 1976
Do.	Delaware	Sharon Hill, borough of	H 420433A 01	Mayor, Borough Hall, Sharon Ave. and Spring St., Sharon Hill, Pa. 19079.	Dec. 28, 1973 June 18, 1976
Do.	Lycoming	Shrewsbury, township of	H 421148A 01 through H 421148A 05.	Chairman, Rural Delivery 1, Hughesville, Pa. 17737	July 19, 1974 June 18, 1976
Do.	Lehigh	South Whitehall, township of.	H 420593A 01 through H 420593A 08.	Manager, Municipal Bldg., Rural Delivery No. 1, Allentown, Pa. 18104.	Jan. 16, 1974 June 18, 1976
Do.	Allegheny	Stowe, township of	H 421110A 01	President of Commissioners, 1301 Island Ave., McKees Rocks, Pa. 15136.	Nov. 29, 1974 June 18, 1976
Do.	Luzerne	Sugarloaf, township of	H 420997A 01 through H 420997A 03.	Chairman, Township Supervisor, Box 149, Rural Delivery No. 2, Drums, Pa. 18222.	May 3, 1974 June 18, 1976
Do.	Cambria	Summerhill, borough of	H 420242A 01	Mayor, Box 289, Summerhill, Pa. 15958	Dec. 28, 1973 June 18, 1976
Do.	Bradford	Towanda, township of	H 421113A 01 through H 421113A 05.	Chairman, Rural Delivery No. 4, Towanda, Pa. 18848	July 26, 1974 June 18, 1976
Do.	Washington	Union, township of	H 420860A 01 through H 420860A 03.	Chairman, Box 43, Gastonville, Pa. 15336	June 28, 1973 June 18, 1976
Do.	Delaware	Upper Darby, township of	H 420440A 01 through H 420440A 08.	President of Commissioners, Municipal Bldg., Room 107, Upper Darby, Pa. 19082.	Jan. 16, 1974 June 18, 1976
Do.	Montgomery	Upper Dublin, township of	H 420708A 01 through H 420708A 04.	President of Commissioners, 801 Loch Alsh Ave., Fort Washington, Pa. 19034.	Apr. 27, 1973 June 18, 1976
Do.	Northumberland	Upper Mahonoy, township of.	H 421944A 01 through H 421944A 08.	Chairman, Box 9, Leck Kill, Pa. 17836	Sept. 20, 1974 June 18, 1976
Do.	Allegheny	Upper St. Clair, township of	H 421119A 01 through H 421119A 03.	President, Commission, 1820 McLaughlin Run Rd., Upper St. Clair, Pa. 15241.	May 31, 1974 June 18, 1976
Do.	Fayette	Upper Tyrone, township of	H 420467A 01 through H 420467A 03.	Chairman, Star Route, Upper Tyrone, Pa. 15683	Nov. 30, 1973 June 18, 1976
Do.	Lancaster	Warwick, township of	H 421786A 01 through H 421786A 07.	Chairman, 315 Clay Rd., Lititz, Pa. 17543	Sept. 20, 1974 June 18, 1976
Do.	Lackawanna	West Abington, township of	H 421760A 01 through H 421760A 04.	Chairman, Township Supervisors, Box 347, Dalton, Pa. 18414.	Dec. 20, 1974 June 18, 1976
Do.	Chester	West Brandywine, township of.	H 421496A 01 through H 421496A 02.	Chairman, 735 Reeseville St., Coatesville, Pa. 19320	Sept. 13, 1974 June 18, 1976
Do.	Bradford	West Burlington, township of.	H 421122A 01 through H 421122A 07.	Chairman, Township Bldg., Troy, Pa. 16947	Aug. 2, 1974 June 18, 1976
Do.	Northampton	West Easton, borough of	H 420733A 01	Mayor, 304 3d St., West Easton, Pa. 18042	Dec. 28, 1973 June 18, 1976
Do.	Chester	West Goshen, township of	H 420293A 01 through H 420293A 04.	Manager, 1025 Paoli Pike, West Chester, Pa. 19380	June 21, 1974 June 18, 1976
Do.	Lancaster	West Hempfield, township of.	H 421789A 01 through H 421789A 09.	Chairman, 885 Tuy Dr., Lancaster, Pa. 17601	May 31, 1974 June 18, 1976
Do.	Allegheny	West Homestead, borough of	H 420084A 01 through H 420084A 03.	Mayor, 401 West. 8 Ave., West Homestead, Pa. 15120	Dec. 28, 1973
Do.	Schuylkill	West Mahanoy, township of	H 420792A 01 through H 420792A 04.	Supervisor, Rural Delivery No. 2, Lost Creek, Pa. 17946	June 28, 1974 June 18, 1976
Do.	Montgomery	West Norriton, township of	H 420711A 01 through H 420711A 04.	President of Commission, 14 Orchard Lane, Norristown, Pa. 19401.	June 28, 1974 June 18, 1976
Do.	Chester	West Whiteland, township of.	H 420295A 01 through H 420295A 04.	Chairman, Board of Supervisors, P.O. 210, Exton, Pa. 19341.	July 26, 1974 June 18, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
*	*	*	*	*	*
Do.	Perry	Wheatfield, township of	H 421035A 01 through H 421035A 03.	Supervisor, Rural Delivery No. 1, Duncannon, Pa. 17020	July 26, 1974 June 18, 1976
Do.	Allegheny	Whitaker, borough of	H 420087A 01 through H 420087A 02.	Mayor, 230 Washington Ave., Whitaker, Pa. 15120	Aug. 13, 1976
Do.	Northampton	Wilson, borough of	H 421927A 01	Mayor, 20 and Hay Ter., Wilson, Pa. 18042	Sept. 13, 1974 June 18, 1976
South Carolina	Abbeville	Abbeville, city of	H 450001A 01 through H 450001A 02.	Mayor, P.O. Box 456, Abbeville, S.C. 29620	May 31, 1974 June 18, 1976
Do.	Orangeburg	Branchville, town of	H 450162A 01 through H 450162A 02.	Mayor, P.O. Box 85, Branchville, S.C. 29432	June 7, 1974 June 18, 1976
Do.	Laurens	Clinton, city of	H 450123A 01 through H 450123A 02.	Mayor, P.O. Box 644, Clinton, S.C. 29325	June 7, 1974 June 18, 1976
Do.	do	Cross Hill, town of	H 450124A 01 through H 450124A 02.	Mayor, Main St., Cross Hill, S.C. 29332	Sept. 6, 1974 June 18, 1976
Do.	Dillon	Dillon, town of	H 450065A 01	Mayor, P.O. Drawer 431, Dillon, S.C. 29536	May 17, 1974 June 18, 1976
Do.	Spartanburg	Duncan, town of	H 450177A 01	Mayor, Drawer 188, Duncan, S.C. 29334	May 17, 1974
Do.	Bamberg	Ehrhardt, town of	H 450022A 01	Mayor, P.O. Box 185, Ehrhardt, S.C. 29081	July 19, 1974 June 18, 1976
Do.	Darlington	Hartsville, city of	H 450062A 01 through H 450062A 02.	Mayor, P.O. Box 146, Hartsville, S.C. 29550	June 7, 1974 June 18, 1976
Do.	Williamsburg	Hemingway, town of	H 450189A 01	Mayor, P.O. Box 442, Hemingway, S.C. 29554	June 7, 1974 June 18, 1976
Do.	Claredon	Manning, town of	H 450052A 01 through H 450052A 03.	Mayor, P.O. Box 456, Manning, S.C. 29102	June 28, 1974 June 18, 1976
Do.	Florence	Quinby, town of	H 450082A 01	Mayor, P.O. Box 56, Quinby, S.C. 24501	May 17, 1974 June 18, 1976
Do.	Colleton	Smoaks, town of	H 450057A 01	Mayor, P.O. Box 13, Smoaks, S.C. 29481	Sept. 6, 1974 June 18, 1976
South Dakota	Kingsburg	Arlington, city of	H 460233 01	Mayor, City Auditor, Arlington, S. Dak. 57212	Aug. 13, 1976
Do.	McCook	Canistota, town of	H 460162 01	Mayor, Town Hall, Canistota, S. Dak.	Do.
Do.	Turner	Centerville, city of	H 460163 01	Mayor, % Charles Buss, Centerville, S. Dak. 57014	Do.
Do.	Minnehaha	Colton, city of	H 460166 01	Mayor, P.O. Box 143, Colton, S. Dak. 57018	Do.
Do.	Grant	Milbank, city of	H 460200 01 through H 460200 02.	Mayor, P.O. Box 472, Milbank, S. Dak. 57252	Do.
Do.	McCook	Salem, city of	H 460053 01	Mayor, City Hall, Salem, S. Dak. 57058	Do.
Do.	Charles Mix	Wagner, city of	H 460224 01	Mayor, P.O. Box 192, Wagner, S. Dak. 57380	Do.
Do.	Lawrence	Whitewood, city of	H 460228 01	Mayor, City Hall, Whitewood, S. Dak. 57793	Do.
Do.	Beadle	Wolsey, town of	H 460150 01	President, Town Hall, Wolsey, S. Dak. 57384	Do.
Tennessee	Putnam	Cookeville, city of	H 470150A 01 through H 470150A 06.	Mayor, P.O. Box 849, 45 East Broad St., Cookeville, Tenn. 38501.	May 24, 1974 June 18, 1976
Do.	Houston	Erin, city of	H 470213A 01 through H 470213A 02.	Mayor, P.O. Box 270, Erin, Tenn. 37061	June 14, 1974 June 18, 1976
Do.	McNairy	Finger, town of	H 470129A 01	Mayor, P.O. Box 51, Finger, Tenn. 38334	Sept. 6, 1974
Do.	Robertson	Greenbrier, city of	H 470161A 01 through H 470161A 02.	Mayor, Drawer G, Greenbrier, Tenn. 37073	June 21, 1974 June 18, 1976
Do.	Carroll	McKenzie, town of	H 470023A 01 through H 470023A 02.	Mayor, P.O. Box 159, McKenzie, Tenn. 38201	Sept. 6, 1974
Do.	Rutherford	Murfreesboro, city of	H 470168A 01 through H 470168A 06.	Mayor, P.O. Box 1139, Murfreesboro, Tenn. 37130	June 7, 1974 June 18, 1976
Do.	Robertson	Ridgetop, city of	H 470162A 01 through H 470162A 02.	Mayor, P.O. Box 185, Ridgetop, Tenn. 37152	June 7, 1974 June 18, 1976
Texas	Stonewall	Aspermont, town of	H 481093 01	Mayor, Box 569, Aspermont, Tex. 79502	Aug. 13, 1976
Do.	Red River	Avery, city of	H 480983 01	Mayor, P.O. Box 35, Avery, Tex. 75554	Do.
Do.	Lamar	Blossom, town of	H 480892 01	Mayor, Box 205, Blossom, Tex. 75416	Do.
Do.	Tarrant	Pantego, town of	H 481116 01	Mayor, 1614 South Bowen Rd., Pantego, Tex. 76013	Do.
Do.	Johnson	Briar Oaks, city of	H 480308 01	Mayor, City Hall, Briar Oaks, Tex. 76028	Mar. 29, 1974 June 18, 1976
Do.	Brazoria	Brookside Village, city of	H 480067A 01 through H 480067A 02.	Mayor, City Hall, Route A3, Box 147, Brookside Village, Tex. 77581.	June 28, 1976
Do.	Robertson	Calvert, city of	H 480989 01 through H 480989 02.	Mayor, City Hall, Calvert, Tex. 77837	Aug. 13, 1976
Do.	Bexar	Castle Hills, city of	H 480037A 01	Mayor, City Hall, 6915 West Ave., Castle Hills, Tex. 78213	May 24, 1974 June 18, 1976
Do.	Medina	Castroville, city of	H 480932 01 through H 480932 02.	Mayor, 1209 North Florella St., Castroville, Tex. 78009	Aug. 13, 1976
Do.	Dallas	Cedar Hill, city of	H 480168A 01 through H 480168A 06.	Mayor, City Hall, Main and Cedar, P.O. Box 96, Cedar Hill, Tex. 75104.	Mar. 1, 1974 June 18, 1976
Do.	Leon	Centerville, city of	H 480905 01	Mayor, P.O. Box 279, Centerville, Tex. 75833	Aug. 13, 1976
Do.	Tyler	Chester, town of	H 481140 01 through H 481140 02.	Mayor, Town Hall, Chester, Tex. 75936	Do.
Do.	Wise	Chico, city of	H 481053 01	Mayor, City Hall, Chico, Tex. 76030	Do.
Do.	Red River	Clarksville, city of	H 481253A 01 through H 481253A 02.	Mayor, City Hall, Clarksville, Tex. 75426	Feb. 15, 1974 June 18, 1976
Do.	Armstrong	Claude, city of	H 481098 01	Mayor, P.O. Box 169, Claude, Tex. 79019	Aug. 13, 1976
Do.	Cass	Douglasville, town of	H 480733 01 through H 480733 02.	Mayor, Town Hall, Douglasville, Tex. 75560	Do.
Do.	Van Zandt	Edom, city of	H 481146 01 through H 481146 03.	Mayor, P.O. Box 47, Edom, Tex. 75756	Do.
Do.	Schleicher	Eldorado, town of	H 481000 01	Mayor, Town Hall, Eldorado, Tex. 76936	Do.
Do.	Freestone	Fairfield, town of	H 480823 01 through H 480823 04.	Mayor, P.O. Box 187, Fairfield, Tex. 75840	Do.
Do.	Ellis and Dallas	Ferris, city of	H 481076A 01 through H 481076A 02.	Mayor, City Hall, 201 South Church St., Ferris, Tex. 75125	Feb. 1, 1974 June 18, 1976
Do.	Tarrant and Dallas.	Grapevine, city of	H 480598A 01 through H 480598A 15.	Mayor, City Hall, 413 Main St., P.O. Box 307, Grapevine, Tex. 76005.	June 28, 1974 June 18, 1976
Do.	Hill	Hillsboro, city of	H 480351A 01 through H 480351A 04.	Mayor, City Hall, Hillsboro, Tex. 76645	Oct. 25, 1974 June 18, 1976
Do.	Atascosa	Jourdanton, city of	H 480703 01	Mayor, City Hall, Jourdanton, Tex. 78026	Aug. 13, 1976
Do.	Denton	Little Elm, town of	H 481152 01 through H 481152 03.	Mayor, Town Hall, Little Elm, Tex. 75068	Do.
Do.	Lubbock	Lubbock, city of	H 480452A 01 through H 480452A 25.	City Manager, City Hall, Lubbock, Tex. 79408	Aug. 30, 1974 June 18, 1976
Do.	Jones and Shackleford.	Lueders, city of	H 480886 01	Mayor, P.O. Box 231, Lueders, Tex. 79533	Aug. 13, 1976
Do.	Madison	Madisonville, city of	H 480464A 01	Mayor, City Hall, 216 W. Main St., Madisonville, Tex. 77864.	May 17, 1974 June 18, 1976
Do.	McLennan	Mart, city of	H 480929 01	Mayor, City Hall, 112 North Commerce, Mart, Tex. 76664	Aug. 13, 1976
Do.	Runnels	Miles, city of	H 480992 01	Mayor, P.O. Box 394, Miles, Tex. 76861	Do.

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Hidalgo	Mission, city of	H 480345A 01 through H 480345A 06.	Mayor, City Hall, 900 Doherty, Mission, Tex. 78572	Feb. 15, 1974 June 18, 1976
Do	Rusk and Smith	Overton, city of	H 480994 01 through H 480994 02.	Mayor, City Hall, Overton, Tex. 75684	Aug. 13, 1976
Do	Concho	Paint Rock, town of	H 480764 01	Mayor, Town Hall, Paint Rock, Tex. 76866	Do.
Do	Ellis	Palmer, city of	H 480469 01	Mayor, City Hall, 307 Jefferson, Palmer, Tex. 75152	Do.
Do	Montgomery	Patton Village, village of	H 480486 01 through H 480486 02.	Mayor, Village Hall, Patton Village, Tex. 77372	Do.
Do	Cameron	Primera, town of	H 481198 01 through H 481198 03.	Mayor, P.O. Box 8445, Primera, Tex. 78550	Do.
Do	Callahan	Putnam, town of	H 480724 01 through H 480724 02.	Mayor, Town Hall, Putanam, Tex. 76469	Do.
Do	Lamar	Reno, city of	H 481254 01	Mayor, City Hall, Reno, Tex. 77705	Do.
Do	Willacy	San Perlita, city of	H 480667A 01	Mayor, City Hall, San Perlita, Tex. 78590	Oct. 25, 1974 June 18, 1976
Do	Hutchinson	Sanford, town of	H 480876 01	Mayor, Town Hall, Sanford, Tex. 79078	Aug. 13, 1976
Do	Hockley	Smyer, town of	H 481867 01	Mayor, Town Hall, Smyer, Tex. 79367	Do.
Do	Milan	Thorndale, town of	H 480934 01	Mayor, Town Hall, 114 North Main St., Thorndale, Tex. 76577.	Do.
Do	Ward	Thorntonville, city of	H 480646 01	Mayor, City Hall, 2100 West 3d, Thorntonville, Tex. 79756	Do.
Do	Trinity	Trinity, city of	H 481033 01 through H 481033 02.	Mayor, City Hall, P.O. Drawer 431, Trinity, Tex. 78562	Do.
Do	Waller	Waller, city of	H 480641A 01	Mayor, P.O. Box 238, City Hall, Waller, Tex. 77484	Nov. 1, 1974 June 18, 1976
Do	Gregg and Upshur.	Warren City, city of	H 480840 01	Mayor, City Hall, P.O. Box 1266, Warren City, Tex. 75647	Aug. 13, 1976
Utah	Cache	Providence, city of	H 490226 01	Mayor, City Hall, Providence, Utah 84332	Do.
Virginia	Shenandoah	Mount Jackson, town of	H 510148A 01	Mayor, Town Hall, Mount Jackson, Va. 22842	May 31, 1975 June 18, 1976
Do		Salem, city of	H 510141A 01 through H 510141A05.	Mayor, Box 869, Salem, Va. 24153	Apr. 12, 1976 June 18, 1976
Do	Shenandoah	Strasburg, town of	H 510149A 01	Mayor, Box 351, Strasburg, Va. 22657	Dec. 28, 1973
Vermont	Washington	Barre, city of	H 500105A 01 through H 500105A 03.	City Manager, City of Barre, Barre, Vt. 05641	July 26, 1974 June 18, 1976
Do	Bennington	Winhall, town of	H 500022A 01 through H 500022A 12.	Chairman, Town of Winhall, Board of Selectmen, Bondville, Vt. 05340.	Sept. 20, 1974 June 18, 1976
West Virginia	Clay	Clay, town of	H 540023A 01 through H 540023A 02.	Mayor, Town Hall, Clay, W. Va. 25043	Dec. 20, 1974 June 18, 1976
Do	McDowell	Gary, city of	H 540117A 01 through H 540117A 06.	Mayor, Box 310, Gary, W. Va. 24836	July 19, 1974
Do	Taylor	Grafton, city of	H 540190A 01 through H 540190A 02.	Mayor, 1 West Main St., Grafton, W. Va. 26354	June 28, 1974 June 18, 1976
Do	Raleigh	Lester, town of	H 540171A 01	Mayor, Box 56, Lester, W. Va. 25865	June 28, 1974 June 18, 1976
Do	Wetzel	Littleton, town of	H 540255A 01	Mayor, Town Hall, Littleton, W. Va. 26581	Nov. 15, 1974 June 18, 1976
Do	Marion	Mannington, city of	H 540103A 01 through H 540103A 03.	Mayor, 206 Main St., Mannington, W. Va. 26582	May 31, 1974 June 18, 1976
Do	Berkeley	Martinsburg, city of	H 540006A 01 through H 540006A 02.	Mayor, Box 828, Martinsburg, W. Va. 25401	June 7, 1974 June 18, 1976
Do	Preston	Masontown, town of	H 540270A 01	Mayor, Box 340, Masontown, W. Va. 26542	Nov. 15, 1974
Do	Monogalia	Osage, town of	H 540142A 01	Mayor, P.O. Box 62, Osage, W. Va. 26543	June 7, 1974 June 18, 1976
Do	Roane	Spencer, town of	H 540185A 01 through H 540185A 02.	Mayor, 207 Court St., Spencer, W. Va. 25276	June 28, 1974 June 18, 1976
Do	Wyoming	Mullens, city of	H 540218A 01 through H 540218A 04.	Mayor, 200 Earley St., Mullens, W. Va. 25882	June 28, 1974 June 18, 1976
Wisconsin	Eau Claire	Altoona, city of	H 550126A 01	Mayor, 1303 Lynn Ave., Altoona, Wis. 54720	Jan. 9, 1974 June 18, 1976
Do	Douglas	Oliver, village of	H 550113A 01 through H 550113A 02	Village President, Route 2, Box 37, Superior, Wis. 54880	Aug. 20, 1974 June 18, 1976
Do	Monroe	Tomah, city of	H 550291A 01 through H 550291A 03.	Mayor, P.O. Box 151, Tomah, Wis. 54660	May 31, 1976
Do	Dane	Verona, town of	H 550092A 01	Chairman, 2100 Hwy. 69, Route No. 8, Verona, Wis. 53593	Dec. 7, 1973 June 18, 1976
Alabama	St. Clair	Moody, town of	H 010187A 01 through H 010187A 02.	Mayor, Route No. 3, Box 697, Leeds, Ala. 35094	May 31, 1974 June 25, 1976
Arkansas	Jackson	Newport, city of	H 050103A 01 through H 050103A 04.	Mayor, City Hall, Newport, Ark. 72112	Nov. 16, 1973 June 25, 1976
California	San Diego	El Cajon, city of	H 060289A 01 through H 060289A 06.	City Manager, P.O. Box 427, El Cajon, Calif. 92022	Mar. 8, 1974 June 25, 1976
Do	Ventura	Santa Paula, city of	H 060420A 01 through H 060420A 03.	City Admin., 970 Ventura St., P.O. Box 569, City Hall, Santa Paula, Calif. 93060.	May 24, 1974 June 25, 1976
Georgia	Cherokee	Unincorporated areas	H 130424 01 through H 130424 30.	County Commissioner, 100 North St., Suite 1, Canton, Ga. 30114.	Aug. 20, 1976
Illinois	Livingston	Dwight, village of	H 170423A 01	Village President, Village Hall, Dwight, Ill. 60420	Apr. 12, 1974 June 25, 1976
Do	St. Clair	East St. Louis, city of	H 170626A 01 through H 170626A 07.	Mayor, No. 7 Collinsville Ave., East St. Louis, Ill. 62201	Nov. 16, 1973
Do	Cook and Dupage	Elk Grove, village of	H 170388A 01 through H 170388A 06.	President, 901 Wellington Ave., Elk Grove Village, Ill. 60007.	Nov. 2, 1973 June 25, 1976
Do	Cook	Matteson, village of	H 170123A 01 through H 170123A 02.	Village Pres., 3625 West 215th St., Matteson, Ill. 60443	Apr. 12, 1974 June 25, 1976
Do	Richland	Olney, city of	H 170581B 01 through H 170581B 02.	Mayor, 300 South Whittle Ave., Olney, Ill. 62450	Mar. 26, 1976 Feb. 22, 1974 June 25, 1976
Do	Lake	Round Lake, village of	H 170388A 01 through H 170388A 02.	Mayor, 322 West Railroad Ave., Round Lake, Ill. 60073	Mar. 29, 1974
Indiana	Tippecanoe	Battle Ground, city of	H 180252A 01	President, Town Board, Box 187, Battle Ground, Ind. 47920.	May 24, 1974
Do	Monroe	Bloomington, city of	H 180169A 01 through H 180169A 06.	Mayor, Box 100, Bloomington, Ind. 47401	June 21, 1974 June 25, 1976
Do	Perry	Cannelton, city of	H 180196B 01	Mayor, 6th St., Cannelton, Ind. 47520	Nov. 30, 1973 Oct. 18, 1974 June 25, 1976
Do	Henry	Lewisville, town of	H 180091A 01	President, Town Board, Town Hall, Lewisville, Ind. 47352.	Sept. 20, 1974 June 25, 1976
Do	Morgan	Morgantown, town of	H 180178A 01	Town Chairman, P.O. Box 243, Morgantown, Ind. 46160	Sept. 20, 1974
Do	Hamilton	Noblesville, city of	H 180082A 01 through H 180082A 03.	Mayor, 50 South 8th St., Noblesville, Ind. 46060	May 24, 1974 June 25, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Iowa	Black Hawk	Hudson, city of	H 190022A 01 through H 190022A 04.	Mayor, City Hall, Hudson, Iowa 50643	Mar. 8, 1974 June 25, 1976
Do	Decatur	Lamoni, city of	H 190110 01 through H 190110 02.	Mayor, City Hall, Lamoni, Iowa 50140	Aug. 20, 1976
Do	Lyon	Lester, city of	H 190198A 01	City Flood Plain Administrator, City Hall, Lester, Iowa 51242.	Dec. 20, 1974 June 25, 1976
Do	Marshall	Marshalltown, city of	H 190200A 01 through H 190200A 11.	Mayor, City Hall, Marshalltown, Iowa 50158	Jan. 23, 1974 June 25, 1976
Kentucky	Harlan	Cumberland, city of	H 210100A 01 through H 210100A 03.	Mayor, West Main, Cumberland, Ky. 40823	Mar. 16, 1973
Do	Campbell	Fort Thomas, city of	H 210038B 01 through H 210038B 03.	Mayor, 130 North Fort Thomas Ave., Fort Thomas, Ky. 41075.	Jan. 25, 1974 Oct. 18, 1974
Louisiana	Calcasieu Parish	Westlake, town of	H 220043A 01	Mayor, Town Hall, Westlake, La. 70669	May 17, 1974 June 25, 1976
Maine	Oxford	Canton, town of	H 230091A 01 through H 230091A 12.	Chairman, Board of Selectmen, Town Hall, Canton, Maine 04221.	Aug. 2, 1974 June 25, 1976
Do	Aroostook	Easton, town of	H 230017A 01 through H 230017A 12.	Selectman, Town Hall, Easton, Maine 04740	Oct. 18, 1974 June 25, 1976
Do	Androscoggin	Lisbon, town of	H 230005A 01 through H 230005A 10.	Town Manager, Box 8, Lisbon, Maine 04252	Feb. 15, 1974 June 25, 1976
Do	Aroostook	Presque Isle, city of	H 230032A 01 through H 230032A 24.	City Manager, City Hall, Presque Isle, Maine 04769	Feb. 22, 1974 June 25, 1976
Do	do	Washburn, town of	H 230037 01 through H 230037 12.	Town Manager, Box 500, Main St., Washburn, Maine 04086.	Aug. 20, 1976
Maryland	Harford	Aberdeen, town of	H 240041A 01 through H 240041A 02.	President of Commissioners, P.O. Box 711, Aberdeen, Md. 21001.	Dec. 6, 1974 June 25, 1976
Do	Talbot	St. Michaels, town of	H 240069A 01 through H 240069A 02.	President of Council, Town Hall, St. Michaels, Md. 21663	Aug. 30, 1974 June 25, 1976
Massachusetts	Middlesex	Dracut, town of	H 250190A 01 through H 250190A 09.	Selectman, Town Hall, 6 Arlington St., Dracut, Mass. 01826.	Aug. 9, 1974 June 25, 1976
Do	Hampshire	Goshen, town of	H 250161A 01 through H 250161A 08.	Selectman, Town Hall, Goshen, Mass. 01032	Aug. 16, 1974 June 25, 1976
Do	Franklin	Rowe, town of	H 250126 01 through H 250126 11.	Selectman, Town Hall, Rowe, Mass. 01367	Aug. 20, 1976
Michigan	Gratiot	Alma, city of	H 260083A 01 through H 260083A 02.	Mayor, 225 Superior St., Alma, Mich. 48301	May 10, 1974 June 25, 1976
Do	Arenac	Arenac, township of	H 260251A 01 through H 260251A 11.	Supervisor, Township Hall, 2234 Sterling Rd., Rural Dellvery 1, Omer, Mich. 48749.	Aug. 16, 1974 June 25, 1976
Do	St. Clair	Burtchville, township of	H 260193A 01 through H 260193A 05.	Supervisor, 3801 Myrtle Rd., Port Huron, Mich. 48060	Sept. 13, 1974 June 25, 1976
Do	Genesee	Flushing, city of	H 260077A 01 through H 260077A 02.	Mayor, 309 East Main St., Flushing, Mich. 48433	May 17, 1974
Do	Muskegon	Fruitland, township of	H 260265A 01 through H 260265A 12.	Supervisor, 5780 Duck Lake Rd., Whitehall, Mich. 49461	June 28, 1974 June 25, 1976
Do	Allegan	Ganges, township of	H 260005A 01 through H 260005A 10.	Supervisor, Township Hall, Route 1, Fennville, Mich. 49408.	June 28, 1974 June 25, 1976
Do	Muskegon	Laketon, township of	H 260159A 01 through H 260159A 07.	Supervisor, P.O. Box 5039, 2735 West Giles Rd., North Muskegon, Mich. No ZIP code.	Aug. 2, 1974 June 25, 1976
Do	Monroe	London, township of	H 260149 01 through H 260149 11.	Supervisor, 9107 Plank Rd., Maybee, Mich. 48159	Aug. 20, 1976
Do	do	Milan, township of	H260152A 01 through H 260152A 12.	Township Supervisor, Township Hall, 16444 Cone Rd., Milan, Mich. 48160.	May 24, 1974 June 25, 1976
Do	Muskegon	Muskegon, city of	H 260161A 01 through H 260161A 08.	Mayor, 933 Terrace St., Muskegon, Mich. 49443	June 7, 1974
Do	Berrien	Niles, city of	H 260040A 01 through H 260040A 03.	Mayor, 508 East Main St., Niles, Mich. 49120	May 31, 1974 June 25, 1976
Do	St. Clair	Port Huron, city of	H 260104A 01 through H 260104A 05.	Mayor, 201 McMorran Blvd., Port Huron, Mich. 48060	May 31, 1974 June 25, 1976
Do	Berrien	Royalton, township of	H 260043A 01 through H 260043A 07.	Supervisor, Township Bldg., St. Jospeh, Mich. 49085	June 21, 1974 June 25, 1976
Do	Arenac	Sims, township of	H 260015A 01 through H 260015A 04.	Township Supervisor, Township Hall, AuGres, Mich. 48703.	June 21, 1974 June 25, 1976
Do	Berrien	Sodus, township of	H 260046A 01 through H 260046A 06.	Township Supervisor, 6916 Hillandale, Sodus, Mich. 49126	Aug. 2, 1974 June 25, 1976
Do	Monroe	Whiteford, township of	H 260157A 01 through H 260157A 11.	Township Supervisor, P.O. Box 216, Ottawa Lake, Mich. 49267.	June 28, 1974 June 25, 1976
Minnesota	St. Louis	Aurora, city of	H 270417A 01 through H 270417A 02.	Mayor, P.O. Box 160, City Hall, 16 West 2d Ave., Aurora, Minn. 55705.	Apr. 5, 1974 June 25, 1976
Do	Otter Tail	Bluffton, city of	H 270333A 01 through H 270333A 02.	Mayor, City Hall, Bluffton, Minn. 56518	Aug. 9, 1974 June 25, 1976
Do	St. Louis	Brookston, city of	H 270419A 01	Mayor, Box 302, Brookston, Minn. 55711	Aug. 2, 1974 June 25, 1976
Do	McLeod	Brownton, city of	H 270062A 01	Mayor, City Hall, Brownton, Minn. 55312	May 3, 1974
Do	Le Sueur	Kasota, city of	H 270247A 01	Mayor, City Hall, Kasota, Minn. 56050	June 7, 1974 June 25, 1976
Do	Wabasha	Mazeppa, city of	H 270487A 01	Mayor, City Hall, Mazeppa, Minn. 55956	July 19, 1974
Do	Fillmore	Rushford Village, city of	H 270687B 01	Mayor, City Hall, Rushford, Minn. 55971	Aug. 20, 1976
Mississippi	Sharkey	Cary, town of	H 280154A 01	Mayor, Town Hall, Cary, Miss. 39054	June 14, 1974
Do	Tallahatchie	Charleston, city of	H 280169A 01	Mayor, P.O. Box 420, Charleston, Miss. 38921	June 7, 1974 June 25, 1976
Do	Alcorn	Corinth, city of	H 280002A 01 through H 280002A 04.	Mayor, City Hall, Box 352, Corinth, Miss. 38834	Jan. 23, 1974
Do	Montgomery	Duck Hill, town of	H 280118A 01	Mayor, Town Hall, Duck Hill, Miss. 38925	June 7, 1974 June 25, 1976
Do	Scott	Lake, town of	H 280149A 01	Mayor, P.O. Box 39, Lake, Miss. 39092	July 19, 1974 June 25, 1976
Do	Adams	Natchez, city of	H 280001A 01 through H 280001A 03.	Mayor, P.O. Box 1185, Natchez, Miss. 39120	Feb. 8, 1974 June 25, 1976
Do	Lee	Plantersville, town of	H 280099A 01	Mayor, P.O. Box 87, Plantersville, Miss. 38862	June 14, 1974 June 25, 1976
Do	Yazoo	Satartia, town of	H 280205A 01	Mayor, Town Hall, Satartia, Miss. 39162	Aug. 23, 1974
Do	Bolivar	Shaw, city of	H 280023A 01	Mayor, P.O. Box 525, Shaw, Miss. 37773	June 7, 1974
Do	Clarke	Shubuta, town of	H 280034A 01 through H 280034A 02.	Mayor, P.O. Box 416, Shubuta, Miss. 39360	June 7, 1974 June 25, 1976
Do	Tallahatchie	Sumner, town of	H 280194A 01	Mayor, P.O. Box 307, Sumner, Miss. 38957	June 14, 1974
Do	Bolivar	Winstonville, town of	H 280025A 01	Mayor, Town Hall, Winstonville, Miss. 38731	July 19, 1974 June 25, 1976
Do	Yazoo	Yazoo City, city of	H 280189A 01 through H 280189A 03.	Mayor, City Hall, Box 689, Yazoo City, Miss. 39194	June 21, 1974 June 25, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Missouri	Pemiscot	Hayti, city of	H 290276A 01 through H 290276A 04.	Mayor, City Hall, Hayti, Mo. 63851	Apr. 12, 1974 June 25, 1976
Nebraska	Nance	Fullerton, city of	H 310152A 01 through H 310152A 02.	City Attorney, City Hall, Fullerton, Nebr. 68638	June 7, 1974 June 25, 1976
New Hampshire	Belknap	Belmont, town of	H 330002A 01 through H 330002A 12.	Selectman, Town Hall, Belmont, N.H. 03220	Feb. 21, 1975 June 25, 1976
Do	Hillsborough	Francestown, town of	H 330086A 01 through H 330086A 12.	Selectman, Town Hall, Francestown, N.H. 03043	June 14, 1974 June 25, 1976
Do	Carroll	Wakefield, town of	H 330019A 01 through H 330019A 14.	Selectman, Town Hall, Sanbornville, N.H. 03872	July 26, 1974 June 25, 1976
New Jersey	Burlington	Bass River, township of	H 340085A 01 through H 340085A 06.	Mayor, Township Building, New Gretna, N.J. 08724	May 10, 1974 June 25, 1976
Do	Cumberland	Downe, township of	H 340167A 01 through H 340167A 18.	Mayor, 114 Main St., Newport, N.J. 08345	Apr. 20, 1973 June 25, 1976
Do	Atlantic	Egg Harbor, city of	H 340006A 01 through H 340006A 05.	Mayor, 134 Philadelphia Ave., Egg Harbor, N.J. 08215	July 26, 1974 June 25, 1976
Do	do	Egg Harbor, township of	H 340007A 01 through H 340007A 23.	Mayor, Rural Delivery No. 1, Box 262, Linwood, N.J. 08221.	Sept. 6, 1974 June 25, 1976
Do	Warren	Mansfield, township of	H 340491B 01 through H 340491B 09.	Mayor, Municipal Bldg., Box 105, Port Murray, N.J. 07865.	Oct. 17, 1975 Aug. 16, 1974 June 25, 1976
Do	Gloucester	Monroe, township of	H 340208A 01 through H 340208A 13.	Mayor, 226 South Main St., Williamstown, N.J. 08094	Sept. 20, 1974 June 25, 1976
Do	do	National Park, borough of	H 340209A 01 through H 340209A 02.	Mayor, 7 South Grove Ave., National Park, N.J. 08063	Apr. 12, 1974 June 25, 1976
Do	Burlington	Pemberton, borough of	H 340111 01	Mayor, 114 Hanover St., Pemberton, N.J. 08068	Aug. 20, 1976
Do	Camden	Pine Hill, borough of	H 340143A 01 through H 340143A 02.	Mayor, 48 West 6th Ave., Pine Hill, N.J. 08021	June 21, 1974 June 25, 1976
Do	Cumberland	Stow Creek, township of	H 340174A 01 through H 340174A 06.	Mayor, Rural Delivery 3, Bridgeton, N.J. 08302	July 26, 1974 June 25, 1976
Do	Ocean	Tuckerton, borough of	H 340395A 01 through H 340395A 07.	Mayor, 216 East Main St., Tuckerton, N.J. 08087	Mar. 1, 1974 June 25, 1976
Do	Burlington	Washington, township of	H 340117A 01 through H 340117A 28.	Mayor, Municipal Hall, Green Bank, N.J. 08215	July 26, 1974 June 25, 1976
New Mexico	Bernalillo	Albuquerque, city of	H 350002 01 through H 350002 37.	Mayor, Albuquerque, N. Mex. No ZIP code	Aug. 20, 1976
Do	Luna	Deming, city of	H 350038A 01	Mayor, City Hall, 109 East Pine St., Deming, N. Mex. 88030.	Mar. 29, 1974
New York	Genesee	Alabama, town of	H 361067A 01 through H 361067A 12.	Town Supervisor, 2408 Lewiston Road, Oakfield, N.Y. 14125.	May 3, 1974 June 25, 1976
Do	Oswego	Altmar, village of	H 360646A 01	Mayor, Village Hall, Altmar, N.Y.	Nov. 15, 1974 June 25, 1976
Do	Genesee	Bethany, town of	H 361138A 01 through H 361138A 12	Town Supervisor, 5828 LeRoy Rd., Bethany, N.Y. 14054	Sept. 20, 1974 June 25, 1976
Do	Otsego	Butternuts, town of	H 361247A 01 through H 361247A 16.	Supervisor, Town Hall, Gilbertsville, N.Y. 13776	Dec. 13, 1974 June 25, 1976
Do	Steuben	Canisteo, town of	H 360769 01 through H 360769 07.	Town Supervisor, 6 South Main St., Canisteo, N.Y. 14823.	Aug. 30, 1976
Do	Fulton	Caroga, town of	H 361129A 01 through H 361129A 07.	Supervisor, Town Hall, Caroga Lake, N.Y. 12032	Nov. 8, 1974 June 25, 1976
Do	Cattaraugus	Cold Spring, town of	H 360064A 01 through H 360064A 08.	Supervisor, Town Hall, Steamburg, N.Y. 14783	June 21, 1974 June 25, 1976
Do	Tompkins	Danby, town of	H 360845A 01 through H 360845A 06.	Supervisor, Rural Delivery No. 1, Willseyville, N.Y. 13864.	Aug. 2, 1974 June 25, 1976
Do	Saratoga	Day, town of	H 361188A 01 through H 361188A 09.	Supervisor, Star Route, Hadley, N.Y. 12835	Nov. 15, 1974 June 25, 1976
Do	Sullivan	Delaware, town of	H 360818B 01 through H 360818B 03.	Supervisor, Town Hall, Hortonville, N.Y. 12745	Jan. 3, 1975 June 28, 1974 June 25, 1976
Do	Chemung	Elmira, town of	H 360151A 01 through H 360151A 09.	Town Supervisor, 1255 West Water St., Elmira, N.Y. 14905.	Aug. 31, 1973 June 25, 1976
Do	Onondaga	Fabius, town of	H 360577A 01 through H 360577A 12.	Supervisor, Academy St., Fabius, N.Y. 13063	Aug. 16, 1974 June 25, 1976
Do	Oneida	Florence, town of	H 360527A 01 through H 360527A 08.	Supervisor, Rural Delivery 3, Camden, N.Y. 13316	Sept. 13, 1974 June 25, 1976
Do	Montgomery	Florida, town of	H 360445A 01 through H 360445A 07.	Supervisor, Rural Delivery No. 2, Amsterdam, N.Y. 12010.	Aug. 2, 1974 June 25, 1976
Do	Columbia	Ghent, town of	H 361318A 01 through H 361318A 19.	Supervisor, Town Hall, Payne Ave., Chatham, N.Y. 12037.	Oct. 18, 1974 June 25, 1976
Do	Schenectady	Glenville, town of	H 360738A 01 through H 360738A 14.	Supervisor, 127 Mohawk, Scotia, N.Y. 12302	Aug. 2, 1974 June 25, 1976
Do	Cattaraugus	Great Valley, town of	H 360076A 01 through H 360076A 14.	Town Supervisor, Box 128, Great Valley, N.Y. 14741	June 28, 1974 June 25, 1976
Do	Saratoga	Greenfield, town of	H 360717A 01 through H 360717A 08.	Town Supervisor, Town Hall, Greenfield Center, N.Y. 12833.	June 28, 1974 June 25, 1976
Do	Nassau	Hewlett Harbor, village of	H 360469A 01	Mayor, 449 Pepperidge Rd., Hewlett, N.Y. 11557	Mar. 8, 1974 June 25, 1976
Do	Oneida	Holland Patent, village of	H 360680A 01	Mayor, Village Hall, Holland Patent, N.Y. 13354	May 17, 1974 June 25, 1976
Do	St. Lawrence	Lawrence, town of	H 360702A 01 through H 360702A 06.	Supervisor, Box 176, North Lawrence, N.Y. 12967	Sept. 20, 1974 June 25, 1976
Do	Genesee	Leroy, village of	H 360281A 01 through H 360281A 02.	Mayor, 3 West Main St., Leroy, N.Y. 14482	Mar. 8, 1974
Do	Otsego	Maryland, town of	H 361272A 01 through H 361272A 15.	Supervisor, 87 Main St., Schenevus, N.Y. 12155	Oct. 18, 1974 June 25, 1976
Do	Schoharie	Middleburg, town of	H 360744A 01 through H 360744A 08.	Town Supervisor, Town Hall, Middleburg, N.Y. 12122	Aug. 30, 1974 June 25, 1976
Do	Dutchess	Millerton, village of	H 360220A 01 through H 360220A 02.	Mayor, Village Clerk's Office, Millerton, N.Y. 12546	June 21, 1974 June 25, 1976
Do	Schuyler	Montour, town of	H 360747A 01 through H 360747A 03.	Supervisor, P.O. Box, Montour Falls, N.Y. 14865	July 19, 1974 June 25, 1976
Do	Chenango	Plymouth, town of	H 361305A 01 through H 361305A 06.	Supervisor, Rural Delivery 2, Norwich, N.Y. 13815	Oct. 18, 1974 June 25, 1976
Do	Suffolk	Poquott, village of	H 361518A 01 through H 361518A 02.	Mayor, Village Hall, East Setauket, N.Y. 11733	Nov. 15, 1974 June 25, 1976
Do	Greene	Prattsville, town of	H 360296A 01 through H 360296A 04.	Supervisor, Town Hall, Prattsville, N.Y. 12468	Sept. 20, 1974 June 25, 1976
Do	Suffolk	Quoque, village of	H 360806A 01 through H 360806A 02.	Mayor, Village Hall, Quoque, N.Y. 11959	Jan. 9, 1974 June 25, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Oneida	Remsen, town of	H 360540A 01 through H 360540A 06.	Town Supervisor, Box 157, Remsen, N.Y. 13438	Oct. 18, 1974 June 25, 1976
Do	Saratoga	Saratoga, town of	H 360727A 01 through H 360727A 02.	Supervisor, P.O. Box 38, 30 Ferry, Schylerville, N.Y. 12871.	Sept. 13, 1974 June 25, 1976
Do	Erie	Sardinia, town of	H 360256A 01 through H 360256A 06.	Supervisor, Route 39, Sardinia, N.Y. 14134	June 28, 1974 June 25, 1976
Do	Wayne	Savannah, town of	H 361229A 01 through H 361229A 04.	Supervisor, North Main St., Savannah, N.Y. 13146	Dec. 20, 1974 June 25, 1976
Do	Schenectady	Schenectady, city of	H 360741A 01 through H 360741A 06.	Mayor, City Hall, J. St., Schenectady, N.Y. 12305	May 10, 1974 June 25, 1976
Do	Saratoga	Schuylerville, village of	H 360729A 01	Mayor, 30 Ferry St., Schuylerville, N.Y. 12871	Mar. 29, 1974 June 25, 1976
Do	Cortland	Scott, town of	H 361328A 01 through H 361328A 06.	Supervisor, Rural Delivery 1, Homer, N.Y. 13077	Nov. 1, 1974
Do	Rockland	Sloatsburg, village of	H 360690A 01 through H 360690A 03.	Mayor, 96 Orange Turnpike, Sloatsburg, N.Y. 10974	Mar. 22, 1974 June 25, 1976
Do	Chemung	Southport, town of	H 360156A 01 through H 360156A 11.	Supervisor, 1140 Pennsylvania Ave., Elmira, N.Y. 14904	Feb. 8, 1974 June 25, 1976
Do	Saratoga	Stillwater, village of	H 360782A 01	Mayor, 219 North Hudson Ave., Stillwater, N.Y. 12170	Apr. 12, 1974 June 25, 1976
Do	Greene	Tannersville, village of	H 360297A 01	Mayor, Box 556, Tannersville, N.Y. 12485	June 7, 1974 June 25, 1976
Do	Warren	Thurman, town of	H 360881 01 through H 360881 11.	Supervisor, High St., Athol, N.Y. 12810	Aug. 20, 1976
Do	Franklin	Tupper Lake, village of	H 360274A 01 through H 360274A 02.	Mayor, 53 Pork St., Tupper Lake, N.Y. 12986	May 31, 1974 June 25, 1976
Do	Oneida	Vernon, town of	H 360559A 01 through H 360559A 06.	Supervisor, Box 263, Vernon, N.Y. 13476	Aug. 16, 1974 June 25, 1976
Do	do	Vienna, town of	H 360562A 01 through H 360562A 09.	Town Supervisor, Rural Delivery No. 2, Blossvale, N.Y. 13307.	Sept. 13, 1974 June 25, 1976
Do	Herkimer	Warren, town of	H 360320A 01 through H 360320A 03.	Town Supervisor, Rural Delivery No. 2, Box 382, Mohawk, N.Y. 13407.	June 28, 1974 June 25, 1976
Do	Warren	Warrensburg, town of	H 360882A 01 through H 360882A 09.	Supervisor, 98 Main St., Warrensburg, N.Y. 12885	Sept. 20, 1974 June 25, 1976
Do	Saratoga	Waterford, village of	H 360735A 01	Mayor, Washington Ave., Waterford, N.Y. 12188	Mar. 29, 1974
Do	Steuben	Wayne, town of	H 360785A 01 through H 360785A 02.	Town Supervisor, 1320 East Lake Rd., Hammondsport, N.Y. 14840.	May 24, 1974 June 25, 1976
Do	Cayuga	Weedsport, village of	H 360132A 01	Mayor, 8802 South St., Weedsport, N.Y. 13166	June 7, 1974
Do	Chemung	Wellsburg, village of	H 360157A 01	Mayor, 207 Main St., Wellsburg, N.Y. 14804	June 1, 1973 June 25, 1976
Do	Oneida	Westmoreland, town of	H 360565A 01 through H 360565A 06.	Town Supervisor, Box 295, Westmoreland, N.Y. 13490	Aug. 30, 1974 June 25, 1976
Do	Washington	Whitehall, village of	H 360889A 01 through H 360889A 03.	Mayor, Box 207, Whitehall, N.Y. 12887	May 3, 1974 June 25, 1976
Do	Allegany	Willing, town of	H 361047A 01 through H 361047A 06.	Supervisor, Rural Delivery 1, Wellsville, N.Y. 14895	Aug. 30, 1974 June 25, 1976
Do	Essex	Willsboro, town of	H 360267A 01 through H 360267A 10.	Supervisor, Town Hall, Willsboro, N.Y. 12996	Nov. 8, 1974 June 25, 1976
Do	Steuben	Woodhull, village of	H 360787A 01	Mayor, Village Hall, Woodhull, N.Y. 14898	Aug. 9, 1974
Do	Nassau	Woodsburgh, village of	H 360496A 01	Mayor, 30 Piermont Ave., Hewlett, N.Y. 11557	June 28, 1974 June 25, 1976
Do	Jefferson	Worth, town of	H 361409B 01 through H 361409B 04.	Supervisor, Rural Delivery, Lorraine, N.Y. 13659	Jan. 2, 1976 Jan. 25, 1975 June 25, 1976
Do	Wyoming	Wyoming, village of	H 360952A 01	Mayor, Village Hall, Wyoming, N.Y. 14591	May 17, 1974 June 25, 1976
North Carolina	Pitt	Farmville, town of	H 370190A 01	Mayor, P.O. Box 86, Farmville, N.C. 27828	Apr. 12, 1974 June 25, 1976
Do	New Hanover	Kure Beach, town of	H 370170A 01	Mayor, P.O. Box 3, Kure Beach, N.C. 28449	Feb. 15, 1974
Do	Gaston	Mount Holly, city of	H 370102A 01	Mayor, P.O. Box 406, 133 South Main St., Mount Holly, N.C. 28120.	Jan. 9, 1974 June 25, 1976
Do	Edgecombe	Pinetops, town of	H 370091A 01	Mayor, Drawer C., Pinetops, N.C. 27864	Jan. 9, 1974 June 25, 1976
Do	Chatham	Siler City, town of	H 370058A 01 through H 370058A 02.	Mayor, Box 769, Siler City, N.C. 27344	Feb. 15, 1974 June 25, 1976
Do	Halifax	Weldon, town of	H 370119A 01	Mayor, Box 551, Weldon, N.C. 27890	Mar. 1, 1974 June 25, 1976
Do	Martin	Williamstown, town of	H 370157A 01	Mayor, P.O. Box 506, Williamstown, N.C. 27892	Dec. 28, 1973 June 25, 1976
Do	Brunswick	Yaupon Beach, town of	H 370030A 01	Mayor, P.O. Box 877, Southport, N.C. 28461	June 28, 1974 June 25, 1976
Ohio	Summit	Hudson, village of	H 390660A 01 through H 390660A 02.	Mayor, 130 North Main St., Hudson, Ohio 44236	Mar. 29, 1974 June 25, 1976
Do	Montgomery	Kettering, city of	H 390412A 01 through H 390412A 12.	Mayor, 3600 Shroyer Rd., Kettering, Ohio 45420	May 31, 1974 June 25, 1976
Do	Summit and Portage.	Mogadore, village of	H 390528A 01	Mayor, 135 South Cleveland Ave., Mogadore, Ohio 44260	Feb. 8, 1974 June 25, 1976
Do	Fairfield	Pickerington, village of	H 390162B 01	Mayor, 22 North Center St., Pickerington, Ohio 43147	Feb. 28, 1975 June 28, 1974 June 25, 1976
Do	Seneca	Tiffin, city of	H 390502A 01 through H 390502A 03.	Mayor, 51 East Market St., Tiffin, Ohio 44883	Mar. 1, 1974 June 25, 1976
Do	Van Wert	Van Wert, city of	H 390552A 01 through H 390552A 02.	Mayor, 515 East Main St., Van Wert, Ohio 45891	Nov. 23, 1973 June 25, 1976
Do	Lake	Waite Hill, village of	H 390649A 01 through H 390649A 02.	Mayor, Waite Hill Rd., Waite Hill, Ohio 44094	Dec. 17, 1973 June 25, 1976
Oklahoma	Tulsa	Sperry, town of	H 400213A 01	President, 116 South Cincinnati, P.O. Box 786, Sperry, Okla. No ZIP code.	Dec. 7, 1973 June 25, 1976
Oregon	Washington	Beaverton, city of	H 410240A 01 through H 410240A 04.	Mayor, City Hall, Beaverton, Oreg. 97005	Feb. 1, 1974 June 25, 1976
Do	Clackamas	Gladstone, city of	H 410017A 01 through H 410017A 02.	Mayor, City Hall, Gladstone, Oreg. 97027	Apr. 5, 1974 June 25, 1976
Do	Linn	Harrisburg, city of	H 410140A 01	Mayor, City Hall, Harrisburg, Oreg. 97446	Mar. 1, 1974 June 25, 1976
Do	Clackamas	Milwaukie, city of	H 410019A 01 through H 410019A 04	Mayor, City Hall, Milwaukie, Oreg. 97222	Apr. 5, 1974 June 25, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Pennsylvania	Crawford	Cambridge Springs, borough of.	H 420346A 01	Mayor, 2627 Federal St., Cambridge Springs, Pa. 16403	Aug. 2, 1974 June 25, 1976
Do	Greene	Center, township of	H 421668A 01 through H 421668A 07	Chairman, Board of Supervisors, Rural Delivery No. 1, Sycamore, Pa. 15364.	Oct. 25, 1974 June 25, 1976
Do	Indiana	Cherry Tree, borough of	H 420497A 01	Mayor, Borough Bldg., Cherry Tree, Pa. 15724	Aug. 2, 1974 June 25, 1976
Do	Berks	Colebrookdale, township of	H 421057A 01 through H 421057A 04.	President, Commissioners, 666 South Reading Ave., Boyertown, Pa.	Nov. 22, 1974 June 25, 1976
Do	Clearfield	Curwensville, borough of	H 420302A 01 through H 420302A 04.	Mayor, Borough Hall, Curwensville, Pa. 16333	Feb. 22, 1974 June 25, 1976
Do	Crawford	East Fairfield, township of	H 421595A 01 through H 421595A 02.	Chairman, Rural Delivery No. 3, Cochranton, Pa. 16310	May 31, 1974 June 25, 1976
Do	Delaware	Eddystone, borough of	H 420413A 01	Mayor, 1229 Eddystone Ave., Eddystone, Pa. 19013	Apr. 6, 1973 June 25, 1976
Do	Dauphin	Halifax, township of	H 421592A 01 through H 421592A 11.	Board of Supervisors Chairman, North 2d St., Rural Delivery 1, Halifax, Pa.	Nov. 15, 1974 June 25, 1976
Do	Adams	Hamilton, township of	H 420002A 01 through H 420002A 05.	Chairman, Rural Delivery No. 1, New Oxford, Pa. 17350.	July 20, 1973 June 25, 1976
Do	Adams	Huntington, township of	H 421143A 01 through H 421143A 08.	Chairman, Rural Delivery No. 2, York Springs, Pa. 17372	Aug. 2, 1974 June 25, 1976
Do	Allegheny	Jefferson, borough of	H 420046A 01 through H 420046A 06.	Mayor, 3008 Old Clairton Rd., Clairton, Pa. 15025	June 14, 197 June 25, 1976
Do	Butler	Jefferson, township of	H 421421A 01 through H 421421A 06.	Chairman, Rural Delivery 1, Cabot, Pa. 16023	Nov. 1, 1974 June 25, 1976
Do	Union	Kelly, township of	H 422103A 01 through H 422103A 06.	Chairman, Rural Delivery No. 3, Lewisburg, Pa. 17837	Oct. 25, 1974 June 25, 1976
Do	Armstrong	Manor, township of	H 421309A 01 through H 421309A 06.	Chairman, 850 Main St., Manor Township, Pa. 16235	Sept. 13, 1974 June 25, 1976
Do	Centre	Miles, township of	H 421197A 01 through H 421197A 05.	Chairman, Board of Supervisors, Township Bldg., Rebersburg, Pa.	Sept. 13, 1974 June 25, 1976
Do	Erie	Millcreek, township of	H 420452A 01 through H 420452A 09.	Chairman, Board of Supervisors, 3008 West 26th St., Erie, Pa.	Sept. 20, 1974 June 25, 1976
Do	Allegheny	Munhall, borough of	H 420056A 01 through H 420056A 03.	Mayor, 1900 West St., Munhall, Pa. 15120	Jan. 0, 1974
Do	Carbon	Nesquehoning, borough of	H 420252A 01 through H 420252A 10.	Mayor, 1101 East Catawissa St., Nesquehoning, Pa. 18240	June 28, 1974 June 25, 1976
Do	Berks	Penn, township of	H 421091A 01 through H 421091A 03.	Chairman, Rural Delivery 1, Bernville, Pa. 19506	Dec. 6, 1974 June 25, 1976
Do	Clinton	Porter, township of	H 420333A 01 through H 420333A 02.	Chairman, Rural Delivery 2, Mill Hall, Pa. 17751	Nov. 1, 1974 June 25, 1976
Do	Perry	Rye, township of	H 421028A 01 through H 421028A 04.	Chairman, Township Supervisors, Rural Delivery No. 1, Box 141, Marysville, Pa.	June 28, 1974 June 25, 1976
Do	Westmoreland	Salem, township of	H 422192A 01 through H 422192A 14.	Chairman, Township Supervisors, Salem Township Municipal Bldg., Rural Delivery 4, Greensburg, Pa. 15601.	Sept. 20, 1974 June 25, 1976
Do	Clearfield	Sandy, township of	H 421101A 01 through H 421101A 10.	Chairman, Township Supervisors, 11 Wilson Ave., DuBois, Pa. 15801.	Oct. 18, 1974 June 25, 1976
Do	Bradford	Sheshequin, township of	H 421102A 01 through H 421102A 11.	Chairman, Township Supervisors, Rural Delivery No. 2, Athens, Pa. 18810.	June 28, 1974 June 25, 1976
Do	Cumberland	Shippensburg, township of	H 421585A 01 through H 421585A 02.	Chairman, Township Supervisors, Rural Delivery No. 1, Shippensburg, Pa. 17257.	Sept. 6, 1974 June 25, 1976
Do	Centre	Spring, township of	H 420269A 01 through H 420269A 04.	Chairman, Township Supervisors, P.O. Box 123, Bellefonte, Pa. 16823.	June 21, 1974 June 25, 1976
Do	Erie	Springfield, township of	H 421360A 01 through H 421360A 06.	Chairman, Township Supervisors, East Springfield, Pa. 16411.	Nov. 1, 1974 June 25, 1976
Do	Bradford	Stevens, township of	H 421407A 01 through H 421407A 02.	Chairman, Route 1, Stevensville, Pa. 18845	Nov. 1, 1974 June 25, 1976
Do	Columbia	Stillwater, borough of	H 421546A 01 through H 421546A 03.	Mayor, Box 23, Stillwater, Pa. 17878	Oct. 25, 1974 June 25, 1976
Do	Lancaster	Strasburg, township of	H 421784A 01 through H 421784A 06.	Chairman, Township Supervisors, Rural Delivery No. 1, Strasburg, Pa. 17579.	May 31, 1974 June 25, 1976
Do	Northampton	Tatamy, borough of	H 420731A 01	Mayor, 107 North 7th, Tatamy, Pa. 18085	Apr. 12, 1974 June 25, 1976
Do	Bradford	Terry, township of	H 421111A 01 through H 421111A 04.	Chairman, Township Supervisors, Rural Delivery No. 1, New Albany, Pa. 18833.	Oct. 18, 1974 June 25, 1976
Do	Crawford	Townville, borough of	H 422401A 01	Mayor, Box A, Townville, Pa. 16360	Jan. 24, 1975 June 25, 1976
Do	Cambria	Vintondale, borough of	H 420243A 01	Mayor, 180 6th St., Vintondale, Pa. 15961	Dec. 28, 1973 June 25, 1976
Do	Allegheny	West Deer, township of	H 421299A 01 through H 421299A 11.	Chairman, Township Supervisors, Rural Delivery No. 1, Cheswick, Pa. 15024.	Sept. 20, 1974 June 25, 1976
Do	Mercer	West Middlesex, borough of	H 420680A 01 through H 420680A 02.	Mayor, Borough Bldg., West Middlesex, Pa. 16159	Apr. 12, 1974 June 25, 1976
Do	Allegheny	Wilkins, township of	H 420090A 01 through H 420090A 05.	President, Commissioners, 110 Petter Rd., Turtle Creek, Pa. 15145.	May 10, 1974 June 25, 1976
Do	Dauphin	Williamstown, borough of	H 420400A 01	Mayor, 145 East St., Williamstown, Pa. 17098	June 28, 1974 June 25, 1976
Do	Bradford	Wilmot, township of	H 421124A 01 through H 421124A 07.	Chairman, Rural Delivery No. 1, New Albany, Pa. 18833.	Sept. 6, 1974 June 25, 1976
Do	do	Wyalusing, borough of	H 420180A 01	Mayor, 200 State St., Wyalusing, Pa. 18853	Feb. 1, 1974 June 14, 1974
South Carolina	Horry	Surfside Beach, town of	H 450111A 01	Mayor, Highway 17 North, Surfside Beach, S.C. 29577	June 25, 1976 Nov. 8, 1974
Tennessee	Polk	Benton, town of	H 470148A 01 through H 470148A 03.	Mayor, Drawer J, Benton, Tenn. 37307	June 25, 1976 June 14, 1974
Do	Franklin	Decherd, town of	H 470054A 01 through H 470054A 04.	Mayor, P.O. Box 488, Decherd, Tenn. 37324	June 25, 1976 June 14, 1974
Do	Lawrence	Iron City, town of	H 470101A 01	Mayor, P.O. Box 35, Iron City, Tenn. 38463	June 25, 1976 June 7, 1974
Do	Gibson	Rutherford, town of	H 470061A 01 through H 470061A 02.	Mayor Box E, Rutherford, Tenn. 38369	June 25, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Texas	Jim Wells	Alice, city of	H 480394A 01 through H 480394A 05.	Mayor, City Hall, 101 North Wright, Alice, Tex. 78332	Dec. 28, 1973 June 25, 1976
Do	Collin	Allen, city of	H 480131A 01 through H 480131A 07.	Mayor, City Hall, P.O. Box 487, Allen, Tex. 75002	Dec. 20, 1974 June 25, 1976
Do	Leon	Buffalo, city of	H 480904 01 through H 480904 03.	Mayor Box 219, Buffalo, Tex. 75831	Aug. 20, 1976
Do	Upshur	Gilmer, city of	H 480625A 01 through H 480625A 02.	Mayor, City Hall, 205 Silver St., Gilmer, Tex. 75644	May 24, 1974 June 25, 1976
Do	Delta	Pecan Gap, town of	H 480773 01	Mayor, P.O. Box 44, Pecan Gap, Tex. 75469	Aug. 20, 1976
Do	Rockwall and Collin.	Royse City, city of	H 480548A 01 through H 480548A 06.	Mayor, P.O. Drawer A, Roy e City, Tex. 75089	June 28, 1974 June 25, 1976
Do	Parker	Springtown, city of	H 480521A 01 through H 480521A 02.	Mayor, City Hall, 108 1st St., Springtown, Tex. 76082	May 24, 1974 June 25, 1976
Do	Tarrant	Westworth Village, village of	H 480616A 01 through H 480616A 02.	Mayor, Village Hall, 311 Burton Hill Rd., Westworth Village, Tex. 76114.	Mar. 8, 1974 June 25, 1976
Vermont	Orange	Tunbridge, town of	H 500076A 01 through H 500076A 15.	Chairman, Board of Selectmen, Tunbridge, Vt. 05077	May 31, 1974 June 25, 1976
Do	Addison	Vergennes, city of	H 50C011A 01 through H 500011A 04.	City Manager, P.O. Box 121, Vergennes, Vt. 05491	June 28, 1974 June 25, 1976
Virginia	Washington	Abingdon, town of	H 510169A 01 through H 510169A 04.	Mayor, Box 789, Abingdon, Va. 24210	June 14, 1974 June 25, 1976
Do	Wise	Appalachia, town of	H 510319A 01 through H 510319A 02.	Mayor, Box 112, Appalachia, Va. 24216	May 10, 1974 June 25, 1976
Do		Bristol, city of	H 510022A 01 through H 510022A 07.	Mayor, 497 Cumberland St., Bristol, Va. 24201	Mar. 8, 1974 June 25, 1976
Do	Tazewell	Cedar Bluff, town of	H 510162A 01 through H 510162A 03.	Mayor, Drawer 287, Cedar Bluff, Va. 24603	May 10, 1974 June 25, 1976
Do	Scott	Clinchport, city of	H 510143A 01 through H 510143A 02.	Mayor, Box 82, Clinchport, Va. 24227	Mar. 8, 1974 June 25, 1976
Do	do	Gate City, town of	H 510145 A01 through H 510145A 04.	Mayor, Box 486, Gate City, Va. 24251	May 10, 1974 June 25, 1976
Do	Washington	Glade Spring, town of	H 510320A 01 through H 510320A 03.	Mayor, Box 98, Glade Spring, Va. 24340	May 10, 1974 June 25, 1976
Do	Russell	Honaker, town of	H 510321A 01 through H 510321A 02.	Mayor, Box 746, Honaker, Va. 24260	May 10, 1974 June 25, 1976
Do	Lee	Jonesville, town of	H 510086A 01 through H 510086A 02.	Mayor, Box 176, Jonesville, Va. 24263	June 14, 1974 June 25, 1976
Do	Russell	Lebanon, town of	H 510222A 01 through H 510222A 04.	Mayor, Box 426, Lebanon, Va. 24266	May 10, 1974 June 25, 1976
Do	Lee	Pennington Gap, town of	H 510087A 01 through H 510087A 03.	Mayor, Town Hall, Pennington Gap, Va. 24277	Mar. 22, 1974 June 25, 1976
Do	Scott	Weber City, town of	H 510146A 01 through H 510146A 03.	Mayor, Route 4, Box 134, Gate City, Va. 24251	May 10, 1974 June 25, 1976
Washington	King	Duvall, town of	H 530282 01 through H 530282 03.	Mayor, Town Hall, Main St., Box 47, Duvall, Wash. 98019	Aug. 20, 1976
West Virginia	Randolph	Coalton, town of	H 540176A 01	Mayor, Town Hall, Coalton, W. Va. 26257	Aug. 9, 1974
Do	Barbour	Junior, town of	H 540003A 01	Mayor, P.O. Box 247, Junior, W. Va. 26257	June 28, 1974 June 25, 1976
Do	Pocahontas	Marlinton, town of	H 540159A 01	Mayor, 709 2d Ave., Marlinton, W. Va. 24954	June 7, 1974 June 25, 1976
Wisconsin	Columbia	Columbus, city of	H 550058A 01 through H 550058A 02.	Mayor, 105 North Dickason Blvd., Columbus, Wis. 53925	Dec. 17, 1973 June 25, 1976
Do	Barron	Dallas, village of	H 550014A 01	Village President, Village Hall, Dallas, Wis. 54733	July 19, 1974
Do	Taylor	Medford, city of	H 550435A 01 through H 550435A 02.	Mayor, 133 State St., Medford, Wis. 54451	Dec. 28, 1973
Do	Monroe	Sparta, city of	H 550290A 01 through H 550290A 02.	Mayor, City Hall Sparta, Wis. 54656	Jan. 9, 1974
Do	Dodge and Fond du Lac.	Waupun, city of	H 550108A 01 through H 550108A 02.	Mayor, 201 East Main St., Waupun, Wis. 53963	Do.
Alabama	Lawrence	Courtland, city of	H 010141A 01	Mayor, P.O. Box 160, Courtland, Ala. 35618	Mar. 8, 1974 July 2, 1976
Do	Escambia	Flomaton, town of	H 010074A 01 through H 010074A 02.	Mayor, P.O. 632, Flomaton, Ala. 36441	Nov. 23, 1973 July 2, 1976
Do	Morgan	Hartselle, city of	H 010178A 01 through H 010178A 10.	Mayor, Box 390, Hartselle, Ala. 35640	May 10, 1974 July 2, 1976
Do	Sumter	Livingston, city of	H 010195A 01 through H 010195A 02.	Mayor, P.O. Drawer W, Livingston, Ala. 34570	May 31, 1974 July 2, 1976
Arkansas	Jackson	Grubbs, town of	H 050101A 01	Mayor, Town Hall, Grubbs, Ark. 72431	Aug. 9, 1974 July 2, 1976
California	Orange	Costa Mesa, city of	H 060216A 01 through H 060216A 06.	Associate Engineer, P.O. Box 1200, Costa Mesa, Calif. 92626.	May 17, 1974 July 2, 1976
Do	do	Fullerton, city of	H 060219A 01 through H 060219A 14.	Director of Public Works, City Hall, Fullerton, Calif. 92632	June 28, 1974 July 2, 1976
Do	do	Westminster, city of	H 060237 01 through H 060237 04.	City Administrator, 8200 Westminster Ave., Westminster, Calif. 92683.	June 14, 1974 July 2, 1976
Florida	do	Orlando, city of	H 120186A 01 through H 120186A 18.	Mayor, 400 South Orange Ave., Orlando, Fla. 32801	Aug. 2, 1974 July 2, 1976
Do	Sumter	Webster, city of	H 120298A 01	Mayor, City Hall, Webster, Fla. 33597	Nov. 23, 1973 July 2, 1976
Illinois	Franklin	Buckner, village of	H 170783A 01	Village President, Village Hall, Buckner, Ill. 62819	Mar. 22, 1974 July 2, 1976
Do	Cook	Chicago Heights, city of	H 170075A 01 through H 170075A 04.	Mayor, 1430 Chicago Rd., Chicago Heights, Ill. 60411	Apr. 12, 1974 July 2, 1976
Do	Livingston	Cullom, village of	H 170422A 01	Village President, Village Hall, Cullom, Ill. 60929	Feb. 22, 1974
Do	Union	Dongola, village of	H 170658A 01	Village President, Village Hall, Dongola, Ill. 62926	Mar. 8, 1974 July 2, 1976
Do	St. Clair	Du Po, village of	H 170624A 01 through H 170624A 02.	Village President, 100 North 2d St., Du Po, Ill. 62239	May 3, 1974 July 2, 1976
Do	Madison	Edwardsville, city of	H 170441A 01 through H 170441A 02.	Mayor, 400 North Main St., Edwardsville, Ill. 62065	Apr. 5, 1974 July 2, 1976
Do	Lake	Green Oaks, village of	H 170364A 01 through H 170364A 02.	Village President, P.O. Box 383, Libertyville, Ill. 60048	Mar. 8, 1974 July 2, 1976
Do	White	Mill Shoals, village of	H 170685A 01	Village President, P.O. Box 7, Mill Shoals, Ill. 62862	July 19, 1974 July 2, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
*	*	*	*	*	*
Do	Schuyler	Unincorporated areas	H 170605A 01 through H 170605A 33.	Chairman of the Board, Schuyler County Courthouse, Rushville, Ill. 62681.	Jan. 3, 1975 July 2, 1976
Do	Monroe	Waterloo, city of	H 170512A 01 through H 170512A 02.	Mayor, 104 West 4th St., Waterloo, Ill. 62298	Mar. 22, 1974 July 2, 1976
Do	Marshall	Wenona, city of	H 170462A 01	Mayor, City Hall, Wenona, Ill. 61377	June 28, 1974
Do	Cook and Lake	Wheeling, village of	H 170173 01 through H 170173 04.	Village President, 255 West Dundee Rd., Wheeling, Ill. 60090.	Aug. 27, 1976
Do	Stephenson	Winslow, village of	H 170644A 01	Village President, Bridge St., Winslow, Ill. 61089	Mar. 15, 1974 July 2, 1976
Indiana	Crawford	Alton, town of	H 180031A 01	President, Town Board, Town Hall, Alton, Ind. 47137	Jan. 23, 1974 July 2, 1976
Do	Lake	East Gary, city of	H 180131A 01 through H 180131A 02.	Mayor, 3625 Central, East Gary, Ind. 46405	June 21, 1974 July 2, 1976
Iowa	Dallas	Adel, city of	H 190103A 01 through H 190103A 04.	Mayor, City Hall, Adel, Iowa 50003	June 28, 1974 July 2, 1976
Do	Wapello	Ottumwa, city of	H 190272A 01 through H 190272A 06.	Mayor, City Hall, Ottumwa, Iowa 52501	Mar. 15, 1974 July 2, 1976
Kentucky	Hancock	Hawesville, city of	H 210239A 01	Mayor, P.O. Box 157, Hawesville, Ky. 42348	Feb. 15, 1974 July 2, 1976
Do	Calloway	Hazel, town of	H 210032A 01	Mayor, City Hall, Hazel, Ky. 42049	Aug. 9, 1974
Louisiana	Vermilion	Abbeville, city of	H 220264A 01 through H 220264A 03.	Mayor, City Hall, Abbeville, La. 70510	Mar. 15, 1974 July 2, 1976
Maine	Androscoggin	Auburn, city of	H 230001A 01	Director of Public Works, 45 Spring St., Auburn, Maine 04210.	May 31, 1974 July 2, 1976
Do	Piscataquis	Brownville, town of	H 230161A 01 through H 230161A 15.	Selectmen, Town Hall, Brownville, Maine 04414	Sept. 6, 1974 July 2, 1976
Do	Franklin	Farmington, town of	H 230057A 01 through H 230057A 17.	Town Manager, P.O. Box 471, Farmington, Maine 04938	Sept. 6, 1974 July 2, 1976
Do	Oxford	Lovell, town of	H 230336A 01 through H 230336A 19.	Chairman, Selectmen's Office, Town of Lovell, Center Lovell, Maine 04016.	Apr. 11, 1975 July 2, 1976
Do	Piscataquis	Willimantic, town of	H 230417A 01 through H 230417A 12.	Chairman, Board of Selectmen, Town of Willimantic, R.F.D. No. 2, Guilford, Maine 04443.	Feb. 7, 1975 July 2, 1976
Massachusetts	Berkshire	Lee, town of	H 250028A 01 through H 250028A 10.	Selectmen, Town Hall, Main St., Lee, Mass. 01238	Mar. 22, 1974 July 2, 1976
Do	Franklin	Sunderland, town of	H 250129A 01 through H 250129A 07.	Selectman, Town Hall, North Main St., Sunderland, Mass. 01375.	Mar. 8, 1974 July 2, 1976
Do	Middlesex	Wilmington, town of	H 250227A 01 through H 250227A 07.	Selectman, Town Hall, Middlesex Ave., Wilmington, Mass. 01887.	Mar. 1, 1974 July 2, 1976
Michigan	Macomb	Clinton, township of	H 260121A 01 through H 260121A 10.	Township Supervisor, Township of Clinton, 1129 South Gratiot, Mount Clemens, Mich. 48043.	Oct. 12, 1973 July 2, 1976
Do	Ottawa	Grand Haven, township of	H 260270A 01 through H 260270A 09.	Supervisor, 133000 168th Ave., Grand Haven, Mich. 49417.	Aug. 2, 1974 July 2, 1976
Do	Eaton	Grand Ledge, city of	H 260068A 01	Mayor, 200 East Jefferson St., Grand Ledge, Mich. 48837	May 17, 1974 July 2, 1976
Do	Alcona	Greenbush, township of	H 260001A 01 through H 260001A 08.	Supervisor, Township Hall, Greenbush, Mich. 48736	Sept. 6, 1974 July 2, 1976
Do	Macomb	Harrison, township of	H 260123B 01 through H 260123B 07.	Township Supervisor, Township of Harrison, 38151 L'Anse Creuse Rd., Mount Clemens, Mich. 48043.	Nov. 16, 1973 Nov. 8, 1974 July 2, 1976
Do	Menominee	Menominee, city of	H 260138A 01	Mayor, City Hall, Menominee, Mich. 49858	June 7, 1974 July 2, 1976
Do	Muskegon	Muskegon, township of	H 260163A 01 through H 260163A 09.	Supervisor, Township Hall, 1990 Apple Ave., Muskegon, Mich. 49442.	Sept. 6, 1974 July 2, 1976
Do	Manistee	Onekama, township of	H 260276A 01 through H 260276A 08.	Township Supervisor, P.O. Box 157, Onekama, Mich. 49675.	June 28, 1974 July 2, 1976
Do	Oceana	Pentwater, township of	H 260183A 01 through H 260183A 05.	Township Supervisor, 83 North Carrol St., Penitwater, Mich. 49449.	June 21, 1974 July 2, 1976
Do	Bay	Portsmouth, township of	H 260026A 01 through H 260026A 04.	Township Supervisors, Township of Portsmouth, 1711 West Cass Avenue Rd., Bay City, Mich. 48706.	June 28, 1974 July 2, 1976
Do	Allegan	Saugatuck, township of	H 260009A 01 through H 260009A 08.	Supervisor, Township of Saugatuck, 7791 North Caster Rd., Monroe, Mich. 48161.	June 28, 1974 July 2, 1976
Do	Van Buren	South Haven, township of	H 260212A 01 through H 260212A 06.	Township Supervisor, Township Hall, Route No. 3, South Haven, Mich. 49090.	June 28, 1974 July 2, 1976
Do	St. Joseph	3 Rivers, city of	H 260206A 01 through H 260206A 02.	Mayor, 333 West Michigan Ave., 3 Rivers, Mich. 49093	June 28, 1974 July 2, 1976
Do	Ingham	Williamstown, township of	H 260005 01 through H 260005 08.	Township Supervisor, 4900 North Zimmer, Williamstown, Mich. 48895.	Aug. 27, 1976
Minnesota	Houston	Brownsville, city of	H 270191A 01 through H 270191A 02.	Mayor, City Hall, Brownsville, Minn. 55919	Oct. 18, 1974 July 2, 1976
Do	Carver	Chanhassen, city of	H 270051A 01 through H 270051A 08.	Mayor, 7610 Laredo Dr., Chanhassen, Minn. 55317	Nov. 9, 1973 July 2, 1976
Do	Chippewa	Clara City, city of	H 270067A 01 through H 270067A 02.	Mayor, 215 1st St. NW., Clara City, Minn. 56222	May 17, 1974 July 2, 1976
Do	Swift	Clontarf, city of	H 270468A 01 through H 270468A 02.	Mayor, City Hall, Clontarf, Minn. 56226	July 19, 1974
Do	Freeborn	Geneva, city of	H 270136A 01	Mayor, P.O. Box 63, Geneva, Minn. 56035	Sept. 6, 1974 July 2, 1976
Do	Martin	Granada, city of	H 270277A 01	Mayor, City Hall, Granada, Minn. 56039	Aug. 2, 1974
Do	Renville	Hector, city of	H 270398 01 through H 270398 02.	Mayor, Box 457, Hector, Minn. 55342	Aug. 27, 1976
Do	Clay	Hawley, city of	H 270084A 01 through H 270084A 02.	Mayor, City Hall, Hawley, Minn. 55449	May 17, 1974 July 2, 1976
Do	Pipestone	Ihlen, city of	H 270357A 01	Mayor, Ihlen, Minn. 56140	Aug. 2, 1974 July 2, 1976
Do	Lincoln	Ivanhoe, city of	H 270253A 01 through H 270253A 02.	Mayor, City Hall, Ivanhoe, Minn. 56142	Mar. 29, 1974
Do	Polk	Mentor, city of	H 270367A 01 through H 270367A 02.	Mayor, City Hall, Mentor, Minn. 56736	Dec. 20, 1974 July 2, 1976
Do	Fillmore	Rushford, city of	H 270131 01 through H 270131 02.	Mayor, City Hall, Rushford, Minn. 55971	Aug. 27, 1976
Do	Stearns	St. Joseph, city of	H 270457 01	Mayor, City Hall, St. Joseph, Minn. 56374	Do.
Do	Carver	Victoria, city of	H 270054A 01 through H 270054A 02.	Mayor, Box 36, Victoria, Minn. 55386	June 7, 1974 July 2, 1976
Do	Meeker	Watkins, city of	H 270286A 01	Mayor, City Hall, Watkins, Minn. 55389	Apr. 12, 1974 July 2, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	St. Louis	Winton, city of	H 270427A 01	Mayor, City Hall, Winton, Minn. 55796	Aug. 2, 1974 July 2, 1976
Mississippi	Winston	Louisville, city of	H 280185A 01 through H 280185A 06.	Mayor, P.O. Box 147, Louisville, Miss. 39339	June 28, 1974 July 2, 1976
Do.	Rankin	Puckett, town of	H 280147A 01	Mayor, Route No. 2, Mendenhall, Miss. 39114	Aug. 23, 1974 July 2, 1976
Missouri	Carroll	Hale, city of	H 290597A 01	Mayor, City Hall, Hale, Mo. 64643	Feb. 21, 1975
Do.	Stoddard	Puxico, city of	H 290428A 01 through H 290428A 02.	Mayor, Town Hall, Puxico, Mo. 63960	Mar. 8, 1974 July 2, 1976
New Hampshire	Belknap	Alton, town of	H 330001A 01 through H 330001A 29.	Town Engineer, Town Hall, Alton, N.H. 03809	July 19, 1974 July 2, 1976
Do.	Rockingham	Raymond, town of	H 330140A 01 through H 330140A 12.	Selectman, Town Hall, Raymond, N.H. 03077	Aug. 9, 1974 July 2, 1976
New Jersey	Sussex	Andover, township of	H 340527A 01 through H 340527A 07.	Mayor, Township of Andover, 134 Newton-Sparta Rd., Newton, N.J. 07860.	Dec. 20, 1974 July 2, 1976
Do.	Passaic	Clifton, city of	H 340308A 01 through H 340308A 04.	Mayor, 1187 Main Ave., Clifton, N.J. 07015	May 31, 1974 July 2, 1976
Do.	Warren	Lopatcong, township of	H 340574 01 through H 340574 04.	Mayor, Township of Lopatong, 232 3d. St., Morris Park, Phillipsburg, N.J. 08865.	Aug. 27, 1976
Do.	Hunterdon	Milford, borough of	H 340239A 01	Mayor, 30 Water St., Milford, N.J. 08848	June 28, 1974 July 2, 1976
Do.	Middlesex	Milltown, borough of	H 340268A 01	Mayor, 39 Washington Ave., Milltown, N.J. 08850	May 3, 1974 July 2, 1976
Do.	Morris	Morris Plains, borough of	H 340351A 01	Mayor, P.O. Box 305, 531 Speedwell Ave., Morris Plains, N.J. 07950.	June 28, 1974 July 2, 1976
Do.	Gloucester	South Harrison, township of	H 340212A 01 through H 340212A 06.	Mayor, Township of South Harrison, Township Bldg., Mullica Hill, N.J. 08062.	June 28, 1974 July 2, 1976
Do.	Atlantic	Weymouth, township of	H 340536A 01 through H 340536A 05.	Mayor, Township of Weymouth, Tuckahoe Rd., Dorothy, N.J. 08317.	Dec. 20, 1974 July 2, 1976
New York	Montgomery	Amsterdam, city of	H 360440A 01 through H 360440A 03.	Mayor, 61 Church St., City Hall, Amsterdam, N.Y. 12010.	Mar. 1, 1974 July 2, 1976
Do.	Cattaraugus	Ashford, town of	H 360062A 01 through H 360062A 15.	Town Supervisor, Town Hall, Ashford, N.Y. 14171	Sept. 13, 1974 July 2, 1976
Do.	Warren	Bolton, town of	H 360869A 01 through H 360869A 12.	Supervisor, Town of Bolton, Box 4, Bolton Landing, N.Y. 12814.	Oct. 18, 1974 July 2, 1976
Do.	Putnam	Brewster, village of	H 360068A 01	Mayor, 5 Park St., Brewster, N.Y. 10509	Mar. 22, 1974 July 2, 1976
Do.	Chautauqua	Brocton, village of	H 360134 01	Mayor, 34 West Main St., Brocton, N.Y. 14716	Aug. 27, 1976
Do.	Washington	Cambridge, town of	H 361223A 01 through H 361223A 10.	Supervisor, 95 West Main St., Cambridge, N.Y. 12816	Oct. 25, 1974 July 2, 1976
Do.	Oneida	Camden, town of	H 360523A 01 through H 360523A 09.	Supervisor, Hardon Blvd., Camden, N.Y. 13316	Sept. 6, 1974 July 2, 1976
Do.	Erie	Colden, town of	H 360233A 01 through H 360233A 05.	Supervisor, Town Hall, 8812 State Rd., Colden, N.Y. 14033.	May 31, 1974 July 2, 1976
Do.	Cattaraugus	Dayton, town of	H 360066A 01 through H 360066A 13.	Supervisor, Town of Dayton, Rural Delivery No. 2, Gowanda, N.Y. 14070.	Aug. 9, 1974 July 2, 1976
Do.	Tompkin	Dryden, town of	H 360846A 01 through H 360846A 06.	Supervisor, 65 East Main St., Dryden, N.Y. 13053	July 19, 1974 July 2, 1976
Do.	Delaware	Franklin, town of	H 360198A 01 through H 360198A 10.	Town Supervisor, Main St., Franklin, N.Y. 13775	Aug. 16, 1974 July 2, 1976
Do.	Suffolk	Greenport, village of	H 361004A 01	Mayor, Village Hall, Greenport, N.Y. 11944	May 24, 1974 July 2, 1976
Do.	do.	Head of the Harbor, village of	H 361513A 01 through H 361513A 07.	Mayor, Village of Head of the Harbor, Box 256, St. James, N.Y. 11780.	Nov. 15, 1974 July 2, 1976
Do.	Erie	Holland, town of	H 360245A 01 through H 360245A 06.	Town Clerk, Olean Rd., Holland, N.Y. 14280	June 14, 1974 July 2, 1976
Do.	Steuben	Jasper, town of	H 361212A 01 through H 361212A 14.	Town Supervisor, Town Hall, Jasper, N.Y. 14855	Nov. 1, 1974 July 2, 1976
Do.	Wyoming	Java, town of	H 361244A 01 through H 361244A 11.	Supervisor, Town Hall, Java, N.Y. 14009	Oct. 25, 1974 July 2, 1976
Do.	Warren	Johnsburg, town of	H 360875 01 through H 360875 24.	Supervisor, Town of Johnsburg, North Creek, N.Y. 12853	Aug. 27, 1976
Do.	do.	Lake George, town of	H 360876 01 through H 360876 05.	Supervisor, Town Center, Lake George, N.Y. 12845	Do.
Do.	Tompkins	Lansing, town of	H 360852A 01 through H 360852A 08.	Town Supervisor, Town Hall, Lansing, N.Y. 13092	Sept. 30, 1974 July 2, 1976
Do.	Onondaga	Lysander, town of	H 360583A 01 through 6 360583A 29.	Town Supervisor, Town of Lysander, 6 Lock St., Baldwinsville, N.Y. 13027.	Dec. 13, 1974 July 2, 1976
Do.	Cortland	Marathon, town of	H 361327A 01 through H 361327A 06.	Supervisor, Town Hall, Marathon, N.Y. 13803	Nov. 29, 1974 July 2, 1976
Do.	Onondaga	Marcellus, town of	H 360585A 01 through H 360585A 04.	Town Supervisor, 18 East Main St., Marcellus, N.Y. 13108.	May 3, 1974 July 2, 1976
Do.	Oswego	Mexico, town of	H 360654A 01 through H 360654A 07.	Town Supervisor, Main St., Mexico, N.Y. 13114	Nov. 15, 1974 July 2, 1976
Do.	Cayuga	Moravia, village of	H 360118A 01	Mayor, P.O. Box 711, Moravia, N.Y. 13118	May 3, 1974 July 2, 1976
Do.	Herkimer	Norway, town of	H 361110A 01 through H 361110A 10.	Supervisor, Rural Delivery No. 1, Newport, N.Y. 13416	Nov. 1, 1974 July 2, 1976
Do.	Ulster	Rosendale, town of	H 360862A 01 through H 360862A 03.	Supervisor, Box 423, Rosendale, N.Y. 12472	May 31, 1974 July 2, 1974
Do.	do.	Rosendale, village of	H 361503A 01	Mayor, Village Hall, Rosendale, N.Y. 12472	Nov. 15, 1974 July 2, 1976
Do.	Saratoga	Round Lake, village of	H 360726A 01 through H 360726A 02.	Mayor, Burlington Ave., Box 85, Round Lake, N.Y. 12151.	Apr. 12, 1974 July 2, 1976
Do.	Wayne	Savannah, village of	H 361505 01	Mayor, Town Hall, Savannah, N.Y. 13146	Aug. 27, 1976
Do.	Westchester	Scarsdale, village of	H 330932A 01 through H 330932A 06.	Mayor, Village Hall, Scarsdal, N.Y. 10583	Dec. 28, 1973 July 2, 1976
Do.	Ontario	South Bristol, town of	H 360606A 01 through H 360606A 06.	Supervisor, Town of South Bristol, Rural Delivery 1, Naples, N.Y. 14512.	June 7, 1974 July 2, 1976
Do.	Essex	St. Armand, town of	H 361157A 01 through H 361157A 18.	Town Supervisor, Town of St. Armand, Town Hall, Bloomingdale, N.Y. 12913.	Oct. 25, 1974 July 2, 1976
Do.	Cortland	Truxton, town of	H 360186A 01 through H 360186A 03.	Town Supervisor, Rural Delivery No. 1, Truxton, N.Y. 13158.	Apr. 5, 1974 July 2, 1976
Do.	Onondaga	Tully, town of	H 361296A 01 through H 361296A 08.	Supervisor, Rural Delivery 1, Tully, N.Y. 13159	Oct. 18, 1974 July 2, 1976
Do.	Chemung	Van Etten, town of	H 361045A 01 through H 361045A 05.	Supervisor, Municipal Bldg., Main St., Van Etten, N.Y. 14889.	June 21, 1974 July 2, 1976
Do.	Albany	Voorheesville, village of	H 360015A 01 through H 360015A 02.	Mayor, 29 Voorheesville Ave., Voorheesville, N.Y. 12186	Apr. 12, 1974

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Westchester	White Plains, city of	H 360935A 01 through H 360935A 06.	Mayor, 255 Main St., White Plains, N.Y. 10601	Mar. 16, 1973 July 2, 1976
Do	Oneida	Whitestown, town of	H 360567A 01 through H 360567A 05.	Town Supervisor, Town of Whitestown, 8 Park Ave., Whitesboro, N.Y. 13492.	Sept. 13, 1974 July 2, 1976
Do	Oswego	Williamstown, town of	H 361267A 01 through H 361267A 10.	Supervisors, Box 183, Williamstown, N.Y. 13493	Nov. 1, 1974 July 2, 1976
Do	Wayne	Wolcott, town of	H 360901A 01 through H 360901A 03.	Supervisor, 16 Lake Ave., Wolcott, N.Y. 14590	June 28, 1974 July 2, 1976
Do	Steuben	Woodhull, town of	H 360786A 01 through H 360786A 07.	Supervisor, Town Hall, Woodhull, N.Y. 14898	July 26, 1974 July 2, 1976
North Carolina	Moore	Aberdeen, town of	H 370165A 01	Mayor, P.O. Box 785, Aberdeen, N.C. 28315	Nov. 30, 1973 July 2, 1976
Do	Columbus	Bolton, town of	H 370274 01	Mayor, P.O. Box 327, Bolton, N.C. 28423	Aug. 27, 1976
Do	do	Chadbourn, town of	H 370065A 01 through H 370065A 06.	Mayor, 208 East 1st Ave., Chadbourn, N.C. 28431	May 24, 1974
Do	Carteret	Emerald Isle, town of	H 370047A 01 through H 370047A 04.	Mayor, Route 1, Morehead City, N.C. 28557	June 7, 1974 July 2, 1976
Do	Rutherford	Forest City, town of	H 370218A 01 through H 370218A 04.	Mayor, 12 Powell St., Forest City, N.C. 28043	Jan. 16, 1974 July 2, 1976
Do	Randolph	Franklinville, town of	H 370197A 01	Mayor, P.O. Box 277, Town Hall, Main St., Franklinville, N.C. 27248.	Feb. 22, 1974 July 2, 1976
Do	Richmond	Hamlet, city of	H 370200A 01	Mayor, P.O. Box 1290, Hamlet, N.C. 28345	Dec. 17, 1973 July 2, 1976
Do	Rockingham	Reidsville, city of	H 370209A 01 through H 370209A 04.	Mayor, P.O. Box 509, Reidsville, N.C. 27320	Aug. 1, 1975 July 2, 1976
Do	Alleghany	Sparta, town of	H 370005A 01	Mayor, P.O. Box 96, Sparta, N.C. 28675	Feb. 15, 1974 July 2, 1976
Do	Davidson	Thomasville, city of	H 370082A 01 through H 370082A 04.	Mayor, P.O. Box 368, 7-11 West Guilford St., Thomasville, N.C. 27360.	Mar. 22, 1974 July 2, 1976
Do	Pender	Topsail Beach, town of	H 370187A 01 through H 370187A 03.	Mayor, P.O. Box 89, Topsail Beach, N.C. 28445	June 7, 1974 July 2, 1976
Do	Craven	Vanceboro, town of	H 370075A 01	Mayor, P.O. Box 306, Vanceboro, N.C. 28586	Mar. 1, 1974 July 2, 1976
Do	Anson	Wadesboro, town of	H 370006A 01 through H 370006A 02.	Mayor, P.O. Box 697, Wadesboro, N.C. 28170	Dec. 28, 1973 July 2, 1976
Do	Wake	Wendell, town of	H 370245A 01	Mayor, P.O. Box 127, Wendell, N.C. 27591	Mar. 8, 1974 July 2, 1976
Do	Edgecombe	Whitakers, town of	H 370095A 01	Mayor, P.O. Box 727, Whitakers, N.C. 27891	May 24, 1974 July 2, 1976
Do	Pitt	Winterville, town of	H 370193A 01	Mayor, P.O. Box 431, Winterville, N.C. 28590	June 7, 1974 July 2, 1976
Ohio	Montgomery	Dayton, city of	H 390409A 01 through H 390409A 17.	Mayor, 101 West 3d St., Dayton, Ohio 45402	Mar. 15, 1974 July 2, 1976
Do	Guernsey	Lore City, village of	H 390202A 01	Mayor, Village Hall, Lore City, Ohio 43755	Aug. 30, 1974 July 2, 1976
Do	Cuyahoga	Solon, city of	H390130A 01 through H 390130A 06.	Mayor, 6315 SOM Center Rd., Solon, Ohio 44139	Apr. 5, 1974 July 2, 1976
Do	Tuscarawas	Strasburg, village of	H 390631A 01 through H 390631A 02.	Mayor, 201 2d St., NW., Strasburg, Ohio 44680	April 5, 1974 July 2, 1976
Do	Cuyahoga	Valley View, village of	H 390134A 01 through H 390134A 03.	Mayor, 5848 Hathaw Ave., Valley View, Ohio 44125	Jan. 23, 1974 July 2, 1976
Oregon	Polk	Dallas, city of	H 410187A 01 through H 410187A 04.	Mayor, City Hall, P.O. Box 67, Dallas, Oreg. 97338	Nov. 23, 1973 July 2, 1976
Do	Clackamas	Estacada, city of	H 410016A 01	Mayor, Town Hall, Estacada, Oreg. 97023	Nov. 9, 1973
Do	Lincoln	Newport, city of	H 410131A 01	Mayor, City Hall, Newport, Oreg. 97465	May 24, 1974 July 2, 1976
Do	Marion	Salem, city of	H 410167A 01 through H 410167A 10.	Mayor, City Hall, Salem, Oreg. 97301	Aug. 9, 1974 July 2, 1976
Pennsylvania	Armstrong	Bethel, township of	H 421300A 01 through H 421300A 06.	Chairman, Township of Bethel, Rural Delivery 3, Box 35, Ford City, Pa. 16226.	May 31, 1974 July 2, 1976
Do	do	Chartiers, township of	H 422144A 01 through H 422144A 08.	Chairman, Township of Chartiers, 2451 West Pike St., Houston, Pa. 15342.	Nov. 1, 1974 July 2, 1976
Do	Crawford	Cochranton, borough of	H 420348 01	Mayor, P.O. Box 66, Cochranton, Pa. 16314	Aug. 27, 1976
Do	Lycoming	Cummings, township of	H 420638A 01 through H 420638A 24.	Chairman, Township of Cummings, P.O. Box 5, Waterville, Pa. 17776.	Aug. 30, 1974 July 2, 1976
Do	Westmoreland	Donegal, township of	H 422187A 01 through H 422187A 10.	Mayor, Township of Donegal, Township Bldg., Jones Mills, Pa. 15646.	June 21, 1974 July 2, 1976
Do	Somerset	Hooversville, borough of	H 420798A 01 through H 420798A 02.	Mayor, Borough Bldg., Hooversville, Pa. 15936	June 28, 1974 July 2, 1976
Do	Perry	Howe, township of	H 421145A 01 through H 421145A 03.	Chairman, Township Supervisors, Township of Howe, Rural Delivery No. 1, Newport, Pa. 17074.	July 26, 1974 July 2, 1976
Do	Lancaster	Leacock, township of	H 420958A 01 through H 420958A 02.	Chairman, Township of Leacock, Box 121, Intercourse, Pa. 17534.	June 7, 1974 July 2, 1976
Do	do	Little Britain, township of	H 421775A 01 through H 421775A 10.	Chairman, Township of Little Britain, Rural Delivery No. 2, Norringham, Pa. 19362.	Sept. 20, 1974 July 2, 1976
Do	Butler	Marion, township of	H 420219A 01 through H 420219A 02.	Acting Chairman, Township of Marion, Board of Supervisors, Rural Delivery No. 1, Boyers, Pa. 16020.	June 2, 1974 July 2, 1976
Do	Montgomery	Marlborough, township of	H 421913A 01 through H 421913A 02.	Chairman, Township of Marlborough, Rural Delivery, Pennsburg, Pa. 18073.	Nov. 1, 1974 July 2, 1976
Do	Butler	Middlesex, township of	H 421229A 01 through H 421229A 02.	Chairman, Township of Middlesex, P.O. 118, Valencia, Pa. 16059.	July 26, 1974 July 2, 1976
Do	Dauphin	Millersburg, borough of	H 420389A 01	Mayor, Municipal Bldg., Millersburg, Pa. 17061	Nov. 30, 1973
Do	Northumberland	Mount Carmel, township of	H 421942A 01 through H 421942A 08.	Chairman, Township Supervisors, Box 338, Mount Carmel, Pa. 17851.	Sept. 6, 1974 July 2, 1976
Do	Union	New Berlin, borough of	H 420833A 01	President of Council, Borough Bldg., New Berlin, Pa. 17855.	Feb. 22, 1974 July 2, 1976
Do	Northampton	North Catasauqua, borough of.	H 420727A 01	President of Council, 720 Hunter St., North Catasauqua, Pa. 18032.	May 3, 1974 July 2, 1976
Do	Lebanon	North Lebanon, township of	H 421131A 01 through H 421131A 08.	Council President, Township of North Lebanon, Kimmerling Rd., Lebanon, Pa. 17042.	July 19, 1974 July 2, 1976
Do	Schuylkill	Orwigsburg, borough of	H 421204A 01 through H 421204A 05.	President of Council, North Warren St., Orwigsburg, Pa. 17961.	Nov. 1, 1974 July 2, 1976
Do	Armstrong	Parks, township of	H 421311A 01 through H 421311A 05.	Chairman, Township of Parks, Rural Delivery 2, Box 128, Vandergrift, Pa. 15690	May 3, 1974 July 2, 1976
Do	Butler	Penn, township of	H 421241A 01 through H 421241A 03.	Chairman, Township of Penn, Rural Delivery 6, Butler, Pa. 16001.	Nov. 22, 1974 July 2, 1976
Do	Chester	Pennsbury, township of	H 420785A 01 through H 420785A 06	Chairman, Township of Pennsbury, Box 3 1, Mendenhall, Pa. 19350.	May 4, 1973 July 2, 1976
Do	Armstrong	Pine, township of	H 421312A 01 through H 421312A 02.	Chairman, Township Supervisors, Township of Pine, Township Bldg., Templeton, Pa. 16259.	Sept. 20, 1974 July 2, 1976
Do	Allegheny	do	H 421094A 01 through H 421094A 06.	Chairman, Township of Pine, P.O. Box 109, Rural Delivery 4, Wexford, Pa. 15090.	Aug. 2, 1974 July 2, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Luzerne	Plymouth township of	H 420623A 01 through H 420623A 05.	Chairman, Evergreen Manor, Plymouth, Pa. 18651	Feb. 8, 1974 July 2, 1976
Do	Berks	Rockland, township of	H 421098A 01 through H 421098A 03.	Chairman, Township o Rockland, Rural Delivery No. 1, Mertztown, Pa 19539.	Sept. 6, 1974 July 2, 1976
Do	Allegheny	South Versailles, township of.	H 421281A 01	President, Township of South Versailles, 107 Horseshoe Dr., McKeesport, Pa. 15131.	Aug. 2, 1974
Do	Franklin	Washington, township of	H 421658A 01 through H 421658A 06.	Chairman, Township of Washington, Route 3, Welty Rd., Waynesboro, Pa. 17268	Sept. 6, 1974 July 2, 1976
Do	Wayne	Waymart, borough of	H 420868A 01 through H 420868A 02.	Mayor, Borough Bldg., Waymart, Pa. 18472	July 26, 1974 July 2, 1976
Do	Butler	Zelienople, borough of	H 420226A 01	Mayor, 110 West New Castle St., Zelienople, Pa. 16062	June 14, 1974 July 2, 1976
South Carolina	Aiken	North Augusta, city of	H 450007A 01 through H 450007A 04.	Mayor, P.O. Box 6177, North Augusta, S.C. 29841	June 28, 1974 July 2, 1976
Tennessee	Cheatham	Ashland City, town of	H 470027A 01 through H 470027A 02.	Mayor, P.O. Box 36, Ashland City, Tenn. 37015	Aug. 16, 1974 July 2, 1976
Do	Pickett	Byrdstown, town of	H 470147A 01	Mayor, Town Hall, Byrdstown, Tenn. 38549	June 21, 1974
Do	Rutherford	Eagleville, town of	H 470166A 01	Mayor, Town Hall, Eagleville, Tenn. 37060	Aug. 23, 1974 July 2, 1976
Do	McMinn	Englewood, town of	H 470071A 01 through H 470071A 03.	Mayor, P.O. Box 150, Englewood, Tenn.	May 17, 1974 July 2, 1976
Do	do	Etowah, city of	H 470073A 01 through H 470073A 04.	Mayor, P.O. Box 390, Etowah, Tenn. 37331	May 17, 1974 July 2, 1976
Do	Lincoln	Fayetteville, city of	H 470105A 01 through H 470105A 05.	Mayor, P.O. Box 13, Fayetteville, Tenn. 37334	Mar. 1, 1974 July 2, 1976
Do	Tipton	Gilt Edge, city of	H 470190A 01 through H 470190A 02.	Mayor, City of Gilt Edge, Route No. 1, Burlison, Tenn. 38015.	Sept. 13, 1974 July 2, 1976
Do	Hamblen	Morristown, city of	H 470070A 01 through H 470070A 10.	Mayor, P.O. Box 1499, Morristown, Tenn. 37814	Mar. 1, 1974 July 2, 1976
Do	Bedford	Shelbyville, city of	H 470008A 01 through H 470008A 08.	Mayor, P.O. Box 185, 109 Lane Parkway, Shelbyville, Tenn. 37160.	Mar. 8, 1974 July 2, 1976
Do	Maury	Spring Hill, city of	H 470078A 01 through H 470078A 04.	Mayor, P.O. Box 57, Spring Hill, Tenn. 37174	May 17, 1974 July 2, 1976
Do	Monroe	Sweetwater, city of	H 470135A 01 through H 470135A 04.	Mayor, P.O. Box 267, Sweetwater, Tenn. 37874	Feb. 15, 1974 July 2, 1976
Do	Grundy	Tracy City, city of	H 470282A 01 through H 470282A 05.	Mayor, P.O. Box 277, Tracy City, Tenn. 37387	May 10, 1974 July 2, 1976
Do	Humphreys	Waverly, city of	H 470095A 01 through H 470095A 05.	Mayor, P.O. Box 71, Waverly, Tenn. 37185	Feb. 15, 1974 July 2, 1976
Texas	Andrews	Andrews, city of	H 480066 01 through H 480066 06.	Mayor, City Hall, Northeast 1st and Logsdon, Andrews, Tex. 79714.	Aug. 27, 1976
Do	Tarrant	Crowley, city of	H 480591A 01 through H 480591A 02.	Mayor, 120 North Hampton Rd., P.O. Box 326, City Hall, Crowley, Tex. 76036.	June 28, 1974 July 2, 1976
Do	Hidalgo	Hidalgo, town of	H 480340A 01 through H 480340A 05.	Mayor, Town Hall, 211 East Esperanza, Hidalgo, Tex. 78557.	Feb. 1, 1974
Do	Cass	Hughes Springs, city of	H 480134	City Clerk, P.O. Box 805, Hughes Springs, Tex. 75656	Aug. 27, 1976
Do	Dawson and Lynn.	O'Donnell, City of	H 480921 01	Mayor, City Hall, 615 8th St., O'Donnell, Tex. 79351	Do.
Do	Dallas and Collin	Sachse, city of	H 480186A 01 through H 480186A 06.	City Engineer, City of Sachse, Hunter Associates, 5630 Yale Blvd., Dallas, Tex. 75206.	Feb. 22, 1974 July 2, 1976
Do	Hardin	Silsbee, city of	H 480285A 01 through H 480285A 05.	Mayor, City Hall, 250 Earnest Ave., Silsbee, Tex. 77656	June 7, 1974 July 2, 1976
Vermont	Rutland	West Rutland, town of	H 500104A 01 through H 500104A 08.	Town Manager, Town Hall, West Rutland, Vt. 05777	July 26, 1974 July 2, 1976
Virginia	Scott	Duffield, town of	H 510240A 01 through H 510240A 02.	Mayor, City Hall, Duffield, Va. 24244	Mar. 8, 1974
Do	do	Dungannon, town of	H 510144A 01	Mayor, Municipal Bldg., Dungannon, Va. 24245	Mar. 22, 1974 July 2, 1976
Do		Norfolk, city of	H 510104A 01 through H 510104A 17.	Mayor, Room 508, City Gall, Norfolk, Va. 23501	Oct. 18, 1974 July 2, 1976
Do	Lee	St. Charles, town of	H 510088A 01	Mayor, Box N, St. Charles, Va. 24282	May 17, 1974 July 2, 1976
Do	Tazewell	Tazewell, town of	H 510164A 01 through H 510164A 08.	Mayor, Box 608, Tazewell, Va. 24651	Feb. 15, 1974 July 2, 1976
Washington	Okanogan	Tonasket, town of	H 530123A 01	Mayor, Town Hall, 211 South Whiteconib Ave., Tonasket, Wash. 98855.	May 24, 1974 July 2, 1976
West Virginia	Putnam	Eleanor, town of	H 540222A 01	Mayor, Yown Hall, Eleanor, W. Va. 25070	Dec. 20, 1974 July 2, 1976
Do	Marion	Fairview, town of	H 540100A 01	Mayor, Box 2, Fairview, W. Va. 26750	May 31, 1974 July 2, 1976
Do	do	Grant Town, town of	H 540102A 01 through H 540102A 02.	Mayor, Town Hall, Grant Town, W. Va. 26574	May 31, 1974 July 2, 1976
Do	Randolph	Montrose, town of	H 540265A 01 through H 540265A 02.	Mayor, Box 1, Montrose, W. Va. 26283	Nov. 15, 1974 July 2, 1976
Do	Fayette	Mount Hope, city of	H 540280A 01	Mayor, City Hall, Mount Hope, W. Va. 25880	Sept. 13, 1974 July 2, 1976
Do	Wyoming	Oceana, town of	H 540219A 01	Mayor, Town Hall, Oceana, W. Va. 24870	June 28, 1974
Do	Greenbrier	Rupert, town of	H 540044A 01	Mayor, Drawer B, Rupert, W. Va. 25984	June 21, 1974
Wisconsin	Shawano	Cecil, village of	H 550416A 01	Village President, 201 East Freeborn St., Cecil, Wis. 54111	July 19, 1974 July 2, 1976
Do	Kenosha	Kenosha, city of	H 550209A 01 through H 550209A 06.	Mayor, 625 52d St., Kenosha, Wis. 53140	Dec. 28, 1973 July 2, 1976
Do	Waupaca	Marion, city of	H 550499A 01	Mayor, Box 127, Marion, Wis. 54950	June 7, 1974 July 2, 1976
Do	St. Croix	Somerset, village of	H 550386A 01	Village President, Box 356, Somerset, Wis. 54025	Dec. 28, 1973
Do	Jefferson	Sullivan, village of	H 550197A 01	Village President, Sullivan, Wis. 53178	Apr. 12, 1974 July 2, 1976
Do	Marinette	Wausaukee, village of	H 550264A 01	Village President, Box 22, Wausaukee, Wis. 54177	May 24, 1974 July 2, 1976

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

Issued: June 26, 1976.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76-19888 Filed 7-13-76;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 THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 17]

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Proposed Determination of Critical Habitat for Cape Sable Sparrow

The Director, United States Fish and Wildlife Service, hereby issues a Proposed Rulemaking for the Cape Sable Sparrow, an Endangered Species, pursuant to Section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543). An interpretation of the term Critical Habitat was published by the Fish and Wildlife Service and the National Marine Fisheries Service in the FEDERAL REGISTER of April 22, 1975 (40 FR 17764–17765).

The term Critical Habitat was interpreted in the above publication (40 FR 17764) as meaning habitat necessary to the normal needs or survival of a species. All species of wildlife have their own Critical Habitat; it already exists in nature, and in most cases has existed for countless centuries. The precise location and perimeters of such habitat is not generally known to the public and government agencies. However, such identification is essential in administering and managing Critical Habitats as an important means for protecting species already determined to be Endangered or Threatened, as well as restoring such species to a point at which they are no longer Endangered or Threatened. The function of the Fish and Wildlife Service is to biological delineate such habitat for Endangered and Threatened Species, with legally meaningful boundaries, so that other Federal agencies may conveniently refer to this information in following their responsibility under Section 7 of the Act which states as follows:

> The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act. All other Federal departments and agencies shall, in consultation with and with the assistance of the Secretary, utilize their authorities in furtherance of the purposes of this Act by carrying out programs for the conservation of endangered species and threatened species listed pursuant to section 4 of this Act and by taking such action necessary to insure that actions authorized, funded, or carried out by them do not jeopardize the continued existence of such endangered species and threatened species or result in the destruction or modification of habitat of such species which is determined by the Secretary, after consultation as appropriate with the affected States, to be critical.
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> (The term Secretary as used above means the Secretary of Commerce and/or the Secretary of the Interior.)

Although disagreements may arise regarding what habitat is actually necessary for a species, or how to most accurately delineate an area, the final determination must express a consensus of the best biological information available.

A Critical Habitat designation points out specific areas within the United States where Federal agencies may have to assess their actions relative to possible effects on Endangered Species. No specific kinds of actions would be affected, regardless of the extent of the area designated as Critical Habitat, unless such actions actually could be considered detrimental to the species involved. It is emphasized further that there may be many kinds of actions which can be carried out within the Critical Habitat of a species that would not be expected to result in such reduction in the numbers or distribution or otherwise adversely affect such species.

This Proposal involves the determination of Critical Habitat for the Cape Sable Sparrow, an Endangered Species.

BACKGROUND

The Cape Sable Sparrow, *Ammospiza maritima mirabilis* was discovered in the marshes of Cape Sable, Florida, in 1918. The range was expanded in 1928 when the species was located in marshland southwest of Big Cypress Swamp. Until 1935, the Cape Sable Sparrow was observed on the coastal prairie of Cape Sable extending from Flamingo to Northwest Cape, Monroe County, Florida. In 1932, however, a severe hurricane covered Cape Sable with about 2 to 3 meters of saltwater, and although the sparrows were reportedly seen after the storm, the Cape's population was believed to have been extirpated.

Again in 1942 the species was observed in an area south and southwest of the Big Cypress Swamp, however, much of this population was believed destroyed by extensive fires in the early sixties. Thirty-five years after the Cape Sable hurricane (1935), the population was rediscovered on the Cape in a prairie southwest of Little Fox Lake, but today both populations have declined to a vestigial population spread over a wide area.

Today, the species is known to be present in only three isolated localities: the Fox Lakes area of Cape Sable; Taylor Slough; and the marshes of the Ochopee-Turner river area in Collier County, Florida. Cape Sable Sparrows have been found in four different habitats in these areas: *Muhlenbergia* prairie, *Cladium* prairie, irregularly distributed *Spartina* prairie, and *Spartina* prairie with a clumped distribution.

The Taylor Slough population, which contains the largest known population of approximately 1,900 to 2,800 birds, occupies two different types of prairie, *Muhlenbergia* prairie and *Cladium* prairies. Floristically, the *Muhlenbergia* prairies of Taylor Slough are the most heterogenous areas utilized by the Cape Sable Sparrows, and support the largest and most viable sparrow populations. Most of the Taylor Slough type habitat is located within the Everglades National Park, where the species is protected.

The size of the habitat of the Taylor Slough population is now declining, and habitat alteration appears to be the greatest threat to the race, particularly the destruction of open prairies by invading exotic trees, (*Casuarina* sp., *Melaleuca quinquenerva*, and *Schinus terebinthifolia*). Observations of these exotics indicate that once a portion of a prairie is inundated by any of these exotic trees, their growth rate is sufficient to alter that portion of the habitat beyond utilization by Cape Sable Sparrows within several years.

Although the Cape Sable Sparrow and its habitat is protected within the Everglades National Park, there has been little effort toward managing the same. Also, real estate development is now encroaching on the remaining Taylor Slough range outside the Park.

In view of the fact that the formerly large Bib Cypress population and the Cape Sable population each appear to have declined to a small relict population composed of a few widely spaced individuals, and the Taylor Slough population is presently the most vigorous, the Director proposes to determine 45,600 acres of the Taylor Slough area in Dade, Collier, and Monroe counties as Critical Habitat. Of the 36,500 acres, approximately 27,700 acres are located within the Everglades National Park and about 8,800 acres are privately owned lands east of the Park.

BASIS FOR DETERMINATION

The below delineated areas are being proposed as Critical Habitat for the Cape Sable Sparrow (*Amospiza maritima mirabilis*):

Florida. Taylor Slough area outside the Everglades National Park: T55S R37E Sec. 25, 36; T55S R38E Sec. 19, 20, 29–32; T56S R37E Sec. 1, 2, 11–14, 23, 24; T56S R38E Sec. 5–7, 18, 19; T57S R37E Sec. 5–7; T58S R38E Sec. 29–32. Taylor Slough area within the Everglades National Park: T57S R36E; T57S R37E; T58S R35E; T58S R36E; T58S R37E; T58S R38E; T59S R35E; T59S R36E; T59S R37E.

The Critical Habitat areas outlined above contain the largest known concentration of Cape Sable Sparrows in the United States, and are the only areas

that can presently be defined as composing a major viable population. Should more precise information regarding other sites within the proposed zone or should range expansions or reintroductions of the sparrow occur, the proposed Critical Habitat could be changed.

PUBLIC COMMENTS SOLICITED

The Director intends that finally adopted rules be as responsive as possible to the conservation of the Critical Habitat of Endangered and Threatened Species. The Director, therefore, desires to obtain the comments and suggestions of the public, other concerned government agencies, and private interests on these Proposed Rules.

Final promulgation of Critical Habitat regulations will take into consideration the comments received by the Director. Such comments and any additional information received may lead the Director to adopt final regulations that differ from this Proposal. An environmental assessment is being prepared in conjunction with this proposal and will be available for public inspection before final rulemaking.

SUBMITTAL OF WRITTEN COMMENTS

Interested persons may participate in this rulemaking by submitting written comments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, P.O. Box 19183, Washington, D.C. 20036. All relevant comments received no later than October 11, 1976 will be considered. The Service will attempt to acknowledge receipt of comments, but substantive responses to individual comments may not be provided. Comments received will be available for public inspection during normal business hours at the Service's Office in Suite 600, 1612 K Street, NW., Washington, D.C.

Accordingly, it is hereby proposed to amend 50 CFR Part 17 to determine Critical Habitat for the following Endangered Species, as shown below.

Dated: July 8, 1976.

LYNN A. GREENWALT,
Director, Fish and Wildlife Service.

1. Amend the table of contents in 50 CFR, Part 17 by adding a new § 17.89 as follows:

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Subpart F—Critical Habitat

* * * * *

(Sec. 17.89 Cape sable sparrow.)

2. Amend Subpart F of 50 CFR Part 17 by adding a new § 17.89 as follows:

§ 17.89 Cape sable sparrow.

(a) The following areas are Critical Habitat for the Cape Sable Sparrow (*Ammospiza maritima mirabilis*):

Florida. Taylor Slough area in Dade, Collier, and Monroe Counties with the following components, outside the Everglades National Park: T55S R37E Sec. 25, 36; T55S R38E Sec. 19, 20, 29–32; T56S R37E Sec. 1, 2, 11–14, 23, 24; T56S R38E Sec. 5–7, 18, 19; T57S R37E Sec. 5–8; T58S R38E Sec. 29–32. The Taylor Slough area within the Everglades National Park: T57S R36E; T57S R37E; T58S R35E; T58S R36E; T58S R37E; T58S R38E; T59S R35E; T59S R36E; T59E R37E.

(b) Pursuant to section 7 of the Act, all Federal agencies must insure that actions authorized, funded, or carried out by them do not result in the destruction or adverse modification of this Critical Habitat area.

[FR Doc.76-20261 Filed 7-13-76;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 989]

[Docket No. AO-198-A8]

RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Decision on Proposed Further Amendment of the Marketing Agreement and Order

A public hearing was held upon proposed further amendment of the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), (hereinafter referred to collectively as the "order"), regulating the handling of raisins produced from grapes grown in California. The hearing was held, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice (7 CFR Part 900), at Fresno, California, on March 9, 1976, pursuant to notice thereof issued on February 18, 1976.

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, on June 1, 1976, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto. No exceptions were filed.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision are hereby approved and adopted and are set forth in full herein.

Material issues. The material issues of record are as follows:

(1) Abolish the Raisin Advisory Board and the Raisin Administrative Committee and establish a new Raisin Administrative Committee and an Executive Operations Committee.

(2) Change the definition of the term "crop year" to mean the 12-month period beginnning with August 1 of any year and ending with July 31 of the following year in lieu of the present crop year of September 1 through August 31.

(3) Change the volume regulation system to provide more flexibility in allocating free tonnage; and provide for sales to handlers by the committee of reserve tonnage for use as free tonnage to augment the free tonnage released by the free percentage.

(4) Require the committee to consider a marketing plan for reserve raisins each year and change the date by which the committee must dispose of reserve tonnage of the previous crop year from November 1 to May 1 of the subsequent crop year.

(5) Provide that the committee may replace free tonnage raisins sold in reserve tonnage outlets at any time prior to the first offer of reserve tonnage from a new crop year rather than requiring such offer can be made only after September 1.

(6) Provide that a change of marketing conditions may be used as a basis for selling reserve tonnage raisins to handlers to sell as free tonnage.

(7) Make such changes in the order as may be necessary to bring the entire order, as amended, into conformity with the amendatory action resulting from the hearing.

Findings and conclusions. The following findings and conclusions on the material issues are based on the record of the hearing:

(1) Sections 989.26 through 989.52 of the marketing agreement and order (hereinafter, in this text of the Findings and conclusions, collectively referred to as the "order") contain provisions relating to establishment, membership (including changes in membership), terms of office, nomination, selection, powers, duties, procedure, and such other provisions as are necessary for establishment and operation of the Raisin Advisory Board and the Raisin Administrative Committee. The order should be amended to abolish the Raisin Advisory Board and the Raisin Administrative Committee as they are now established under the order. In lieu of these bodies, a new Raisin Administrative Committee and an Executive Operations Committee should be established.

When the order was promulgated in 1949, a Raisin Advisory Board was established to advise the Raisin Administrative Committee. The Raisin Administrative Committee has responsibility for operation and administration of the order, and includes members from all segments of the industry. The industry has concluded that the Advisory Board is superfluous because it tends to duplicate committee discussions and the advisory aspects of the Board are no longer necessary.

The record evidence indicates that the industry desires to retain a broad industry-wide base for decision making. Thus, a new Raisin Administrative Committee (hereinafter referred to as the "Committee") should be established consisting of 47 members (and their alternates). It is believed that the committee with a membership of this size is administratively practicable. The record indicates that this committee should assume the powers and duties of the former board and retain most of the powers and duties of the present committee. Therefore, most of the provisions of the order currently applicable to the board would be made applicable to the new enlarged committee and would be carried forward in the amended order with little or no change, apart from minor editorial revisions and rearrangement of the sequence of order provisions. The sole substantive change would be creation of

an Executive Operations Committee as discussed in this material issue.

The order should be amended to provide for definition and establishment of an Executive Operations Committee. This should be a 15-member (with alternate members) group selected from among the members of the committee. This smaller body would be vested with the power to receive, investigate, and report to the Secretary, complaints of violations of the order and to perform such other functions as are assigned by the committee. Functions assigned to the Executive Operations Committee by the committee would be essentially administrative in nature, it being intended that the committee retain all policy-making functions. The committee should be empowered to over-rule any action taken by the Executive Operations Committee. The evidence of record indicates that disagreement or conflict between the two bodies is not likely and, indeed, would rarely occur.

Accordingly, in order to effectuate the foregoing, § 989.26 of the current order providing for the establishment and membership of the Raisin Advisory Board should be revised and made applicable to the new committee. This section should be revised to provide for a committee consisting of 47 members. The make-up of the new committee would be the same as is now applicable to the board under the current order and currently effective administrative rules and regulations. However, the number of members would be increased from 46 members to 47 members. The additional member would be a public member who should be nominated by the committee and selected by the Secretary. The proponents indicated that the industry would likely benefit from the judgment and knowledge that a public member could contribute to industry decisions; in addition, such member could be instrumental in the enlightenment of the general public with respect to the nature and operation of the raisin marketing order.

The following sections of the current order applicable to the Raisin Advisory Board should be made applicable to the new Raisin Administrative Committee. There are slight revisions chiefly changing the word "board" to "committee", but no substantive changes unless noted:

(a) Section 989.26b, "Changes in producer representation", should be amended and become § 989.26a of the amended order.

(b) Section 989.26a, "Changes in handler representation", should be amended and become § 989.26b of the amended order.

(c) Section 989.26c, "Changes in dehydrator representation", should be appropriately amended to reflect the proposed change.

(d) Section 989.27, "Eligibility", should be appropriately amended to reflect the proposed change.

(e) Section 989.28, "Term of office," should be appropriately amended to reflect the proposed change.

(f) Section 989.29, "Initial members and nomination of successor members," should be appropriately amended to reflect the proposed change. The record evidence indicates that those persons who are serving as members and alternate members on the Raisin Advisory Board when the amended order becomes effective should automatically become the members and alternate members of the new Raisin Administrative Committee and those serving on the current Raisin Administrative Committee should become members of the Executive Operations Committee. Since all such members were elected by members of the particular group they represent and all were selected by the Secretary, there would be no need to re-elect and re-select a new committee. However, because there is no public member (and alternate) on the current board, it would be necessary that such member (and alternate) be elected and selected when the amended order becomes effective.

(g) Section 989.30, "Selection," should be amended to provide for selection of a public member. It should also add a reference to new § 989.26c regarding changing dehydrator representation.

(h) Section 989.31, "Failure to nominate" need not be changed.

(i) Section 989.32, "Acceptance," should be appropriately amended to reflect the proposed change.

(j) Section 989.33, "Alternate members," need not be changed.

(k) Section 989.34, "Vacancies," should be appropriately amended to reflect the proposed change.

(l) The provisions for calling meetings of the Board are currently contained in § 989.35. These provisions should be included in new § 989.38, "Procedure." Section 989.35 of the amended order should be entitled "Powers," and contain the powers currently contained in § 989.49, with one exception. In the current order, § 989.49(c) provides that the Raisin Administrative Committee shall have the power to receive, investigate and report to the Secretary, complaints of violations of this part. This power would be a power of the new Executive Operations Committee and would be included in § 989.51 of the amended order.

(m) Section 989.36, "Duties," should be amended to contain those duties currently contained in § 989.50, with minor changes. In § 989.50(a) of the Raisin Administrative Committee's duties, the committee is required to act as an intermediary between the Secretary and any producer, packer, dehydrator, or processor. The record indicates that the committee should also act as an intermediary between the Secretary and any cooperative bargaining association. Therefore, § 989.36(a) should include cooperative bargaining associations.

Section 989.50(g) of the Raisin Administrative Committee's duties requires it to cause the books of the committee to be audited by certified public accountants at least once each crop year. There have been instances in the past where this requirement has raised administrative problems. Reserve pool sales and shipments do not normally conform with a crop year. When a reserve pool operation extends beyond the end of a crop year, an interim audit at the close of the crop year is required, and then an additional audit is necessary when the pool is closed. If it is apparent that a pool will be closed within a reasonably short time after the end of a crop year, it is reasonable to avoid the additional cost of such interim audit. The revision in this requirement would provide for such event.

Paragraph (j) of current § 989.50 prescribes the committee duties regarding compliance activity. Since this duty would be made the responsibility of the new Executive Operations Committee, it should not be included in § 989.35. Section 989.36 of the current order specifies the duties of the Raisin Advisory Board. The duties regarding nominations and certifications of nominations would be assumed by the new committee and should be included in paragraph (j) of § 989.36. Those duties dealing with making recommendations on marketing policy and free and reserve percentages would be deleted as unnecessary duplication because the committee is already required to recommend such things to the Secretary under the volume regarding provisions of the order.

(n) At this point, § 989.51, "Obligation", should be renumbered § 989.37 in the amended order and a new § 989.38, "Procedure", should be added to the amended order. The new § 989.38 combines present §§ 989.35, 989.37, 989.52, with two minor changes. One change increases the quorum requirement by one member to take into account the increase in the number of committee members over current membership. The second change deletes authorization for voting by mail or telegraph. The 47-member committee would make mail or telegraphic voting impracticable because of its size. It is intended that the committee must have an assembled meeting to conduct any business.

(o) Many of the current order provisions relative to the Raisin Administrative Committee would be carried forward into the amended order and made applicable to the new Executive Operations Committee. Some minor changes are recommended and some rearrangement and renumbering appear necessary for continuity. Section 989.39 of the current order relates to the establishment and membership of the Raisin Administrative Committee. In the amended order, this section (§ 989.39) would be titled "Compensation and expenses" and be applicable to the new Raisin Administrative Committee and the Executive Operations Committee. The content of the new § 989.39 would be that of the current § 989.48.

(p) The provisions applicable to the current Raisin Administrative Committee should be made applicable, with some minor editorial and conforming changes, to the new Executive Operations Committee. The provisions should be contained in amended § 989.43, Establishment and membership; § 989.43a, Changes in producer representation; § 989.43b, Changes in handler representation; § 989.43c, Changes in dehydrator representation; § 989.44, Term of office; § 989.45, Nomination; § 989.46, Selection;

§ 989.47, Failure to nominate; § 989.48, Acceptance; § 989.49, Alternate members; § 989.50, Vacancies; § 989.51, Powers; and § 989.52, Duties.

The amended § 989.43 would, except for changes made by rulemaking, be the same as current § 989.39; new §§ 989.43a, 989.43b, and 989.43c, respectively, would be the same as current §§ 989.39b, 989.39a, and 989.39c, respectively; amended § 989.44 would be the same as current § 989.41; amended § 989.45 would be the same as current § 989.42; new § 989.46 would be the same as current § 989.43; amended § 989.47 would be the same as current § 989.44; amended § 989.48 would be the same as current § 989.45; amended § 989.49 would be the same as current § 989.46; and amended § 989.50 would be the same as current § 989.47.

The powers and duties of the new Executive Operations Committee would be contained in §§ 989.51 and 989.52, respectively. The powers and duties of the current committee are contained in §§ 989.49 and 989.50, respectively, and should be modified as discussed earlier in this material issue, and made applicable to the Executive Operations Committee.

It should be noted that the current order contains a § 989.40 which prescribes eligibility requirements for committee membership. This section should be deleted. No special eligibility requirements are recommended for members and alternate members of the new Executive Operations Committee since members and alternates of this group must come from the members and alternate members of the Raisin Administrative Committee who would possess all necessary qualifications.

With regard to eligibility requirements, it should also be pointed out that no eligibility requirements would be prescribed for the public member and alternate member on the new Raisin Administrative Committee, other than that such member and alternate should be persons who can fairly represent the public and are not involved in the production or marketing of raisins.

In abolishing the Raisin Advisory Board, it would become necessary to make certain conforming changes in some other sections of the order. Section 989.18 of the current order should be revised to define the new Raisin Administrative Committee. Section 989.19 of the current order should be revised to define the new Executive Operations Committee. Section 989.22 of the current order should be amended to conform the references to the amended order provisions. Section 989.79 should be amended to delete a reference to the current Raisin Advisory Board. A conforming change should be made in § 989.85 to include members and alternate members of the Executive Operations Committee. Section 989.95 should be amended to delete a reference to the Raisin Advisory Board and a conforming change made to include members and alternate members of the Executive Operations Committee. Section 989.96 Exhibit A should be revised to delete reference to the Raisin Advisory Board in the caption and the reference to § 989.26b should be revised to § 989.26a.

(2) Section 989.21 of the order should be amended to define the crop year to mean the 12-month period beginning with August 1 of any year and ending with July 31 of the following year. At present, the crop year is defined as the 12-month period beginning with September 1 of any year and ending with August 31 of the following year. Under the current crop year system, some problems have been encountered with respect to raisins which are produced in the month of August. Historically, some quantities of Golden Seedless raisins and what, prior to the 1975–76 crop year, were known as "Soda Dipped" raisins have been produced during August. In more recent years, in Southern California, some raisins of the natural Thompson Seedless varietal type have been dried on the vines during August. On September 1, 1975, a new varietal type of raisin, Dipped Seedless, was added to the list of varietal types of raisins by rulemaking. This varietal type includes all raisins produced from grapes which are sprayed with, or dipped in, water, with or without a chemical additive, after such grapes have been removed from the vines and which are sun-dried or artificially dehydrated. (The new varietal type includes "Soda Dipped" raisins.) Dipped Seedless raisins can and are being produced in the month of August. In the 1975–76 crop year, application of certain order requirements, particularly volume regulation, to those raisins produced in August created problems and confusion. The evidence of record is that changing the crop year would help eliminate these difficulties. A conforming change should be made in § 989.91(c) to change the date contained in the proviso at the end of this paragraph from August 31 to July 31.

(3) Section 989.54(a) should be amended to require that on or before August 15 of each crop year the committee shall make known the quantity of any varietal type of raisins (for which volume regulation may be proposed) which will be made available as free tonnage to handlers. This section should also be amended to specify that the desirable carryin inventory for natural Thompson Seedless raisins on August 1 shall be 35,000 tons.

Inclusion of a minimum desirable carryin quantity (35,000 tons) for natural Thompson Seedless in the recommended § 989.54(a) was not included in the proposal contained in the notice of hearing. Since a carryin inventory figure must be used in the calculation of free tonnage each year, this figure should be included in § 989.54(a). The hearing record evidence indicates that a minimum carryin for this varietal type is needed to fill market needs until new crop raisins are available (in October). The 35,000 tons recommended by the proponents appears ample based upon historical data of shipments of this varietal type in past years. However, no figure for desirable carryin is proposed to be included in § 989.54(a) for any other varietal type of raisins. At the hearing there was discussion of including a minimum desirable carryin of 750 tons for Dipped Seedless raisins. Since this is a relatively new varietal type of raisin, the absence of historical data available on production and shipments makes a firm conclusion difficult. For this reason it could work a hardship on producers and handlers of Dipped Seedless raisins if a quantity for desirable carryin is included in § 989.54(a); thus none is recommended or included in that section.

Under the current order, a desirable free tonnage for any varietal type of raisin for which a free tonnage percentage may be designated is recommended by the committee on or before September 10 and may thereafter be designated by the Secretary through rulemaking. Following such designation, a production estimate is made in October and a free percentage is designated by the Secretary which makes free tonnage available to handlers. Any difference between the free percentage and 100 percent is the reserve tonnage percentage. Thus, the free tonnage quantity released to each handler is a percentage of his acquisitions. This regulatory approach has caused certain problems within the industry in that all handlers do not have identical markets. Thus, the free tonnage allocation which is sufficient to satisfy market needs as a whole, may result in some handlers having excess inventory while others are short.

To afford more flexibility and provide a mechanism whereby handlers may adjust their inventory positions and adjust to changes in their marketing, the free tonnage allocation for a varietal type of raisin upon which volume regulation may be made effective for a crop year would be determined in the following manner. The base for determining the free tonnage for a crop year would be 90 percent of the free tonnage shipments during the preceding crop year. In any year following a year when free tonnage shipments were limited by abnormal circumstances (e.g., short supply, acts of God, civil commotion, strikes), the committee could use the highest free tonnage shipments of any one of the prior three years as a base. In the case of natural Thompson Seedless raisins, the base figure would be 90 percent of the prior year's shipments adjusted for carryin (upward or downward from 35,000 tons) by the actual carryin inventory—e.g., if carryin is 40,000 tons, the base would be reduced 5,000 tons. If the carryin is 30,000 tons, the base would be increased 5,000 tons. The reason for setting free tonnage at 90 percent of the prior year's shipment is to avoid oversupplying the free tonnage market early in the season, but more importantly to allow handlers who are holding excess free tonnage acquired in the prior year to adjust their inventory status. The derived figure would then be the free tonnage which would be released to handlers by designation of the free tonnage percentage. Under the

current order, a "desirable free tonnage" is designated by rulemaking. Under the amended order, no rulemaking would be required to establish the free tonnage quantity in that the component figures used are exact figures and the determination of the free tonnage thereby becomes a mathematical certainty. Elimination of the "desirable free tonnage" concept makes necessary conforming changes to delete the word "desirable" in §§ 989.66(g) and 989.67(c).

No substantive change would be required to be made in § 989.54(b) which prescribes the method whereby free and reserve percentages are recommended by the committee. Some minor editorial changes would be required to conform this paragraph with the recommended new regulatory mechanism in § 989.54 (a).

A conforming change, required by the changes contained in Material Issue (1) of this recommended decision, would be needed to change the last word in paragraph (c) of § 989.54 from "board" to "committee".

Paragraphs (d) and (e) of current § 989.54 should be retained in the amended order with no changes. However, these paragraphs should be redesignated as paragraphs (e) and (f), respectively, of that section in the amended order.

A new paragraph (d) should be added to § 989.54 to provide that on or before November 15 of a crop year, the committee shall offer to sell to handlers a quantity of reserve tonnage raisins for use as free tonnage equal to 20 percent of the shipment of free tonnage raisins of that varietal type in the preceding crop year. This is intended to augment the supply of free tonnage raisins released by the initial free tonnage percentage. This would be accomplished by the committee making two offers of reserve tonnage to handlers. These offers would be made on or before November 15, or if the field price for a varietal type of raisin has not been established, not more than 15 days following the date of its establishment. Each of the two offers would consist of a quantity of raisins equal to 10 percent of the shipments during the preceding crop year of free tonnage of that varietal type.

On an industry-wide basis, the first offer of 10 percent of the previous year's shipments is intended as an "adjustment" offer to make available sufficient tonnage to the handlers to enable them, if they so desire, to acquire a quantity of raisins equal to their previous year's shipments. The second offer of 10 percent of the previous year's shipments is intended as a "growth" offer to provide any handler with additional raisins for market expansion. The evidence of record indicates that the first, or "adjustment" offer should be allocated to handlers on the basis of their prior year's acquisitions. The second, or "growth" offer should be allocated to handlers on the basis of their prior year's shipments. Each of these offers would remain open for five business days. Upon expiration of the five days a reoffer of any unsold tonnage from the original offers would be made, allocated to handlers on the basis of their purchases from the original offers, to be open for two business days. Upon expiration of the two days, a second reoffer of any unsold tonnage, allocated to handlers on the basis of their purchases in the first reoffer would be made and would be open for two business days. At the close of the second reoffer, any remaining tonnage would be offered on a first-come, first-served basis to those handlers who had bought their full allocations in the original offer and the two reoffers. The question arises as to how long the first-come, first-served offers should remain open. Since the reoffers are open for two-day periods, it would appear to be appropriate that the first-come, first served offers should be open for two-day periods.

It could happen that a handler had made no acquisitions or shipment of raisins in the prior crop year. He would thus have no historic basis upon which to participate in the "adjustment" or "growth" offers of reserve tonnage. In such event, a new handler's allocation should be based upon his acquisitions in the current crop year up to the time the first offer is made. The evidence of record indicates that such a new handler should be able to participate in the "adjustment" offer. However, he would have no need to participate in the "growth" offer in that his acquisitions would have been based upon his estimate of his total requirements for the year. For purposes of determining the allocation of all handlers, those acquisitions of such new handler would be added to the total acquisitions of all handlers during the preceding crop year. It is also intended that a new handler may participate in any reoffers of unsold tonnage and any first-come, first-served offer made from the "adjustment" offer.

In the notice of hearing, it was proposed that the price at which the "adjustment" and "growth" tonnage should be sold be the established field price plus the estimated Raisin Administrative Committee costs incurred on the raisins plus $20 per sweatbox ton. At the hearing, the proponents testified that this $20 per ton should be changed to 3 percent of the field price. Since field prices may change from year to year, it is more practicable to use a percentage rather than a flat dollar rate. There was much discussion and several different points of view expressed as to the inclusion of this 3 percent. Some proposed a higher rate while others opposed inclusion of any charge at all. The proponents testified that under the current order instances had occurred where handlers acquired free tonnage raisins for which they had no market needs. Since the free tonnage allocation was intended to provide sufficient raisins for the industry as a whole, these handlers could then resell their excess free tonnage to other handlers at inflated prices. The evidence of record is that a charge of 3 percent, though small, would be sufficient disincentive to discourage this practice and thus serve to make raisins available to handlers who are active in the market and actually need and have outlets for the raisins. The absence of such a charge might induce some handlers to defer making their acquisitions of raisins from producers early in the season and wait until the committee offered reserve tonnage for use as free tonnage. Inactivity on the part of buyers early in the season could weaken field prices and create or contribute to disorderly marketing conditions. A witness who stated that he represented 70 to 75 percent of the Dipped Seedless raisin industry requested the 3 percent not be included in the pricing of reserve tonnage of that varietal type which might be sold to handlers for use as free tonnage because it serves no purpose. However, the equity holder in a reserve pool of Dipped Seedless raisins is often not the one who produced the grapes which were dehydrated. The 3 percent charge is recommended as a method whereby raisins will be made available to the handler who has the market. It is an attempt to avoid a problem whereby handlers could acquire free tonnage raisins for which they may have no outlets and later offer them to other handlers at a premium. This could happen to Dipped Seedless raisins as well as to any other varietal type of raisin. It was also contended that the 3 percent would accrue to the handlers. However, under the current order, proceeds from the sale of reserve raisins are distributed on the basis of equity in the reserve tonnage pool.

If field prices for a varietal type of raisin change, it is intended that the 3 percent charge be calculated prior to the offer from the average of field prices prior to the date of the offer.

Testimony was included in the record proposing a volume regulation consisting of a one-pool system, that is, free tonnage which would supply all markets (domestic and export) with excess production held in reserve. Provision would be made to augment the salable pool by selling handlers raisins from the reserve, under prescribed conditions which would avoid oversupplying the market. The advocate of this approach contended the present order and the proposed volume regulation mechanism are too tight-fisted and withhold needed tonnage from the domestic market. The witness indicated he was not specifically opposed to the volume regulation mechanism proposed by the Raisin Administrative Committee, but rather that the proposed program was too restrictive. The volume regulation mechanism recommended in this recommended decision would provide for a quantity of free tonnage raisins which, if handlers take the maximum quantities made available, would be 110 percent of the previous year's shipments of free tonnage. In addition, the order provides for sale of reserve tonnage for free tonnage use when free tonnage shipments during the first 10 months of a crop year exceeds shipments of the comparable period of the prior year by more than 5 percent, limited to that quantity exceeding 105 percent of the prior year. Furthermore, if the carryover of free tonnage raisins into a new crop year is inadequate, ad-

ditional quantities of reserve tonnage raisins (if available) may be sold to handlers for use as free tonnage. Thus, the recommended amendment of § 989.54 should result in more flexibility in tailoring the free tonnage raisin supply to both the markets to be supplied and to the individual handler's marketing needs and should be less restrictive than the current program.

Some representatives of the Dipped Seedless segment of the raisin industry testified that the current order and the proposed amendment may be too restrictive and there should be no volume regulation made applicable to Dipped Seedless raisins.

For the reasons stated in the preceding paragraph, the more flexible and responsive volume regulation mechanism recommended can be made applicable to any varietal type of raisin in the event such regulation is deemed necessary to effectuate the declared policy of the act.

(4) Section 989.67(a) should be amended to: Provide that the committee shall consider the marketing of reserve tonnage raisins for the subsequent 12-month period at the time the committee meets to consider free and reserve percentages; and to change the date by which any unsold reserve tonnage raisins of a preceding crop year held by the committee must be disposed of to May 1 of the subsequent crop year.

Paragraph (a) of § 989.67 of the current order contains general provisions applicable to the disposition of reserve tonnage raisins and, among other things, requires the committee to dispose of all reserve tonnage raisins in such a manner as to achieve, as nearly as practicable, complete disposal of such raisins by November 1 of the subsequent crop year.

Raisin handlers selling reserve tonnage in export must make marketing projections months in advance of the actual processing, packing, and shipping of those raisins to buyers. In recent years, there have been periods of time in which the committee, reflecting industry thinking, released reserve tonnage to handlers by means of making offers of small quantities of raisins for short periods of time. One reason for this approach was the uncertainty of supply and the pricing of competitive tonnage from foreign production. In addition, complex incentive programs, usually offered on a yearly basis, were many times adversely affected by short term actions and overall sales may have been inhibited. Proponent testimony indicated that such procedure may have prevented handlers from developing realistic marketing programs for the export market. The evidence of record indicates that industry feels that releases of larger quantities of reserve tonnage at reasonable prices will result in improved export marketing. It is not intended that this be considered a marketing policy for reserve tonnage raisins, nor that it result in a formal written plan requiring any action by the Secretary. The evidence of record indicates that the committee should consider marketing of reserve tonnage raisins at the time it meets to consider free and reserve percentages, which, under § 989.54 must be no later than February 15.

A clarifying change in the wording from that contained in the first sentence of current § 989.67(a) is also recommended.

The current sentence requires the committee to make "complete disposal" of all reserve tonnage raisins carried over from a preceding crop year by November 1 of the subsequent crop year. This phrase should be amended to read, "maximum disposal" to provide more flexibility in the disposition of reserve tonnage raisins. This same phrase appears in subparagraph (1) of § 989.67(d) and as a conforming change, it should also be changed in that subparagraph.

Section 989.67(a) and (d)(1) also require disposition of reserve raisins of a crop year by November 1 of the subsequent crop year. This is a time in the year when raisin shipments are greatest but before the size and conditions of the new crop are known with certainty. Furthermore, disposition by that date makes export market planning difficult. The evidence of record indicates that the date by which such disposition should be required should be changed to the following May 1. This date is beyond the time when frost damage might occur, thus obviating the possibility of disposing of reserve tonnage and then being short of both reserve and free tonnage in the subsequent crop year. In addition, since by that date raisin production in those countries in the southern hemisphere (mainly Australia and South Africa) is known, export market planning can be done on a sounder basis.

(5) Section 989.67(f) of the order should be amended to provide that the committee may replace all or any portion of all handlers' exports of free tonnage raisins to other than free tonnage outlets, at any time prior to the committee's first offer to sell reserve tonnage raisins from a new crop year.

The current order provision provides for replacement but permits such replacement only after September 1. The recommended amendment would remove this date.

The current provision was designed to take care of a circumstance when there is a demand for raisins in the export market near the end of a crop year but there is no reserve tonnage available, while handlers have quantities of free tonnage which could be used to satisfy that export demand. In such event, handlers are generally reluctant to use their free tonnage for export because they would be unable to replace the free tonnage. Thus, sales might be lost even though raisins were held in inventory. Since the current order provisions permit replacement offers to be made only after September 1, the benefits that could result from use of this provision are unnecessarily minimized. This date should be removed from the order to permit needed flexibility, thus maximizing industry benefits that could result from use of this provision.

(6) Section 989.67(j) of the order should be amended to provide that the committee may sell reserve tonnage raisins of any varietal type to handlers to provide them with raisins to sell as free tonnage in the event of changes in marketing conditions.

Section 989.67(j) currently authorizes the committee to sell reserve tonnage raisins to handlers to provide them with raisins to sell as free tonnage in the event (among others) of a "major change of economic conditions". This phrase should be changed to read "change of economic or marketing conditions". The evidence of record indicates that this change will facilitate committee flexibility in selling reserve tonnage raisins to handlers for use as free tonnage if the committee concludes that industry promotion or other factors should result in additional demand for free tonnage raisins. For example, the raisin industry has a State marketing order which conducts advertising on raisins. This activity could greatly influence the marketing of raisins and might substantially increase the demand for raisins, thereby shorting free tonnage supplies. This would constitute a change in marketing conditions and would justify a committee decision to sell reserve tonnage to handlers for use as free tonnage. While it is difficult to estimate with precision each and every factor which might cause change in economic or marketing conditions, the general intent is to provide the industry with flexibility to meet increased market demand for free tonnage raisins by augmenting the supply from reserve tonnage when conditions warrant.

(7) Some of the amendatory actions included in this recommended decision require conforming changes elsewhere in the order, as amended. Such changes have been discussed with the issues to which they are pertinent. All such changes should be incorporated in the recommended amendment of the order.

Rulings on briefs of interested persons. At the conclusion of the hearing, the Administrative Law Judge fixed April 1, 1976, as the final date for interested persons to file proposed findings and conclusions, and written arguments or briefs, based upon the evidence received at the hearing.

Briefs and proposed findings and conclusions were filed on behalf of certain interested persons. These briefs, proposed findings and conclusions, and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested persons are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or to reach such conclusions are denied.

General findings. Upon the basis of the record, it is found that:

(1) The findings hereinafter set forth are supplementary, and in addition, to the previous findings and determinations which were made in connection with the issuance of the marketing agreement and order. Except insofar as such find-

ings and determinations may be in conflict with the findings and determinations set forth herein, all of said prior findings and determinations are hereby ratified and affirmed;

(2) The marketing agreement and order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(3) The marketing agreement and order, as hereby proposed to be amended, regulate the handling of raisins produced from grapes grown in the production area in the same manner as, and are applicable only to persons in the respective classes of commercial and industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(4) The marketing agreement and order, as hereby proposed to be amended, are limited in their application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(5) There are no differences in the production and marketing of raisins produced from grapes grown in the production area which make necessary different terms and provisions applicable to different parts of such area; and

(6) All handling of raisins produced from grapes grown in the production area, as defined in the marketing agreement and order, as hereby proposed to be amended, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

FINAL DECISION—RAISINS

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement, as Amended, Regulating the Handling of Raisins Produced from Grapes Grown in California", and "Order Amending the Order, as Amended, Regulating the Handling of Raisins Produced from Grapes Grown in California", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That this entire decision, except the annexed marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of the marketing agreement are identical with those contained in the order as hereby proposed to be amended by the annexed order which is published with this decision.

Referendum order. It is hereby directed that a referendum be conducted in accordance with the procedure for the conduct of referenda (7 CFR 900.400 et seq.), to determine whether the issuance of the annexed order as amended and as hereby proposed to be amended, regulating the handling of raisins produced from grapes grown in California, is approved or favored by producers, as defined under the terms of the order, who during the representative period were engaged in the area of production in the production of the regulated commodity for market.

The representative period for the conduct of such referendum is hereby determined to be August 1, 1975, through April 30, 1976.

The agent of the Secretary to conduct such referendum is hereby designated to be Charles Fuqua, Richard Van Diest, and William J. Higgins.

Signed at Washington, D.C., on July 9, 1976.

JOHN DAMGARD,
Acting Assistant Secretary.

Order[1] amending the order, as amended, regulating the handling of raisins produced from grapes grown in California

Findings and determinations. The findand determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U..C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketings orders (7 CFR Part 900), a public hearing was held upon proposed amendment of the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California.

Upon the basis of the record it is found that:

(1) The order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The order, as amended, and as hereby further amended, regulates the handling of raisins produced from grapes grown in the production area in the same manner as, and is applicable only to persons in the respective classes of commercial and industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(3) The order, as amended, and as hereby further amended, is limited in its application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of raisins produced from grapes grown in the production area which make necessary different terms and proivsions applicable to different parts of such area; and

(5) All handling of raisins produced from grapes grown in the production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof the handling of raisins produced from grapes grown in California shall be in conformity to and in compliance with the terms and conditions of the order, as hereby amended, as follows:

The provisions of the proposed marketing agreement and order, amending the order, contained in the recommended decision issued by the Deputy Administrator on June 1, 1976, and published in the FEDERAL REGISTER on June 4, 1976 (41 FR 22569), shall be and are the terms and provisions of this order, amending the order, and are set forth in full herein.

1. Section 989.18 is revised to read:

§ 989.18 Committee.

"Committee" means the Raisin Administrative Committee established under § 989.26.

2. Section 989.19 is revised to read:

§ 989.19 Executive Operations Committee.

"Executive Operations Committee" means the Executive Operations Committee established under § 989.43.

3. Section 989.21 is revised to read:

§ 989.21 Crop year.

"Crop year" means the 12-month period beginning with August 1 of any year and ending with July 31 of the following year.

4. Section 989.22 is amended to read:

§ 989.22 District.

"District" means any one of the geographical areas referred to in §§ 989.26 or 989.43, and specified in § 989.96.

5. The center heading, "Raisin Advisory Board" appearing between §§ 989.25 and 989.26 is changed to read, "Raisin Administrative Committee".

6. Section 989.26 is amended to read:

§ 989.26 Establishment and membership.

A Raisin Administrative Commitee is hereby established consisting of 47 members, of whom 35 shall represent producers, nine shall represent handlers, one shall represent dehydrators, one shall represent the cooperative bargaining association(s), and one shall be a public member. The producer members shall be selected in the number and for the districts as designated in § 989.96, or as such number or districts may be authorized pursuant to § 989.26a. The handler members shall include the following:

(a) One member selected from and representing handlers doing business as cooperative marketing associations or

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

cooperative marketing organizations engaged in the business of packing raisins, each of which acquired not less than 10 percent of the total raisin acquisitions during the 12-month period preceding the then current crop year;

(b) two members selected from and representing the three handlers, other than cooperatives, who acquired the largest percentages of the total raisin acquisitions during the 12-month period preceding the then current crop year;

(c) two members selected from and representing the three handlers, other than cooperatives, who acquired the next largest percentages of the total raisin acquisitions during the 12-month period preceding the then current crop year;

(d) two members selected from and representing the four handlers, other than cooperatives, who acquired the next largest percentages of the total raisin acquisitions during the 12-month period preceding the then current crop year; and

(e) two members selected from and representing all other handlers, including cooperatives, each of which acquired less than 10 percent of the total raisin acquisitions during the 12-month period preceding the then current crop year, and including all processors.

The dehydrator member shall be selected from dehydrators as provided in § 989.29(b)(4). The bargaining association member shall be selected from the cooperative bargaining association(s). The public member shall be nominated by the committee and selected by the Secretary as a public member. For each member of the committee there shall be an alternate member who shall have the same qualifications as the member for whom he is an alternate.

7. Section 989.26a is amended to read:

§ 989.26a Changes in producer representation.

The Secretary, on recommendation of the committee, may change the total number of producer members on the committee, may change the number of districts designated in § 989.96, may redefine such districts into which the production area is divided, or may change the number of producer members which shall be selected to represent particular districts. In making any such change consideration shall be given to such factors as geographical shifts in the numbers of producers and in raisin production within the area.

8. Section 989.26b is amended to read:

§ 989.26b Changes in handler representation.

The Secretary, on recommendation of the committee, may change the total number of handler members on the committee, the handler size groups set forth in § 989.26 from which handler members shall be selected, the number of handlers comprising any such size group, or the number of handler members to represent any such size group. In making any such change, consideration shall be given to such factors as changes in the numbers of handlers, relative raisin acquisition positions of handlers, and their similarity of interests in the handling of raisins.

9. Section 989.26c is amended to read:

§ 989.26c Changes in dehydrator representation.

The Secretary, on recommendation of the committee, may change the number of dehydrator members on the committee or may discontinue dehydrator representation on the committee. In making any such change or discontinuing dehydrator representation, consideration shall be given to such factors as total number of dehydrators currently operating, the number of dehydrators operated by raisin packers, and the extent to which the interest of dehydrators is adequately served by other members on the committee.

10. Section 989.27 is amended to read:

§ 989.27 Eligibility.

No person shall be selected or continue to serve as a member or alternate member of the committee who is not actively engaged in the business of the group which he represents, either in his own behalf, or as an officer, agent, or employee of a business unit engaged in such business: Provided, That, any handler eligible to represent a particular size group shall continue to represent for the entire term the size group for which he was selected. The committee shall certify during April of each crop year each member's and alternate member's eligibility to continue to serve on the committee.

11. Section 989.28 is amended to read:

§ 989.28 Term of office.

(a) Producer members. The term of one-third or approximately one-third of the producer members and producer alternate members of the committee shall end on April 30 each year, but each such member and alternate member shall continue to serve until his respective successor is selected and has qualified. The producer members and producer alternate members of the committee shall serve for terms of 3 years beginning May 1 and ending April 30 of the third following year.

(b) Handler, dehydrator, cooperative bargaining association and public members. The handler, dehydrator, cooperative bargaining association and public members, and their respective alternates, shall each serve for terms of 1 year, beginning May 1 and ending April 30 of the following year, but each shall continue to serve until his respective successor is selected and has qualified.

12. Section 989.29 is amended to read:

§ 989.29 Initial members and nomination of successor members.

(a) Initial members. Members and alternate members of the Raisin Advisory Board serving immediately prior to the effective date of this amended subpart shall, if thereafter they are also eligible, serve on the committee for their specified terms of office and until their respective successors have been selected and have qualified.

(b) Nomination for successor members. Nominations for successor members and alternate members of the committee shall be made as set forth in subparagraphs (1) to (6) of this paragraph.

(1) The committee shall give reasonable publicity of a meeting or meetings of producers, handlers and dehydrators, and if applicable, cooperative bargaining association(s), for the purpose of making nominations for member and alternate member positions to be filled on the committee: Provided, That with respect to producer members and producer alternate members, a meeting or meetings shall be held in each district for which nominations are to be made to fill producer member and producer alternate member positions on the committee: And provided further, That member and alternate member nominations of handlers, dehydrators, and cooperative bargaining association(s) may be made to the committee by mail in lieu of meetings.

(2) Only producers as defined in § 989.11, engaged as such with respect to the most recent grape crop in the particular districts for which nominations are to be made, may nominate, or vote for, any producer member or producer alternate member for such district. Any producer so engaged with respect to the most recent grape crop in the particular district for which nominations are to be made, may be nominated to represent said district as a producer member or producer alternate member of the committee; in the event any of such nominees are engaged as producers in more than one district, he may be a nominee for only one district. One or more eligible producers for each producer member position to be filled on the committee may be proposed for nomination and one or more eligible producers for each alternate member position to be filled may be proposed for nomination. Each producer shall cast only one vote with respect to each position for which nomination is to be made. The person receiving a majority of the votes with respect to each producer member or producer alternate member position shall be the persons to be certified to the Secretary as the nominee for each such position. In the event no person receives a majority, there shall be a runoff vote between the two persons receiving the largest number of votes. The eligibility of each producer voting in a nomination meeting shall be certified by the committee, during or after the meeting, and, in the event one or more who voted was not eligible and this may have affected the result of any nomination vote, another meeting with respect to such nomination shall be held.

(3) Only handlers who packed or processed raisins during the then current crop year may nominate, or vote for, handler members or handler alternate members. One or more eligible handlers for each handler member position to be filled may be proposed for nomination and one or more eligible handlers for each alternate member position to be

filled on the committee may be proposed for nomination. Nominations by each of the handler groups specified in § 989.26 or pursuant to § 989.26b, shall be made by and from handlers, or employees, representatives, or agents of handlers falling within such groups. Each handler shall cast only one vote with respect to each position for which nomination is to be made: Provided, That only handlers coming within the particular group, as specified in § 989.26 or pursuant to § 989.26b, as applicable, for which nomination is to be made, shall vote. The person receiving the most votes with respect to each handler member or handler alternate member position shall be the person to be certified to the Secretary as the nominee for each such position.

(4) Only dehydrators who produced raisins by dehydrating grapes during the then current crop year may nominate, or vote for, dehydrator members or dehydrator alternate members. One or more eligible dehydrators for each dehydrator member position to be filled on the committee may be proposed for nomination, and one or more eligible dehydrators for each alternate member position may be proposed for nomination. Each dehydrator shall cast only one vote with respect to each position for which nomination is to be made. The person receiving the most votes with respect to each dehydrator member or dehydrator alternate member position shall be the person to be certified to the Secretary as the nominee for each such position.

(5) Each vote cast shall be on behalf of the person voting, his agents, subsidiaries, affiliates, and representatives. Voting at each meeting shall be in person. The result of each ballot at each such meeting shall be announced at that meeting. Voting at each meeting of producers shall be by secret ballot, and at each meeting of handlers, and dehydrators, voting may be by secret ballot.

(6) Each such nomination shall be certified by the committee to the Secretary on or before April 5 immediately preceding the commencement of the term of office of the member or alternate member position for which the nomination is certified.

13. Section 989.30 is amended to read:

§ 989.30 Selection.

The Secretary shall select producer, handler, dehydrator, cooperative bargaining association and public members and alternate members in the numbers specified in § 989.26 or pursuant to §§ 989.26a, 989.26b, or 989.26c, as applicable, and with the qualifications specified in § 989.27. Such selections may be made from nominations certified pursuant to § 989.29 or from other eligible producers, handlers, dehydrators, or cooperative bargaining association officers or employees.

14. Section 989.31 is amended to read:

§ 989.31 Failure to nominate.

In the event nomination for a member or alternate member position on the committee is not certified pursuant to and within the time specified in § 989.29, the Secretary may select an eligible person to fill such position without regard to nomination.

15. Section 989.32 is amended to read:

§ 989.32 Acceptance.

Each person selected by the Secretary as a member or as an alternate member of the committee shall, prior to serving on the committee qualify by filing with the Secretary a written acceptance within 10 calendar days after being notified of his selection.

16. Section 989.33 is amended to read:

§ 989.33 Alternate members.

The alternate for a member of the committee shall act in the place and stead of such member (a) during his absence, and (b) in the event of his removal, resignation, disqualification, or death, until a successor for such member's unexpired term has been selected and has qualified.

17. Section 989.34 is amended to read:

§ 989.34 Vacancies.

To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the committee to qualify, or in the event of the removal, resignation, disqualification, or death of any member or alternate member, a successor for such person's unexpired term shall be nominated and selected in the manner set forth in §§ 989.29 and 989.30, insofar as such provisions are applicable. If nomination to fill any vacancy is not filed within 40 calendar days after such vacancy occurs, the Secretary may select an eligible person to fill such vacancy without regard to nomination.

18. Section 989.35 is amended to read:

§ 989.35 Powers.

The committee shall have the following powers:

(a) To administer the terms and provisions of this part;

(b) To make rules and regulations to effectuate the terms and provisions of this part; and

(c) To recommend to the Secretary amendments to this part.

19. Section 989.36 is amended to read:

§ 989.36 Duties.

The committee shall have, among others, the following duties:

(a) To act as intermediary between the Secretary and any producer, packer, dehydrator, processor or cooperative bargaining association;

(b) To keep minutes, books, and other records, which shall clearly reflect all of its acts and transactions, and such minutes, books, and other records shall be subject to examination by the Secretary at any time;

(c) To investigate and assemble data on the production, handling and market conditions with respect to raisins;

(d) To submit to the Secretary such available information with respect to raisins and grapes as he may request, and such other information as the committee may deem desirable and pertinent;

(e) To select from among its members a chairman and other officers, and to adopt such rules and regulations for the conduct of its business as it may deem advisable;

(f) To appoint or employ such other persons as it may deem necessary, and to determine the salaries and define the duties of each such person;

(g) To cause the books of the committee to be audited by certified public accountants at least once each year, or at such other times as the committee may deem necessary or as the Secretary may request, and the report of each such audit shall show, among other things, the receipts and expenditures of funds, and at least two copies of each such audit shall be submitted to the Secretary;

(h) To prepare quarterly statements of its financial operations and make such statements, together with the minutes of its meetings, available at the office of the committee for inspection by producers, handlers and dehydrators;

(i) To give reasonable advance notice of the times, places, and purposes of its meetings by mail or other appropriate means to each member and alternate member and such notice shall be given as widespread publicity as is practicable.

(j) To conduct meetings for the purpose of making nominations for membership on the committee and the certifying of nominations made for such purposes to the Secretary, and the making of nominations to the Secretary for member and alternate member positions on the Executive Operations Committee; and

(k) To establish, with the approval of the Secretary, such rules and procedures relative to administration of this subpart as may be consistent with the provisions contained in this subpart and as may be necessary to accomplish the purposes of the act and the efficient administration of this subpart.

20. Section 989.37 is revised to read:

§ 989.37 Obligation.

Upon the removal, resignation, disqualification, or expiration of the term of office of any member or alternate member, such member or alternate member shall account for all receipts and disbursements and deliver to his successor, to the committee, or to a designee of the Secretary all property (including, but not limited to, all books and records) in his possession or under his control as member or alternate member, and he shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor, committee, or designee full title to such property and funds, and all claims vested in such member or alternate member. Upon the death of any member or alternate member of the committee, full title to such property, funds, and claims vested in such member or alternate member shall be vested in his successor or, until such successor has been selected and has qualified, in the committee.

21. The center heading "Raisin Administrative Committee" appearing between §§ 989.37 and 989.39 is deleted.

22. A new § 989.38 is added, reading as follows:

§ 989.38 Procedure.

The committee shall meet at the call of its chairman or its vice-chairman when acting as chairman, or at the call of any three members. Except as otherwise provided in § 989.45, all decisions of the committee reached shall be by majority vote of the members present. All votes shall be cast in person and a quorum must be present. The presence of 25 members shall be required to constitute a quorum. The Secretary, on recommendation of the committee, may change the quorum requirements if warranted by a change made pursuant to § 989.26a in the total number of producer members on the committee or by a change made pursuant to § 989.26b in the total number of handler members on the committee, or by a change made pursuant to § 989.26c in the total number of dehydrator members on the committee. The committee shall give to the Secretary the same notice of meetings of the committee as it gives to its members.

23. Section 989.39 is revised to read:

§ 989.39 Compensation and expenses.

The members of the Committee and the Executive Operations Committee, and the alternate members when acting as members, shall serve without compensation but shall be allowed their necessary expenses as approved by the committee. Whenever specifically authorized in advance by the committee, or when requested to attend due to the anticipated absence of a member, an alternate member of the committee shall be reimbursed for reasonable expenses incurred by him in attending not to exceed three committee meetings per crop year when the committee member for whom he serves as alternate also attends such meetings.

§§ 989.39a—989.42 [Deleted]

24. Section 989.39a is deleted.

25. Section 989.39b is deleted.

26. Section 989.39c is deleted.

27. Section 989.40 is deleted.

28. Section 989.41 is deleted.

29. Section 989.42 is deleted.

30. A center heading "Executive Operations Committee" is added between §§ 989.42 and 989.43.

31. Section 989.43 is revised to read:

§ 989.43 Establishment and membership.

An Executive Operations Committee is hereby established to receive, investigate, and report to the Secretary, complaints of violations of this part and to perform such functions as assigned by the committee. Any action of the Executive Operations Committee is subject to disapproval by the committee. The Executive Operations Committee shall consist of 15 members, of whom eight shall represent producers, five shall represent handlers, one shall represent dehydrators and one shall represent the cooperative bargaining association(s). The producer members shall be selected to represent such district or group of districts as the committee may establish with the approval of the Secretary. Of the five handler members, one shall be selected from and represent each of the following divisions:

(a) The handlers doing business as cooperative marketing associations, or cooperative marketing organizations engaged in the business of packing raisins, each of which acquired not less than 10 percent of the total raisin acquisitions during the 12-month period preceding the then current crop year;

(b) the three handlers, other than cooperatives, who acquired the largest percentages of total raisin acquisitions during the 12-month period preceding the then current crop year;

(c) the three handlers, other than cooperatives, who acquired the next largest percentages of total raisin acquisitions during the 12-month period preceding the then current crop year;

(d) the four handlers, other than cooperatives, who acquired the next largest percentages of total raisin acquisitions during the 12-month period preceding the then current crop year; and

(e) all other handlers, including cooperatives, each of which acquired less than 10 percent of the total raisin acquisitions during the 12-month period preceding the then current crop year, and including all processors. For each member of the Executive Operations Committee, there shall be an alternate member who shall have the same qualifications as the member for whom he is an alternate.

32. A new § 989.43a is added, reading as follows:

§ 989.43a Changes in producer representation.

The Secretary, on recommendation of the committee, may change the total number of producer members on the Executive Operations Committee and may change the number of producer members which shall be selected to represent particular districts or groups of districts. In making any such change consideration shall be given to such factors as changes in producer and handler membership on the committee, representation of the several producing districts, maintenance of producer positions as majority of the Executive Operations Committee, and geographical shifts in the number of producers and in raisin production within the area.

33. A new § 989.43b is added, reading as follows:

§ 989.43b Changes in handler representation.

The Secretary, on recommendation of the committee, may change the total number of handler members on the Executive Operations Committee, the handler size groups set forth in § 989.43 from which handler members shall be selected, the number of handlers comprising any such size group, or the number of handler members to represent any such size group. In making any such change, consideration shall be given to such factors as changes in the numbers of handlers, relative raisin acquisition position of handlers, and their similarities of interest in the handling of raisins.

34. A new § 989.43c is added, reading as follows:

§ 989.43c Changes in dehydrator representation.

The Secretary, on recommendation of the committee, may change the number of dehydrator members on the Executive Operations Committee or may discontinue dehydrator representation on the Executive Operations Committee. In making any such change or discontinuing dehydrator representation, consideration shall be given to such factors as total number of dehydrators currently operating, the number of dehydrators operated by raisin packers, and the extent to which the interest of dehydrators is adequately served by other members on the Executive Operations Committee.

35. Section 989.44 is revised to read:

§ 989.44 Term of office.

Members and alternate members of the Executive Operations Committee shall each serve for terms of one year, beginning on June 1, and ending on May 31 of the following year but each such member and alternate member shall continue to serve until his respective successor is selected and has qualified.

36. Section 989.45 is revised to read:

§ 989.45 Nomination.

(a) *Producer members.* The producer members of the committee, and producer alternate members when acting as members, shall nominate from among the producer members and producer alternate members of the committee the required number of persons for producer member positions on the Executive Operations Committee and an alternate for each person.

(b) *Handler members.* The handler members of the committee and handler alternate members when acting as members, shall nominate from among the handler members and alternate members of the committee, the required number of persons for handler member positions on the Executive Operations Committee, and an alternate for each such person. Nomination for such handler members shall be made by and from handlers, employees, representatives or agents of handlers falling within each such group.

(c) *Dehydrator member.* The dehydrator member and alternate member on the committee shall be the dehydrator nominees for member and alternate member on the Executive Operations Committee.

(d) *Cooperative bargaining association member.* The cooperative bargaining association(s) member and alternate member on the committee shall be the association nominees for member and alternate member of the Executive Operations Committee.

(e) *Initial members.* Members and alternate members of the Raisin Administrative Committee serving immediately prior to the effective date of this

amended subpart shall, if thereafter they are also eligible, continue to serve on the Executive Operations Committee as the initial members and alternate members for their specified terms of office and until their respective successors have been selected and have qualified.

(f) *Successor members.* Nominations for successor members and alternate members of the Executive Operations Committee shall be certified by the committee to the Secretary annually within 30 days following the selection by the Secretary of committee members.

37. Section 989.46 is revised to read:

§ 989.46 Selection.

The Secretary shall select producer, handler, dehydrator, and cooperative bargaining association members and alternate members of the Executive Operations Committee in the numbers specified in § 989.43. Such selections may be made from the nominations certified pursuant to § 989.45, or from any other eligible producers, handlers, dehydrators, or cooperative bargaining association officers or employees.

38. Section 989.47 is revised to read:

§ 989.47 Failure to nominate.

In the event nomination for a member or alternate member position on the Executive Operations Committee is not certified pursuant to and within the time specified in § 989.45, the Secretary may select an eligible person to fill such position without regard to nomination.

39. Section 989.48 is revised to read:

§ 989.48 Acceptance.

Each person selected by the Secretary as a member or as an alternate member of the Executive Operations Committee shall, prior to serving, qualify by filing with the Secretary a written acceptance within 10 calendar days after being notified of such selection.

40. Section 989.49 is revised to read:

§ 989.49 Alternate members.

An alternate for a member of the Executive Operations Committee shall act in the place and stead of such member (a) during his absence, and (b) in the event of his removal, resignation, disqualification, or death until a successor for such member's unexpired term has been selected and has qualified.

41. Section 989.50 is revised to read:

§ 989.50 Vacancies.

To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the Executive Operations Commitee to qualify, or in the event of the removal, resignation, disqualification, or death of any member or alternate member, a successor for such person's unexpired term shall be nominated and selected in the manner set forth in §§ 989.45 and 989.46, insofar as such provisions are applicable. If nomination to fill any such vacancy is not filed within 40 calendar days after such vacancy occurs, the Secretary may select an eligible person to fill such vacancy without regard to nomination.

42. Section 989.51 is revised to read:

§ 989.51 Powers.

The Executive Operations Committee shall have the power to receive, investigate, and report to the Secretary, complaints of violations of this part.

43. Section 989.52 is revised to read:

§ 989.52 Duties.

The Executive Operations Committee shall have the following duties: (a) To investigate compliance with and to use means available to it to prevent violation of the provisions of this part; and (b) to perform such other functions as assigned by the committee.

44. Section 989.54 is revised to read:

§ 989.54 Marketing policy.

(a) *Free tonnage.* On or before August 15 of each crop year, the committee shall review shipment data, inventory data, and other matters relating to the quantity of raisins of all varietal types. For any varietal type for which a free tonnage percentage may be recommended, the quantity of free tonnage shall be 90 percent of the prior crop year's free tonnage shipments for that varietal type, adjusted by the physical year-end carryin inventory. The desirable carryin inventory on August 1 for natural Thompson Seedless raisins shall be a minimum of 35,000 tons. This free tonnage quantity shall be made known by the committee in accordance with paragraph (f) of this section. In years following limited free tonnage shipments, the committee may use the highest shipments of any one of the prior three years as a base to determine the free tonnage.

(b) *Free and reserve percentages.* On or before October 5 of each crop year (except that this date may be extended by the committee not more than 5 days if warranted by a late crop) the committee shall submit to the Secretary an estimate of raisin production of any varietal type for which a free tonnage quantity has been computed by the committee. If the committee determines that a field price is firmly established on any varietal type of raisin for which a free tonnage has been computed, it shall recommend a preliminary free tonnage percentage to the Secretary which, when applied to the estimated production of that varietal type, would release 85 percent of the free tonnage for such varietal type. If the committee determines that a field price is not firmly established, it shall recommend a preliminary free tonnage percentage to the Secretary which would release 65 percent of the free tonnage for such varietal type. No later than February 15, the committee shall recommend to the Secretary a free tonnage percentage which will tend to release the full free tonnage for any varietal type. Prior to February 15, interim changes of percentages may be recommended by the committee to the Secretary to release less than the full free tonnage for any varietal type. The difference between any free tonnage percentage designated and 100 percent shall be the reserve tonnage percentage. In developing its free and reserve percentages for any varietal type, the committee shall consider and report to the Secretary on the following factors:

(1) The estimated tonnage held by producers, handlers, and for the account of the committee at the beginning of the crop year;

(2) The expected general quality and any modifications of the minimum grade standards;

(3) The estimated tonnage of standard and offgrade raisins which will be produced;

(4) If different than the free tonnage, the estimated trade demand for raisins in free tonnage outlets;

(5) An estimated desirable carryout at the end of the crop year for free tonnage and, if applicable, for reserve tonnage;

(6) The estimated market requirements for raisins outside free tonnage outlets, considering the estimated world raisin supply and demand situation;

(7) Current prices being received and the probable general level of prices to be received for raisins by producers and handlers;

(8) The trend and level of consumer income;

(9) Any prohibition of trade practices, pursuant to § 989.62, intended for the crop year; and

(10) Any other pertinent factors bearing on the marketing of raisins including the estimated supply of and demand for other varietal types and regulations applicable thereto.

(c) *Modification.* In the event the committee subsequently deems it advisable to modify its marketing policy on any crop, because of national emergency, crop failure or other major change in economic conditions, it shall hold a meeting for that purpose, and file a report thereof with the Secretary within 5 days (exculsive of Saturdays, Sundays, and holidays) after the holding of such meeting, which report shall show such modification, the basis therefor, as well as the recommendation of the committee.

(d) *Reserve tonnage to sell as free tonnage.* On or before November 15 of the crop year, the committee shall offer to handlers a quantity of reserve tonnage raisins. One offer shall consist of a quantity equal to 10 percent of the prior year's shipments of free tonnage to equate the current year's supply with the prior year's shipments. This offer shall be allocated to handlers on the basis of their prior year's acquisitions. At the same time, the second offer shall consist of a quantity equal to 10 percent of the prior year's shipments of free tonnage for market expansion. The offer shall be allocated to handlers on the basis of their prior year's shipment of free tonnage. Each offer shall be open to handlers not more than five business days, and subsequently, two reoffers of any tonnage unsold in the original offers open not more than two business days each, may be made. The reoffer tonnage shall be allocated to handlers who purchase 100 percent of their allocation in preceding offers and shall be on the basis of the quantity each handler purchased as a percentage of the total allocation of all

handlers eligible to participate. At the close of the second reoffer any remaining tonnage may be offered to handlers purchasing all of their previous allocations on a first-come, first-served basis and such offer shall be open to handlers for two business days. Any handler who had no shipments or acquisitions of raisins during the prior crop year would be allocated raisins under these offers on the basis of his acquisitions (up to the time the first offer is made) of raisins in the current crop year. If field prices are not established on or before November 15, the offers shall be made not more than 15 days following such establishment. The price of reserve tonnage raisins offered to handlers to sell as free tonnage under this section shall be the established field price for free tonnage raisins of the applicable varietal type, plus estimated costs to equity holders incurred by the committee, plus 3 percent of the established field price for free tonnage raisins of the applicable varietal type.

(e) *Verbatim record.* The committee shall file with its report to the Secretary a verbatim record of that portion of its meeting or meetings relating to its marketing policy.

(f) *Publicity.* The committee shall promptly give reasonable publicity to producers, dehydrators, handlers, and the cooperative bargaining association(s) of each meeting to consider a marketing policy or any modification thereof, and each such meeting shall be open to them. Similar publicity shall be given to producers, dehydrators, handlers, and the cooperative bargaining association(s) of each marketing policy report or modification thereof, filed with the Secretary and of the Secretary's action thereon. Copies of all marketing policy reports shall be maintained in the office of the committee, where they shall be made available for examination by any producer, dehydrator, handler, or cooperative bargaining association representative. The committee shall notify handlers, dehydrators, and cooperative bargaining association(s) of the Secretary's action on percentages by registered or certified mail.

§ 989.66 [Amended]

45. The word "desirable" appearing in the first sentence of § 989.66(g) is deleted.

46. Paragraph (a), the second sentence of paragraph (c), the first sentence of paragraph (d)(1), the first sentence of paragraph (f), and the first sentence of paragraph (j) of § 989.67 are amended to read:

§ 989.67 Disposal of reserve raisins.

(a) At the time the committee meets to consider free and reserve percentages for a crop year, the committee shall consider the marketing of reserve tonnage raisins for the subsequent 12-month period. The committee shall dispose of all reserve tonnage in such manner as to achieve, as nearly as may be practicable, maximum disposal of such raisins by the time reserve tonnage raisins from the subsequent crop year are available. Any reserve tonnage raisins held unsold by the committee on May 1 of the subsequent crop year shall be physically disposed of promptly in any available outlet not competitive with normal market channels for free tonnage raisins or sales of new crop reserve tonnage raisins in export: *Provided,* That, whenever the Secretary finds, based upon a recommendation of the committee, or on the basis of information otherwise available to him that because of national emergency, crop failure, an insufficient supply of reserve tonnage raisins for export, or other change of economic or marketing conditions, retention of reserve tonnage raisins carried over is warranted, the foregoing requirements as to disposal shall not apply and such raisins may be disposed of in any outlet recommended by the committee and approved by the Secretary.

* * * * *

(c) * * * The list of countries shall be reviewed by the committee annually when it reviews matters relating to the free tonnage, and shall recommend any changes in the list to the Secretary for approval. * * *

(d)(1) Reserve tonnage raisins shall be sold to handlers at prices and in a manner intended to maximize producer returns and achieve maximum disposition of such raisins by the time reserve tonnage raisins from the subsequent crop year are available. * * *

* * * * *

(f) Whenever the committee concludes that the orderly disposition of reserve tonnage would be promoted by the committee replacing any portion or all of handlers' export shipments of free tonnage raisins, to other than free tonnage outlets, made prior to the committee's first offer to sell reserve tonnage, it may do so and may specify such requirements and conditions as are necessary to carry out the replacement consistent with the objectives of this amended subpart. * * *

* * * * *

(j) The committee shall not sell reserve tonnage raisins of any varietal type to handlers to provide them with raisins to sell as free tonnage, other than as provided in § 989.54, unless it files with the Secretary complete information and receives from the Secretary notice that he does not disapprove of such sale and that because of: National emergency, crop failure; change of economic or marketing conditions; free tonnage shipments during the then current crop year exceeding shipments of a comparable period of the prior crop year by more than 5 percent: *Provided,* That, such sale of reserve tonnage shall be limited to the quantity exceeding 105 percent of shipments for the first 10 months of the prior crop year; and/or an inadequate carryover, the free tonnage outlets cannot be reasonably well supplied by the tonnage released to the industry as a whole by the committee's marketing policy for that varietal type. * * *

47. The first sentence of § 989.79 is amended to read:

§ 989.79 Expenses.

The committee is authorized to incur such expenses (other than those specified in § 989.82) as the Secretary finds are reasonable and likely to be incurred by it during each crop year, for the maintenance and functioning of the committee and for such purposes as he may, pursuant to this subpart, determine to be appropriate. * * *

48. Section 989.85 is revised to read:

§ 989.85 Personal liability.

No member or alternate member of the committee or any employee or agent thereof and no member or alternate member of the Executive Operations Committee shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any handler or any person, for errors in judgment, mistakes, or other acts either of commission or omission, as such member, alternate member, employee, or agent, except for acts of dishonesty.

§ 989.91 [Amended]

49. The date contained in the proviso in § 989.91(c) is changed from "August 31" to "July 31".

50. Section 989.95 is amended to read:

§ 989.95 Right of Secretary.

The members of the committee and the Executive Operations Committee (including alternates and successors) and any agent or employee appointed or employed by the committee, shall be subject to removal or suspension by the Secretary, in his discretion, at any time. Every decision, determination, or other act of the committee or of the Executive Operations Committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the committee or the Executive Operations Committee shall be deemed null and void.

§ 989.96 [Amended]

51. Section 989.96 Exhibit A is amended as follows:

(a) The heading is amended to read "§ 989.96 Producer members of the Raisin Administrative Committee".

(b) The reference to § 989.26b in paragraph (h) is changed to read "§ 989.26a".

MARKETING AGREEMENT, AS FURTHER AMENDED, REGULATING THE HANDLING OF RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

The parties hereto, in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674), and in accordance with the applicable rules of practice and procedure effective thereunder (7 CFR Part 900) desire to enter into this agreement further amending the marketing agreement regulating the handling of raisins produced from grapes grown in California; and each party hereto agrees that such handling shall,

from the effective date of this marketing agreement, be in conformity to, and in compliance with, the provisions of said marketing agreement as hereby further amended:

The provisions of §§ 989.1 through 989.97, inclusive of the order as amended and as further amended by the order annexed to and made a part of the decision of the Secretary of Agriculture with respect to a proposed marketing agreement and order regulating the handling of raisins produced from grapes grown in California, plus the following additional provisions shall be, and the same hereby are, the terms and conditions hereof; and the specified provisions of said annexed order are hereby incorporated into this marketing agreement as if set forth in full herein:

§ 989.98 Counterparts.

This agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary, all such counterparts shall constitute, when taken together, one and the same instrument as if all signatures were contained in one original.

§ 989.99 Additional parties.

After the effective date hereof, any handler may become a party to this agreement if a counterpart is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.

§ 989.100 Order with marketing agreement.

Each signatory handler requests the Secretary to issue, pursuant to the act, an order providing for regulating the handling of raisins in the same manner as is provided for in this agreement. The undersigned hereby authorizes the Director, or Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, to correct any typographical errors which may have been made in this marketing agreement.

In Witness Whereof, the contracting parties, acting under the provisions of the act, for the purpose and subject to the limitations therein contained, and not otherwise, have hereto set their respective signatures and seals.

---------- (Firm Name)	By: ---------- [1] (Signature)
---------- (Mailing Address)	---------- (Title)
(Corporate Seal; if none, so state)	(Date of Execution)

[FR Doc.76-20325 Filed 7-13-76;8:45 am]

[1] If one of the contracting parties to this agreement is a corporation my signature constitutes certification that I have the power granted to me by the Board of Directors to bind this corporation to the marketing agreement.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 128d]

[Docket No. 75N-0298]

PROCESSING AND BOTTLING OF BOTTLED DRINKING WATER

Proposed Amendments to Current Good Manufacturing Practice Regulations; Correction

In FR Doc. 76-18062, appearing at page 24897 in the FEDERAL REGISTER of Monday, June 21, 1976, the docket number found in brackets in the heading should read as stated above.

Dated: July 8, 1976.

HOWARD R. ROBERTS,
Acting Director, Bureau of Foods.

[FR Doc.76-20237 Filed 7-13-76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Insurance Administration

[24 CFR Part 1917]

[Docket No. FI-2141]

APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Corrected Proposed Flood Elevation Determination for the City of Danbury, Connecticut

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.4(a)) hereby given notice of his proposed determinations of flood elevations for the City of Danbury, Connecticut.

Due to recent engineering analysis, this notice revised the proposed determinations of base flood elevations published in the FEDERAL REGISTER at 41 FR 16562 on April 20, 1976, and in the News Times published on May 10, 1976 and May 11, 1976, and hence supersedes those notices. Under these Acts, the Administrator, to whom the Secretary has delegated the statutory authority, must develop criteria for flood plain management in identified flood hazard areas. In order to participate in the National Flood Insurance Program, the City of Danbury, Connecticut must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at City Hall, 155 Deer Hill Avenue, Danbury, Connecticut 06810.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mayor Charles A. Ducibella, City Hall, 155 Deer Hill Avenue, Danbury, Connecticut 06810. The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community or ninety days from publication of this notice in the FEDERAL REGISTER, whichever is the later.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation in feet above mean sea level	Width, from shoreline or Bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Still River	U.S. 7	288	60	300
	I-84	293	70	60
	Old Newtown Rd	298	290	40
	Newton Rd	323	20	20
	Casper St	357	5	75
	White St	374	40	40
	Penn Central R R	415	20	80
	do	450	20	30
Limekiln Brook	Newtown Rd	293	710	370
Sympaug Brook	Shelter Rock Rd	356	10	600
Padanaram Brook	Crosby St	374	415	220
	Balmforth Ave	387	60	20
	Hayestown Ave	393	20	30
	Padanaram Rd	405	20	30
	Golden Hill Rd	442	95	10
Kohanya Brook	North St	388	260	25
	Thorp St. extension	391	100	260
	Kohanya St	429	140	120

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-20255 Filed 7-13-76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 141]

[FRL 574-7]

ORGANIC CHEMICAL CONTAMINANTS

Control Options in Drinking Water

The Environmental Protection Agency is considering amending Part 141 of the Environmental Protection Agency regulations pursuant to Title XIV of the Public Health Service Act, which was added by the Safe Drinking Water Act, Pub. L. 93-523, to require the control of organic contaminants in drinking water.

This advance notice of proposed rulemaking is being issued pursuant to the EPA's policy for the early institution of rulemaking proceedings. An advance notice is issued when it is found that the resources of the EPA and reasonable outside inquiry do not yield a sufficient basis to identify and select a tentative course or alternate courses of action, or where it would be helpful to invite public participation in the identification and selection of a course or alternative courses of action. The subject matter of this notice involves a situation contemplated by that policy.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to EPA, Office of Water Supply (WH-550), Criteria and Standards Division, 401 M Street, SW., Washington, D.C. 20460. All communications received on or before September 16, 1976, will be considered by the Administrator before taking action on the proposed rule. Later comments will be considered by EPA as time permits. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available both before and after the closing date for comments, in the EPA's Public Information Office, for examination by interested persons. If it is determined to be in the public interest to proceed further after consideration of the available data and comments received in response to this notice, a notice of proposed rulemaking will be issued.

SUMMARY

The Environmental Protection Agency's problem of how to deal with the organics in drinking water is very complex. Several facts are undisputed:

1. Organics (synthetic and natural), some of which are produced during the disinfection of water with chlorine, are present in all drinking waters to some extent;

2. The organic compounds in raw source waters are from municipal and industrial point source discharges and from urban and rural non-point sources; the major portion of organics in most waters is of natural origin;

3. Most of the specific organic compounds in drinking water have not been identified and analysis for many of them is very difficult;

4. Most of the identified organics in drinking water have not been bioassayed;

5. Some of the organics that have been identified in drinking water are toxicants, carcinogens, mutagens, and teratogens as indicated by animal bioassay tests conducted at high dosages;

6. The effect on humans of long-term ingestion of very low levels (ng/1 to mg/1) of organic chemicals in drinking water is not known, and the portion of human exposure from drinking water versus the total exposure from all sources (food, air) is seldom known although the drinking water portion is usually considered to be small.

7. Some preliminary epidemiological studies have suggested a correlation between cancer mortality and the concentration of certain organics in drinking water but the conclusions are not firm;

8. With the passage of the Safe Drinking Water Act, Pub. L. 93-523, Congress intended that at least some organic contaminants in drinking water would be regulated;

9. Treatment processes are available for limiting the concentrations of most known organic contaminants of concern;

10. Treatment for the control of organic compounds, other than those that add taste and odor, is largely not practiced by water utilities in the United States, although some organics are undoubtedly removed by conventional treatment, which is commonly practiced;

11. Treatment for the control of organics would be an added expense and an added operational burden for the water works industry.

Given these facts, a course of action is not clear. EPA is deeply concerned about the health of consumers of drinking water, but it does not wish to regulate frivolously without more knowledge of costs and benefits. In an attempt to involve the public in the decision-making process, the Advance Notice of Proposed Rulemaking (ANPRM) that follows was prepared.

In the ANPRM, EPA has discussed the many facets of the organics in drinking water problem. In the first section, the legislative background, health effects data, and possible general regulatory and non-regulatory options are covered. In the second section, two general regulatory approaches are presented, as follows:

I. MAXIMUM CONTAMINANT LEVEL OPTIONS

A. Establish MCL's for Specific Organic Chemicals,

Example chloroform: (1) Interim levels—100 μg/1; (2) median survey level—20μg/1; (3) minimum level or 5 μg/1.

B. Establish MCL's for general organics indicators.

C. Combination of MCL's for specific compounds and general organics indicators.

II. DESIGNATED TREATMENT TECHNIQUES TO CONTROL EITHER SPECIFIC CONTAMINANTS (E.G. TRIHALOMETHANES) OR TOTAL ORGANICS

The advantages and disadvantages of each of these options is outlined. The third section is a call for public comment and a request for any technical information developed by others that would aid the Administrator in making a decision.

If the effective date of the regulation of organic compounds in drinking water, other than the six pesticides currently in the Interim Primary Drinking Water Regulations, is not to be delayed past June 1977, the Agency must act this calendar year. This means that only a few more months for data collection are available prior to the time of decision. Therefore, the decision must be based largely on what is currently known, and by anticipating the likely effects of the several possible courses of action. Open review and comment about the situation as described in the ANPRM will be most helpful in arriving at this important decision.

CONTROL OPTIONS FOR ORGANIC CHEMICAL CONTAMINANTS IN DRINKING WATER

ADVANCE NOTICE OF PROPOSED RULEMAKING

Introduction

The Environmental Protection Agency is engaged in the process of developing regulatory strategies for the control of organic chemicals in drinking water, as part of its implementation of section 1412 of the Safe Drinking Water Act (Pub. L. 93-523). This ANPRM is being issued pursuant to EPA's policy of providing the interested public with the greatest possible opportunity for input into the decision making process. EPA is requesting comment, information and advice on several alternative control methods being considered. These alternative approaches include: (A) Establishment of Maximum Contaminant Levels (MCL's) for individual compounds, groups of compounds, or general contamination indicators; and (B) Establishment of technology based treatment requirements for public water systems, including prescribed modification of chlorination practices, alternate disinfectants, and/or the use of adsorbants (eg. granular activated carbon (GAC)). In addition this Notice contains several specific MCL options that deal with chloroform and total organics content, for which comment is being requested, and also some discussion of the role of the Federal Water Pollution Control Act in control of point source discharges.

The timing of application of any such standards is also under consideration. Possibilities include: (1) A phased approach covering worst cases by promulgation of amendments to the Interim Primary Regulations to become effective in June 1977, followed by stricter standards in later iterations of the Interim Primary Regulations or in Revised Primary Regulations; (2) a comprehensive amendment of the Interim Primary Regulations; (3) Not amending the Interim Primary Regulations, but writing comprehensive standards for organics in the Revised Primary Regulations which would become effective in 1979. Information relative to health risks, technological feasibility, and factors of practicability of application and economic burdens in particular situations, especially small systems, will be valuable in

making the determination of the most effective and acceptable alternatives for national standards.

Background Discussion

Only within the last few years have instrumentation and techniques sophisticated enough to measure very small quantities of contaminants been applied to drinking water. With the aid of modern analytic techniques, such as gas chromatography and mass spectrometry, many types of organic chemicals have been detected in drinking water in various locations for the first time. The subsequent discoveries of chemical contaminants, including known or suspected carcinogens, which may pose a threat to human health, contributed to the passage of the Safe Drinking Water Act (SDWA) in December 1974.

Certain industrial, agricultural, and environmental practices have allowed potentially harmful chemicals to enter the nation's drinking water. New compounds such as various pesticides and other organic chemicals have been introduced into the environment before full knowledge of their ultimate health effects were known. In order to cope with these realities yet protect human health to the maximum extent feasible, certain provisions were added to the Public Health Service Act by Pub. L. 93-523 to allow for greater and more comprehensive protection of public health from drinking water contaminants.

Under the SDWA, EPA is required to prescribe national drinking water regulations for contaminants that may adversely affect public health. Pursuant to section 1412(a)(1), EPA promulgated Interim Primary Drinking Water Regulations (40 CFR, Subpart D, FR Vol. 40, No. 248, pp. 59566 to 59587, Wednesday, December 24, 1975) which become effective in June 1977. These are based on a review and updating of the 1962 Public Health Service Standards and include Maximum Contaminant Levels (MCL's) for microbiological and chemical contaminants (primarily selected inorganic ions and organic pesticides) and turbidity (cloudiness in water). In addition, monitoring frequencies and public notification requirements for violations were established. National coverage was thereby expanded to approximately 40,000 community water systems and 200,000 other public water systems. Maximum Contaminant Levels for natural and man-made radioactivity were proposed in August 1975, promulgated in July 1976, and will also become effective in June 1977.

Revised Primary Drinking Water Regulations are scheduled for proposal in March 1977, followed by promulgation 6 months later; becoming effective 18 months thereafter (March 1979). These will either specify MCL's or require the use of specific treatment techniques, which in the Administrator's judgment will prevent known or anticipated adverse effects on health to the extent feasible. "Feasible" is defined in the SDWA as "use of the best technology, treatment techniques and other means which the Administrator finds are generally available (taking costs into consideration)."

The Interim Primary Regulations of December 1975 contained MCL's for 6 organic pesticides. MCL's for six pesticides (aldrin, dieldrin, DDT, chlordane, heptachlor and heptachlor epoxide) were under consideration, but were not included. Pending consideration of the possibility of establishing additional MCL's for pesticides, monitoring studies have been conducted to determine the degree of occurrence of these substances in drinking water in the United States. Some earlier studies had occasionally found them in drinking water.

Between March 1 and July 31, 1975, almost 700 paired samples (raw and finished water at each site) were randomly selected across the country and analysed by gas chromatography/mass spectrometry for aldrin, dieldrin and DDT (plus DDD and DDE). Detection limits were 10 ppt, 4 ppt and 20 ppt respectively. The selection of the water systems for sampling was stratified according to Region, type of water source (surface or ground) and by population served.

Of the 689 samples analysed, only one was confirmed positive for aldrin (14 ppt) and two were confirmed positive for DDT (20 and 32 ppt). Dieldrin was confirmed positive in 115 samples, 6 of which exceeded 20 ppt and 2 exceeded 30 ppt (60 ppt and 80 ppt) The latter two were subsequently resampled at a later date and the levels had dropped to 15 and 18 ppt.

Based on the initial data, 30 "high potential" samples were selected and analysed for chlordane, heptachlor and heptachlor expoxide. None of them were found above the detection limits of 5 ppt, 10 ppt and 5 ppt respectively.

Based on these results possible actions include: (1) MCL's; (2) imposition of general treatment requirements; or (3) no standards because of the fact that EPA has already cancelled and suspended most uses of all six pesticides, and so their presence in the environment would naturally decline.

Congress anticipated that organic chemicals would be dealt with primarily in the Revised Primary Drinking Water Regulations because of the paucity of data on the health effects of various organic chemicals, uncertainties over appropriate treatment techniques, and the need for additional information on the incidence of specific organic chemicals in drinking water supplies. Because the Interim Primary Drinking Water Regulations did not contain Maximum Contaminant Levels for organic chemicals other than certain pesticides, EPA concurrently published Special Monitoring Regulations (40 CFR, Subpart E, Vol 40, No. 248, pp. 59587-59588, Wednesday, December 24, 1975) pursuant to Sections 1445 and 1450 of the Act, that provide for a national evaluation of the presence in drinking water of approximately 20 specific organic chemicals and simultaneously attempt to correlate their presence with several general organic measurement parameters.

In accordance with these Special Monitoring Regulations, EPA is currently conducting an extensive year long National Organics Monitoring Survey (NOMS) of drinking water supplies in 113 cities nationwide, which will reflect long-term and seasonal variations and represent various types of drinking water sources and treatment processes. Laboratory analyses will be used to evaluate the extent and nature of organic chemical contamination of drinking water, and to evaluate the validity of the several organic parameters as surrogates for measurement of potentially harmful organic chemicals.

The National Academy of Sciences is currently conducting a major study for EPA of the health effects related to contaminant levels in drinking water of many potential toxicants including organic chemicals, as mandated by the Safe Drinking Water Act. In this study the NAS will collect and evaluate currently available published and unpublished information relating to the toxicology of those substances in animals and humans and where possible, where they believe sufficient data exists, make recommendations of "safe" levels for humans. Among the factors the Academy will consider in this study are: the margin of safety required to protect particularly susceptible segments of the population; the contributions of various routes of exposure including water, air, food, and occupations; synergism among contaminants; and the relative risk of different levels of exposure. The Academy will also evaluate and report those contaminants that may pose a threat to human health, but whose current level in drinking water cannot be determined. For those contaminants, the Academy will recommend studies and test protocols for future research. The project, initiated in June 1975, is scheduled for completion by December 16, 1976.

Based on the NAS report, EPA will publish:

(1) Recommended maximum contaminant levels (health goals) for substances which may have adverse effects on humans. These recommended levels will be set so that no known or anticipated adverse effects would occur, allowing an adequate margin of safety. A list of contaminants which may have adverse effect on health, but which cannot be accurately measured in water, will also be published.

(2) Revised Primary National Drinking Water Regulations. These will specify MCL's or require the use of treatment techniques. MCL's will be as close to the recommended levels for each contaminant as is feasible. Required treatment techniques for those substances which cannot be adequately measured will reduce their concentrations to a level as close to the recommended level as is feasible.

The Organics Problem

Thus far, more than 300 specific organic chemicals have been identified in various drinking water supplies in the United States. These compounds result

from such sources as industrial and municipal discharges, urban and rural runoff, natural decomposition of vegetative and animal matter, as well as water and sewage chlorination practices. Although compositions and concentrations vary from locality to locality and from time to time, the occurrence of organic compounds in tap water is universally acknowledged. The human health effects of exposure to these compounds via drinking water are as yet unclear. However, some of them have been shown to be carcinogenic in animal tests and a few are known to be human carcinogens.

The majority of organic chemicals identified in drinking water have not been examined for potential health effects. Even in the case of those with recognized effects from studies at higher doses, the actual risk posed by ingesting very low concentrations over an extended period of time is not currently known. Some statistical correlations between water containing certain organics and cancer incidences have been suggested in some very preliminary studies. However, such correlations would not establish causality even if they were statistically valid. Health effects research and epidemiological studies involving organic chemical contamination of drinking water are underway in an attempt to assess the effect on human health of exposure to these substances from drinking water as well as the contribution of drinking water to total human exposure.

Chloroform, one of the trihalomethanes, serves as one example of the organics problem with which EPA is dealing. Advanced analytical techniques have facilitated the detection of chloroform in small amounts of drinking water. The National Organics Reconnaissance Survey (NORS) in 1975 confirmed the widespread presence of several previously determined organics in drinking water and, further, served to attribute the presence of chloroform and related trihalomethanes to the chlorination disinfection process itself. These results were subsequently supported by a further survey of 83 utilities within EPA's Region V.

The range of the levels of chloroform found in those chlorinated water surveys was from less than 1 microgram per liter to 366 micrograms per liter; 20 micrograms per liter median. Chloroform seldom was detected in the raw waters of those systems. The principal source of chloroform and other trihalomethanes in drinking water is the chemical interaction of the chlorine added for disinfection with the commonly present natural humic substances found in raw water. The extent of trihalomethane formation however, will vary depending upon season, contact time, water temperature, pH, type and chemical composition of raw water, and treatment methodology.

To help assess the health risk, EPA in 1975 sought the advice of its Science Advisory Board regarding potential carcinogenic or other adverse health effects resulting from exposure to organic compounds in drinking water. Principal attention was directed to chloroform, carbon tetrachloride, chloroethers, and benzene.

The Board prefaced its Report with the caveat that the chemicals thus far identified in drinking water account for only a small fraction of the total organic content. Thus, the possibility exists that additional substances of equal or greater toxicological significance may be present. The Board also expressed concern that future studies should take into account possible synergistic effects of common combinations of contaminants. It recommended that a complete analysis of the problem consider data from all routes of exposure, such as dietary and occupation exposure, to these substances in addition to drinking water. Some of these additional sources of exposure may pose a much greater potential intake and risk than the consumption of drinking water.

The Report indicated that, in general, for all the compounds reviewed, the carcinogenicity data and experimental designs were either inappropriate or below the standard of current toxicological practice and protocols for carcinogenicity testing. Additional well-designed experimental studies to determine the carcinogenicity of lifetime exposures by ingestion were sorely needed.

According to the Report, carbon tetrachloride, a demonstrated carcinogen in laboratory studies, occurs in drinking water generally at much lower levels and is much less widespread than chloroform and related trihalomethanes. Benzene has not been clearly established to be carcinogenic in experimental animals, although epidemiological and clinical studies, largely of occupational exposures, suggest that possibility. Certain haloethers, chloro-olefins, and polynuclear aromatic hydrocarbons have been demonstrated to be carcinogenic in laboratory animals and have been identified in some drinking waters.

The Report concluded that some human health risk probably does exist from exposure through drinking water, although this risk is currently unquantifiable. The Report recommended that EPA seek ways to reduce exposure to these compounds without increasing the risk of infectious disease transmission.

In an early attempt to explore whether or not there is a relationship between water consumption and cancer, data obtained from the National Organics Reconnaissance Survey were compared with cancer mortality occurring in populations served by these water utilities. One preliminary study utilizing data from 50 of the 80 water utilities samples indicated a statistically significant correlation between the cancer mortality for all anatomical sites and both sexes combined in the years 1969–71, with the chloroform concentration in the samples collected in spring 1975. Such a correlation was not noted with total mortality or with the sum of the concentrations of the four trihalomethanes in the drinking waters.

In contrast to the above result, a similar epidemiological analysis of 43 cities from the Region V survey of 83 cities did not show any statistically significant correlation between chloroform or trihalomethanes and cancer mortality. Neither of these analyses attempted to correct for other variables that are known to be related to cancer mortality, and which might have had a fortuitous correlation with chloroform concentrations in water. Thus they must be considered preliminary. These preliminary results do, however, underline the need for more definitive analyses, which are now being attempted.

The recently released National Cancer Institute (NCI) Report on the bioassay of chloroform in rats and mice showed that chloroform caused cancers under the laboratory test conditions. EPA is very concerned with these findings and has asked NAS to study the NCI findings and other data on the carcinogenicity of chloroform as a part of its report to EPA under the Safe Drinking Water Act.

Taking note of the NCI Report, the Food and Drug Administration has banned the use of chloroform in human drugs, cosmetics and food packaging. On April 6, Dr. Alexander M. Schmidt, Commissioner, stated:

> The experiments on animals by no means prove that chloroform causes cancer in humans. The amount fed to the test animals exceeds, by far, the amount to which any person could be exposed with present products, but the benefits of chloroform are minimal and do not warrant any risk, however small.

Based on the information available at the time the Administrator of EPA stated that the prudent course of action was to take steps to reduce exposure to chloroform from drinking water wherever feasible by means that would not increase the risk of microbiological contamination. On March 29, 1976, EPA announced the institution of an experimental pilot cooperative chloroform reduction effort in which EPA would work through the states with a number of water utilities experiencing high chloroform levels. The program consists of carefully controlled modifications of existing water treatment processes in 10 to 20 water utilities. To provide the supporting information, a document titled "Interim Treatment Guide for the Control of Chloroform and Other Trihalomethanes" has been prepared by and is available from EPA's Water Supply Research Division in Cincinnati, Ohio. If successful the effort could be expanded to include many more systems. This technical assistance program will reduce human exposure to chloroform and other chlorination by-products in the short run, while providing information to support possible national regulations for organics is being developed.

Ongoing Research

In addition to the major NAS and NOMS studies in progress, research efforts designed to identify sources, distributions, treatment techniques and health effects of a variety of organic chemicals are being undertaken to find answers to the following questions:

1. What are the effects of commonly occurring organic compounds on human health?

2. What analytical procedures should be used to monitor finished drinking water to assure that any Primary Drinking Water Regulations dealing with organics are met?

3. Because some of these organic compounds are formed during water treatment, what changes in treatment practices are required to minimize the formation of these compounds in treated water?

4. What treatment technology must be applied to reduce contaminant levels to concentrations that may be specified in the Primary Drinking Water Regulations? What is the cost of this technology?

This research will involve health effects and epidemiological studies, investigations of analytical methodology, as well as pilot plant and field studies of organic removal unit processes.

The NAS and NOMS studies of drinking water contaminants with other additional research efforts will provide an overview of the drinking water problem essential in determining future national strategies. The results of all these efforts in conjunction with public comment and advice should contribute to the determination of whether an adequate basis exists, and if so, provide that basis for establishing maximum contaminant levels for specific organic contaminants that are found to be widespread, and/or for a general organics parameter(s), and/or treatment requirements that may be incorporated into the Primary Drinking Water Regulations. This information will enable the Administrator to determine appropriate health goals for these contaminants and then after considering technological and economic feasibility, to establish levels for National Primary Drinking Water Regulations. However, although treatment technology development is processing rapidly, significant new health effects information will probably not be available before regulatory decisions must be made because of the time required for completion of animal feeding studies (usually 3 years).

Future Action

Although health effects research is underway, definitive relationships between human health effects of low level exposure to specific chemicals from drinking water will be very difficult to establish, and such research requires considerable time lags between its inception and conclusion. EPA feels that the prudent action at this time is to consider the practicality and feasibility of the available control technologies which may be applied to reduce exposure to many chemicals of unknown hazard and thus reduce the risks, whatever they may be, because of the following factors:

1. A large number of different chemicals have been found in drinking water albeit in low levels: several are considered carcinogens, others may have chronic toxic effects and more are likely to be found;

2. The large exposed population and the variable physiological susceptibilities of the individuals;

3. Statistical estimates of possible health effects, which although not definitive, suggest that some level of risk may exist;

4. The complexities of possible health effects from interactions of the many substances to which humans are exposed from a multitude of sources, including drinking water.

According to the SDWA, Primary Drinking Water Regulations shall protect health to the extent feasible, using technology treatment techniques and other means which EPA determines are generally available (taking cost into consideration). In light of those considerations and the difficulty in obtaining the essential health data and quantifying risks in limited time, technologically and economically feasible solutions must be considered which will reduce risks of exposure where necessary.

Possible Regulatory Options

Generally, organic chemicals in drinking water could be divided by sources and type under the following headings:

1. Chemicals derived from natural sources (e.g. humus);

2. Contaminants introduced as a result of treatment technology (e.g. trihalomethanes);

3. Synthetic chemicals from point sources (e.g. industrial chemicals);

4. Chemicals from non-point sources (e.g. pesticides or aromatics).

Several categories of contaminants must be considered and therefore several regulatory strategies may be necessary to address the problems fully. Additional complications are raised by local factors including raw water quality, size of the water system, financial and personnel limitations, as well as the cost and availability of substances essential for treatment operation including granular absorbants, such as activated carbon, reactivation facilities, or disinfection chemicals.

The impact of any regulations for organics will be especially great on the small public water systems; those serving between 25 and 1000 or 10,000 persons. The installation, operation, and maintenance of some fairly sophisticated control processes and the monitoring requirements may result in very substantial per capita costs for small systems. EPA pointed out this problem in the Interim Primary Drinking Water Regulations and is seeking means of alleviating it. Fortunately many of those small systems utilize ground water sources and some others may be able to switch to purer underground sources which would not require extensive treatment. Since many ground waters are already low in organics, they also would produce very little chloroform (trihalomethanes) and minimal, if any, treatment for organics control would be necessary in many cases. Thus, the following regulatory options would likely impact primarily surface water supplies and shallow ground water sources.

There are two basic regulatory philosophies possible within the SDWA: (1) Set Maximum Contaminant Levels for chemicals, or (2) Establish treatment technique requirements for substances which cannot be monitored feasibly. Within each category several actions are possible. These include, for the MCL approach: (1) Establishing MCL's for each hazardous compound, or (2) developing general indicators of organic contamination and setting MCL's for these, or (3) a combination of (1) and (2). Options within the designated treatment technology category include: (1) Modification of treatment and disinfection processes to eliminate specific contaminants such as chloroform (this could include substitution of other disinfection techniques for chlorine) or (2) requiring the use of a treatment technique such as granular activated carbon (GAC) to remove almost all organic compounds. These MCL and treatment options are not mutually exclusive, thus more than one might be appropriate. Some of them relate specifically to chloroform control and others are inclusive.

Establishment of MCL's for specific compounds or for a general organics contamination indicator would designate the maximum amount of the substance which is permitted to be in the drinking water. The standards would be applicable in every public water system and periodic monitoring would be required to assure compliance. If an MCL were exceeded, the water utility would be required to notify the State and the water consumers and take corrective action.

The MCL approach would result in consistent health protection of drinking water throughout the nation. It offers flexibility by allowing each water system to use any acceptable means to achieve the standard. These could include: use of alternative water sources, blending, or treatment methods which could be optimized to be most cost effective in each specific case. In general, monitoring costs would be dependent upon the number and types of analyses required; and the problem is that many different substances might have to be regulated. Monitoring costs tend to be sensitive economic issues, particularly for small systems, where per capita expenditures may be substantial.

Owing to the number of MCL's which might be necessary to regulate organics in drinking water, and the feasibility of monitoring for such contaminants, it could also be appropriate to establish a treatment technique requirement for organics in drinking water. Under this approach (which could be phased-in according to system size), all public water systems would essentially be required to apply the best treatment available for total organics or, for example, chloroform removal.

A system may obtain a variance (deferral) of an MCL if the system cannot comply with an MCL, despite the application of the best technology available, because of the poor quality of the raw water which is reasonably available to the system. As with an exemption, the system must demonstrate that the variance

will not result in an unreasonable risk to public health. The system must also comply with the MCL as expeditiously as practicable, in accordance with a compliance schedule to be established after a public hearing. It should be noted, however, that a variance from an MCL should not be granted unless the system has already installed the best technology available so as to at least minimize the contamination in the drinking wtaer.

A system would not be required to comply with a prescribed treatment technique if it can obtain a variance from the requirement under section 1415(a)(1)(B). A variance may be obtained if the system can demonstrate to the satisfaction of a State (or EPA if a State does not have primary enforcement responsibility) that such treatment technique is not necessary to protect the health of persons because of the nature of the raw water source of such system. In other words, if EPA prescribed GAC as a treatment technique for total organic contaminants, a system would not have to install GAC if it could demonstrate to the satisfaction of the State that its finished and/or raw water supply did not contain "harmful" quantities of total organics. This determination would presumably be based on federal and State guidelines taking into account local raw water conditions.

Section 1416 of the Act provides for temporary exemptions from MCL's or treatment techniques. Exemptions enable a public water system to remain out of compliance with an MCL or treatment technique for a limited period (up until 1981 under the interim regulations for most systems), subject to a compliance schedule. In order to obtain an exemption, a public water system must demonstrate to a State with primary enforcement responsibility (or otherwise to EPA) that (1) it was in operation in June of 1977; (2) there are compelling reasons (e.g. economic or technical) for such an exemption; and (3) the grant of such an exemption will not result in an unreasonable risk to public health. Within one year of the grant of an exemption, a State (or EPA) must hold a public hearing and establish a compliance schedule to enable the system to meet the applicable requirements.

In short, a public water system may defer the impact of an MCL or treatment technique upon a showing that such a deferral is necessary. However, the duration of such a deferral is limited by Statute and the compliance schedule established by the State (or EPA).

FWPCA

In addition to the SDWA, various elements of the Federal Water Pollution Control Act (Pub. L. 92-500) impact on the quality of drinking water sources; including control of effluents from point sources under sections 304, 307 311 and others, non-point source controls, areawide waste treatment management under section 208 and possible reporting requirements under section 308. Use of Pub. L. 92-500 would prevent contamination of certain water sources by some organic chemicals, and any reduction in organic load in raw water would help a water utility maintain good finished water quality. Regulations under sections 304, 307, and 311 control the quality of receiving waters or limit effluent discharges. Under section 308, monitoring and reporting by dischargers can be required so that sources of pollutants can be identified. Non-point sources of contamination are even more difficult to control and in situations where several sources of the same contaminant existed, enforcement becomes more difficult.

Non-regulatory Options

A. Other short run actions, though not necessarily general regulatory options, need to be considered. Under the Safe Drinking Water Act, EPA has the authority to take action to deal with an imminent and substantial endangerment to human health involving a public water system. Unlike maximum contaminant levels or required treatment techniques, which cannot take effect until June 24, 1977, the imminent hazard authority can be used immediately. However, as a practical matter this authority could only be used in a limited number of cases and does not appear to be appropriate for dealing on a national basis with widespread problems.

B. An interim alternative specifically for chloroform reduction would recommend the measurement of chloroform in finished water and offer technical assistance to interested states and water utilities wanting to alter their treatment procedure in order to lower chloroform concentrations, and thus the risk from chloroform exposure. Some initial monitoring would be necessary to determine which water utilities may need to alter their treatment procedures. Since this would not be regulatory or mandatory, not all water utilities which might need to take action will do so. Therefore, the health risk reduction to the population would not be as great as it would be by regulation. This was the interim approach outlined in the Administrators statement of March 29, described earlier in this notice.

C. Another interim alternative, short of establishment of MCL's or treatment requirements, would be the issuance of regulations requiring monitoring for many organic chemicals. This would produce a large data base from which to develop future regulations, increase awareness of the presence of these contaminants, and point out the existence of potentially hazardous substances where they were previously not suspected. This could result in voluntary corrective actions, including the identification of sources so that some of these would be controlled.

D. Lastly, a choice may be to recommend that no change in current water treatment practices be made for the time being. Taking no regulatory action at this time would avoid impacting water utilities with treatment requirements that may be changed in the near future. Also, not taking regulatory action until additional data becomes available may be reasonable. However, the negative aspect of this action would be that no change in water works practice means no change in the current organic levels in finished water, and no reduction of potential health risks. However, it should be noted that the Agency has been challenged in the U.S. Court of Appeals for the District of Columbia, in part because more extensive organic standards were not contained in the Interim Primary Regulations of December 1975.

Advantages and Disadvantages of Various Options

I. *Maximum Contaminant Level Options.* A. *Establish MCL's for specific organic chemicals.* Based on nationwide distribution and health effects data, MCL's might be established for many specific organic substances. Because of limited health data now available, a major factor in many cases would be feasibility, based on economics and practicality of attaining lower risk exposure levels. Thus far, MCL's for 6 pesticides have been established in the Interim Primary Regulations. Others are currently being considered for regulation and more information is being gathered in the current NOMS program. The acceptable MCL's would undoubtedly be quite low (mg/1 or μg/1 level and below) thus both sophisticated monitoring (gas chromatography/mass spectrometry, (GC/MS)), and treatment methods would be necessary. Since a large number of chemicals would be candidates for MCL's, monitoring would probably be frequent and costly. A large number of systems would probably require some kind of treatment; variances and exemptions are possible under the Act but would only temporarily delay action. The most likely means of achieving the standards would involve use of less polluted source water or adsorbants.

Example, MCL for Chloroform (Trihalomethanes) Setting an MCL provides a legal requirement for a standard to be met on a nationwide basis by all public water systems and would require periodic monitoring along with public notification if an MCL is being exceeded. The means of achieving the MCL would be the prerogative of the individual water system. These could include: treatment process modifications; switching to a raw water source which contains less of the precursor compounds (e.g. groundwater); using a disinfectant other than chlorine (e.g. ozone, chlorine dioxide, chloramines); use of adsorbants to remove either precursor substances (more likely) or to remove chloroform (less likely). In some cases the action might be needed only intermittently (e.g. seasonally). Local conditions, including economics and available personnel, could determine which approach is the most practical.

If it were determined that the MCL approach is appropriate, a set of three possibilities related to chloroform are presented below as examples. A similar approach could be applied to some other compounds. The several control levels

could also be applied consecutively in a phased approach starting with the less stringent levels and reducing them over some period of time as widespread compliance became more possible.

a. Establish Interim Levels to Cover Worst Case Situations: e.g. Chloroform, 100 μg/1: A small percentage of water utilities, mostly on surface sources, would be affected by a regulation at these levels. Such an MCL could be imposed under Amended Interim Primary Regulations, then reduced to the maximum extent feasible under the Revised Primary Drinking Water Regulations. This might be cost-effective since in many cases, only modest or seasonal modifications would be required to meet the standards. This could include adjustment of chlorination practices, use of alternative disinfectants, or blending. Use of adsorbants for treatment would increase, but longer than optimal periods between reactivation (regeneration) could be employed because chloroform levels below 100 μg/1 might be maintainable for several months in many localities. Considerable reduction of exposure would result at least seasonally for a fairly large population group.

b. Establish Levels at the Wintertime Median Found in the EPA National Survey: e.g. Chloroform, 20 μg : A very large number of water systems could be affected and considerable treatment would be necessary in many cases, at least seasonally. Granular activated carbon (GAC) or other adsorbants or alternative disinfectants would be necessary in many cases. A much broader population segment would be consuming water of considerably improved quality. Some phasing would undoubtedly be necessary, resulting in issuance of many variances or exemptions until widespread compliance could be achieved. Considerable increases in demand for adsorbants, ozone, chlorine dioxide, ammonia feeders, reactivation facilities and engineering service would result.

c. Establish Very Low Limit Levels: e.g. Chloroform, 5 μg/1 or less: Virtually every surface water and many ground water systems would be affected and adsorbants or alternate disinfectants would be needed for treatment. Extensive phasing would be necessary, therefore, variances and exemptions would be extensively used. Demand for new equipment and chemicals and engineering services would be intense for several years. If GAC were used, reactivation would probably be required in many systems on monthly or shorter schedule and consumers would be receiving water of very high quality with respect to many chemicals as well as chloroform.

B. *Establish MCL's for general organic contaminant indicators.* Because of the probably multitude of organic contaminants in drinking water, the difficulties in toxicologically distinguishing between many of them at the low levels generally found in drinking water, and the impracticability and costs of monitoring and enforcing standards for tens or hundreds of individual contaminants, MCL's for groups of compounds or general organic indicators should be considered. This is analogous to the use of coliform bacteria as the indicator of microbiological contamination in water. These general parameters might consist of standards for groups such as polynuclear aromatics, or nitrosamines, or element analyses such as Non-Purgeable Total Organic Carbon (NPTOC), Total Organic Carbon (TOC), Total Organic Halogen (TOH), or Total Organic Nitrogen (TON).

Since a general indicator cannot distinguish individual compounds, some relationship should exist between the indictor's value and the levels of toxic compounds in the water, although the general organics indicator might not be as sensitive as the most sophisticated single compound analyses. The indicator could also be used as a trigger to indicate the need for more detailed analyses.

NPTOC is probably not sensitive to low level pollution from synthetic chemicals (pesticides and other non humus type compounds). Total Organic Halogen (TOH) is used somewhat in Europe and it may be an acceptable indicator of the many halogenated industrial and pesticide compounds and halogenated trihalomethanes precursors. Total Organic Nitrogen (TON) may be an acceptable indicator of nitrogenous compounds, some of which may be precursors to nitrosamine formation. Ultraviolet absorption and fluorescence have also been suggested as possibilities. The Organics-Carbon Adsorbable (O-CA) test was suggested in the proposed Interim Primary Drinking Water Regulations but was rejected in the promulgated regulations. A common problem with these general indicators is the cost and availability of apparatus which is sensitive in low analytic ranges (sub mg/1). NPTOC analysis is the most highly developed and TOC and TOH development work is in progress. The NOMS is expected to provide data on several of these general indicators. Neither NPTOC, O-CA, UV or fluorescence correlated well with chloroform concentrations in the NORS.

Monitoring could probably be less frequent than for individual compounds and cost per analysis would be relatively small (less than $10 if performed externally), however instrument costs could be substantial ($6,000 to $10,000 each). Since the resulting numerical value is non-specific, additional analytical data might be necessary if the indicator value is exceeded.

Because of the insensitivity and nonspecific nature of general organic indicators, selection of MCL's based on a direct health relationship is difficult, except by utilizing the principle (similar to the coliform indicator for microbiological contamination) that the lower the level of total organics, the smaller the possibility of adverse effects.

By analogy to the chloroform MCL discussion, MCL's for a general organic indicator, for example NPTOC, could be selected from several possible levels (e.g. 5 mg/1 or 1 mg/1 or 0.1mg/1), and a phased reduction could be applied.

That approach has at least two problems: (1) NPTOC does not measure volatile compounds such as chloroform, and (2) most utilities could be affected ultimately, and many variance and exemption requests would have have to be processed. The second problem would be considerably alleviated if a reasonable phase-in schedule were employed. The ultimate benefit would be that drinking water of high quality, considering both health risk and esthetics (taste and appearance), would result.

C. Combination of MCL's for specific compounds and general organic indicators. Many water supplies that are known to be free of industrial or human waste discharge contamination contain a high concentration of a general organics indicator (e.g. NPTOC) because of the presence of large amounts of natural substances such as humus. Conversely, some waters contaminated with potentially hazardous chemicals at the microgram per liter level might have a low NPTOC at the milligram per liter level.

At least an initial possible solution might be to categorize water systems based on contamination type (e.g. natural or synthetic) and to establish MCL's combining both general indicators and appropriate specific chemicals. In this way, those water supplies contaminated with substances of greatest concern for which MCL's would be written would be required to take action first. Some element of phasing would be introduced, such that the high NPTOC (or other general indicator) and low synthetic organic contaminated water sources would be affected later if adjustments in the standards were deemed appropriate. However, this approach assumes that the naturally occurring substances in water are normally less hazardous than the others, which may be true in general, but much more analytical and health effects work must be performed to determine if that indeed is the case. In addition, the definition and application of the distinction between natural and synthetic chemicals would be difficult in practice.

II. Designated Treatment Technology to Control Either Specific Contaminants (e.g. Trihalomethanes) or Total Organics

Monitoring for a number of organic MCL's might be infeasible, and moreover, the MCL approach might not encompass all possible components of the problems. The SDWA allows EPA to establish treatment techniques requirements if it is not feasible to monitor for a given contaminant. Thus, a treatment technique requirement would prescribe one or more available technologies that public water systems must apply instead of meeting particular MCL's.

For example, methods are available to analyze for trihalomethanes in water, however, other products of chlorination may be much more difficult to quantify. The formation of chloroform can be avoided or reduced in water by certain chlorination process modifications, use of absorbants such as GAC prior to chlorination or by using an alternate

disinfectant such as ozone or chlorine dioxide instead of chlorine. Unless an absorbant was being used, the concentrations of other organic contaminants would not be materially affected, except for the by-product of reaction with the disinfectants.

A treatment regulation for control of total organics would probably require the use of an adsorbant. The operation of the process would probably be monitored by the breakthrough of some general organics parameter (e.g. NPTOC), or of some indicator chemical (e.g. chloroform). Such a technology requirement could be applied to public water systems in a phased manner based on treatment plant size. A schedule could be selected such that utilities of greater than 100 MGD could be affected initially in amended Interim Primary Regulations and smaller systems could be included later on a prescribed schedule (e.g. 100 MGD by June 1977, 50 MGD by June 1978, 10 MGD by June 1979 etc.).

Treatment would not necessarily have to be in place on the effective date of the regulation. States with primary enforcement responsibility or EPA could grant the variances if the water system could demonstrate that its water supply did not contain harmful quantities of organics. Conditions for granting variances probably would involve a survey of discharges into the source water and detailed organic analyses, and so enable a State to make an essentially "case by case" determination. Thus, in an area frequently sprayed by a particular pesticide or subjected to particular discharges, these individual problems could be considered.

Exemptions for a limited period could also be granted from treatment techniques upon a showing of necessity (eg. to install equipment or to raise the necessary capital), and that the exemption would not result in an undue risk to health.

Processing variance or exemption requests is an administrative burden under either an MCL or treatment technique approach. Somewhat fewer than 700 water utilities have an average flow of 10 MGD or greater. Of these, nearly 300 use ground water as the source. By phasing in a treatment technique requirement for plants over 10 MGD before 1980, the States or EPA would be able to carefully process applications for variances and exemptions and benefit the largest population segments initially, and it would become more feasible for public water systems to construct or develop the necessary technologies. Subsequently, smaller plants could also be required to adopt a treatment technique for organics.

During the phase-in period, the smaller systems which were not yet affected by the treatment requirement could be required to meet one or more MCL limits (eg. chloroform). Thus some level of protection would be available immediately in all cases.

Several treatment technique possibilities involving both specific contaminants and total organics are described below.

A. Modify the chlorination process. Chlorination is currently the principal method of disinfection of water supplies and it is the major line of defense against waterborne disease caused by bacterial and viral contamination. EPA has been actively examining alterations in the chlorination process to find ways of reducing the amount of trihalomethanes that are produced. Although of questionable biocidal value, addition of ammonia following chlorination is also a way that eliminates the chlorine that would be available for further reaction with organic compounds.

It appears that changes in the point of application of chlorine can significantly reduce the quantity of chlorine applied and the amounts of trihalomethanes and other chlorinated organics generated in some systems using filtration of source waters which contain the natural organics precursors. For example, the common practice of prechlorination of raw surface water to insure adequate disinfection is likely to produce greater quantities of trihalomethanes, compared to chlorination after the water has been coagulated and settled, resulting in some chloroform precursor removal. For this reason, EPA has been critically reviewing chlorination practices to see if simple modifications (such as ceasing raw water chlorination in favor of chlorination just prior to filtration) can be made that would minimize the formation of chloroform yet still provide microbiologically safe drinking water. Initial results have been promising.

The discontinuation of raw water chlorination would be easily accomplished by most water utilities, and it could be done at low cost since additional equipment would usually not be needed and chlorine use would decline. Modifying the chlorination process could avoid cousing a sudden demand for water treatment chemicals and not further tax limited energy resources. Discontinuation of raw water chlorination would not completley eliminate chloroform from the finished water, so some continued risk from chloroform exposure would exist.

Ceasing the disinfection of the raw water could possibly result in poorer microbiological quality in the finished water, so increased microbiological monitoring might be ncesssary. EPA is currently examining the practicality of this approach in a limited number of water systems (vide supra Non Regulatory Option B). Results will be released as they become available.

B. *Use of alternate disinfectants.* The principal source of chloroform in drinking water is the chemical interaction of chlorine added for disinfection with common humic substances formed from the nautral decomposition of vegetation. One possible way of avoiding the formation of trihalomethanes would be to substitute other disinfectants such as chlorine dioxide or ozone for chlorine, where possible. Any action to control chloroform and other organics in drinking water must not increase risk of waterborne disease by reducing the level of protection or by introducing other unknown risks (eg. from chemical by-products of other disinfection processes).

a. *Chlorine dioxide.* Because of its oxidizing properties, chlorine dioxide has been used to some extent for taste and odor control, but because of its cost it is not widely used in water treatment practice for disinfection. Some studies have shown that disinfection by this method is satisfactory and that a residual can be maintained to insure against bacteriological contamination in the distribution system. The problem with using chlorine dioxide now, is that our present knowledge is lacking regarding the products of its interaction with organic chemicals in water and on the possible toxicity of the inorganic ions that it generates.

Installation of a unit for chlorine dioxide generation would not be particularly costly or complicated relative to chlorination. Disinfection cost should average between 1 and 2 cents per 1000 gallons in larger systems, and about 3 cents per 1000 gallons for a 1 MGD plant, when chlorine dioxide is generated from sodium chlorite.

b. *Ozonation.* Ozone is a strong disinfectant but has the disadvantage of not producing a disinfectant residual to carry throughout the water system. Thus chlorine, chlorine dioxide or chloramines might have to be used following ozone. Ozonation of drinking water is practiced in several hundred systems throughout the world. However, little is known about the by-products of ozonation of chemicals in water.

In general, both substitute treatment methods have the advantage of reducing the health risk of exposure of chlorinated compounds. Most of the disadvantages associated with implementing this option are due to a lack of complete information as to the doses required for disinfection, the reactions involved, possible toxic organic by-products of these reactions and the operational experience needed. In addition there is the question of availability of equipment, chemicals, electric power and operators; particularly with ozone.

Replacement of a chlorination unit with ozone would require installation of ozonators, but the average cost for larger systems >10 MGD is not expected to exceed 1 cent per 1000 gallons. For a 1 MGD plant, ozone would cost about 4 to 5 cents per 1000 gallons compared to 3 cents per 1000 gallons for chlorination. If post-chlorination were necessary after ozonation the cost would be additive.

C. *Granular activated carbon to remove organic chemicals.* The best method yet developed for removing environmental organic contaminants such as pesticides and aromatics from water is the use of adsorbants such as granular activated carbon. GAC is also capable of removing trihalomethanes and their precursors. Installation and proper operation of GAC would affect the concentration of a large number of chemicals in water.

The simplest, although perhaps not ultimately the most efficient, approach applying GAC in systems already prac-

ticing filtration would be replacement of the present media with GAC in the existing filter to a depth of at least 30 inches. Preliminary estimates indicate that approximately 10 tons of GAC per MGD capacity would be needed. Chemical breakthrough rates and consequent carbon reactivation frequencies have not yet been established in large scale operations. Monitoring for chloroform breakthrough is a possible process control indicator, because chloroform is commonly present in chlorinated water and rather weakly bound to GAC. Monitoring frequencies would have to be at least weekly, particularly in the later stages of use nearing the reactivation time. If organic removal is to be maximized, the adsorbant might require renewal when the NPTOC or TOC concentration in the effluent exceeded 0.1 or 0.2 mg/1.

Deeper and/or countercurrent beds of GAC may be more cost effective in the long run but time for redesign and construction would delay implementation. Since reactivation of GAC is essential to its operation, another limiting factor in the short run is the almost complete lack of available reactivation facilities in appropriate locations.

More sophisticated operation and monitoring of GAC filtration would require personnel and apparatus not commonly available at this time. Studies are not sufficiently advanced currently to determine the exact length of operation before the activated carbon needs to be reactivated for a wide variety of chemicals. GAC can, however, lose its effectiveness for general organic carbon removal after a few weeks as evidenced by an increase of NPTOC values in the effluent with time, although some substances such as polynuclear aromatics are effectively adsorbed. Current experience indicates that the effective life of GAC for the removal of trihalomethane precursors is somewhat limited; a one month regeneration frequency has been generally assumed.

Costs will vary widely depending on factors such as labor costs, carbon costs, reactivation frequency, carbon loss due to attrition, and system size, average production to design size ratio, and power costs. Therefore, it is difficult to predict costs for specific systems. For a 1 MGD plant with 1 month reactivation frequency the cost might be more than 10 cents per 1000 gallons, but for large systems (over 100 MGD) between 5 and 7 cents per 1000 gallons. This assumes that sand in existing filters is to be replaced with GAC.

Post treatment for larger systems is slightly less expensive, but installation time would result in a substantial lag time before widespread compliance. Cost-wise the most serious problems appear to be with plants under 1 MGD. The problem could be much more serious if conventional filtration units would have to be constructed. Costs for smaller systems could be mitigated somewhat if joint regeneration facilities could be used.

Some constraints may exist to prevent immediate and widespread installation of GAC treatment. Despite excess GAC production capacity available at present, industry might not be able to supply enough GAC needed for potable water treatment in the short run, if a rapid increase in demand occurred. Questions of whether or not enough regeneration furnaces can be produced quickly is a serious concern.

Questions and Comments

Some of the principal problems facing EPA in the control of the quality of the Nation's drinking water are pressing the limits of current research capabilities in health, science and technology. Regulatory decisionmaking is further compounded by the dearth of definitive information, the lack of agreement within the scientific community on many questions, and minimal data on costs and impacts of changes in current technology at the national, State, and local levels.

EPA requests public analyses, comments and information on the many aspects of this most important issue involving the appropriate balance of public health protection and realistic implementation of the drinking water program in a regulatory context. The questions for which comment is being solicited are listed below. Comment on any or all of them will be of great assistance to EPA.

Regulatory Questions

1. What are the best and most practical regulatory philosphies for organics; setting MCL standards or requiring treatment? Is the use of general indicators or MCL's for specific compounds the most reasonable regulatory and monitoring approach? What should be the timing or phasing of implementation of a regulation for organics?

2. What additional options should be considered? Are there enough data currently available to choose one of the options now? What adverse effects might result from any of the options?

3. Should treatment be required continuously for an occurrence which may be seasonal or infrequent? Suggested alternatives? What frequency of contamination is sufficient to warrant national standards and national monitoring?

4. What is the extent of the burdens such as initiation, training, monitoring and enforcement, imposed on systems by these various regulations in relation to the benefits achieved?

5. What analytical procedures and frequencies are needed to monitor finished water supplies to assure compliance with possible regulations?

Informal Questions

1. What is the significance of exposure from drinking water relative to other sources of organic compounds? Is the establishment of regulations for organics in drinking water justified by the available data?

2. Can organics reduction be balanced with possible health hazards from waterborne diseases, i.e., if chlorination processes are modified, will the risk of bacteriological or viral breakthrough increase?

3. For each of the options being considered, what are capital and operational costs, economic dislocations, needs for trained personnel, instrumentation needs? How would these problems affect feasibility in very small, medium and large systems?

4. What is the impact of chlorination of sewage effluents and cooling waters on drinking water supply contamination?

5. What are the by-products of chlorine dioxide or ozone disinfection? What is the toxicity of these chemical products?

6. How long would it take to implement the suggested alternative treatment methods, such as chlorine dioxide, ozone or granular activated carbon?

Dated: July 6, 1976.

RUSSELL E. TRAIN,
Administrator.

[FR Doc.76-20335 Filed 7-13-76;8:45 am]

[40 CFR Part 180]

[FRL 581-6; PP5F1571/P27]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Proposed Tolerance for O,S-Dimethyl Phosphoramidothioate

On January 22, 1975, notice was given (40 FR 3492) that Chevron Chemical Co., 940 Hensley St., Richmond CA 94804, had filed a petition (PP 5F1571) to the Environmental Protection Agency (EPA). This petition proposed that 40 CFR 180.315 be amended to increase the established tolerance for residues of the insecticide *O.S.*-dimethyl phosphoramidothioate in or on the raw agricultural commodities cauliflower, lettuce, and tomatoes from 1 part per million (ppm) to 2 ppm.

The data submitted in the petition and other relevant material have been evaluated, and it has been concluded that the tolerances established by amending 40 CFR 180.315 will protect the public health. The pesticide is considered useful for the purpose for which the tolerance is sought. Since *O.S.*-dimethyl phosphoramidothioate is a metabolite of the pesticide acephate, tolerances currently established under 40 CFR 180.108 pertaining to acephate are adequate to cover residues that may result in eggs, meat, milk, or poultry from the proposed use.

Therefore, pursuant to 40 CFR 180.32, it is proposed that 40 CFR 180.315 be amended by increasing the established tolerance for cauliflower, lettuce, and tomatoes from 1 ppm to 2 ppm and, since the requisite long-term feeding studies are now available, by removing the negligible residue "(N)" designator from those tolerances when it now appears.

Any person who has registered or submitted an application for the registration

of a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act which contains any of the ingredients listed herein may request on or before August 13, 1976 that this proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room 401, East Tower, 401 M St. SW., Washington, D.C. 20460. Three copies of the comments should be submitted to facilitate the work of the Agency and others interested in inspecting them. The comments must be received on or before August 13, 1976 and should bear a notation indicating the subject (PP5F1571/P27). All written comments filed pursuant to this notice will be available for public inspection in the Office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

(Sec. 408(d)(2) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 346a(d)(2)].)

Dated: July 8, 1976.

JOHN B. RITCH, Jr.,
Director, Registration Division.

It is proposed that 40 CFR 180.315 be amended by increasing the tolerance for cauliflower, lettuce, and tomatoes from 1 ppm to 2 ppm and by editorially revising this section into tabular format to read as follows.

§ 180.315 O,S-Dimethyl phosphoramidothioate, tolerances for residues.

Tolerances established for residues of the pesticide O,S-dimethyl phosphoramidothioate in or on the following raw agricultural commodities:

Commodity:	*Parts per million*
Broccoli	1
Brussels sprouts	1
Cabbage	1
Cauliflower	2
Cottonseed	0.1
Cucumbers	1
Eggplant	1
Lettuce	2
Melons	0.5
Peppers	1
Potatoes	0.1
Tomatoes	2

[FR Doc.76-20336 Filed 7-13-76;8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[Order No. 96 (Rev. 3)]

ASSISTANT COMMISSIONER, (TECHNICAL), ET AL.

Delegation of Authority

Subject: Application of rulings without retroactive effect.

1. Pursuant to authority granted to the Commissioner of Internal Revenue by 26 CFR 301.7805–1(b):

a. The Assistant Commissioner (Technical) and the Deputy Assistant Commissioner (Technical) are hereby authorized to prescribe the extent, if any, to which any ruling issued by or pursuant to authorization from the Assistant Commissioner relating to the internal revenue laws shall be applied without retroactive effect.

b. The Assistant Commissioner (Employee Plans and Exempt Organizations) and the Deputy Assistant Commissioner (Employee Plans and Exempt Organizations) are hereby authorized to prescribe the extent, if any, to which any ruling issued by or pursuant to authorization from the Assistant Commissioner relating to the internal revenue laws shall be applied without retroactive effect.

2. This authority may not be redelegated.

3. This Order supersedes Delegation Order No. 96 (Rev. 2) issued January 15, 1975.

Issued: July 12, 1976.

Effective: July 12, 1976.

DONALD C. ALEXANDER,
Commissioner.

[FR Doc.76–20326 Filed 7–13–76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

AREA MANAGERS, HAVASU AND YUMA RESOURCE AREAS, ARIZ.

Authority Delegation

Under authority of Bureau Order 701, dated July 23, 1964, and as amended, the Area Managers administering the Havasu Resource Area and the Yuma Resource Area of the Yuma District Arizona, are authorized to act on the following matters:

Within their respective areas of responsibility in accordance with existing policies and regulations of the Department and under direct supervison of the Yuma District Manager, they may exercise the function of the Bureau Director on the matters specified below, subject to the limitations of Bureau Order 701, Part III.

AUTHORITY IN SPECIFIC MATTERS

Sec. 3.3 Fiscal Affairs. The Area Manager may take action on:

(d) Trespass. Determine liability and accept damages for trespass on the public lands when actual damages do not exceed $500.00.

Sec. 3.6 Minerals. The Area Manager may take all action on:

(m) Oil and gas explorations.

(n) Geothermal exploration operations.

Sec. 3.7 Range Management. The Area Manager may take all action on:

(b) Grazing leases.

(d) Soil and moisture conservation; control of halogeton glomeratus.

(e) Controlled brush burning in accordance with plans and specifications approved by the State Director.

(f) Protection of wild, free-roaming horses and burros.

Sec. 3.8 Forest Management. The Area Manager may take all actions on:

(a) Disposition of forest products including sales of timber not exceeding $500.00 in value.

Sec. 3.9 Land Use. The Area Manager may take all action on:

(g) Disposition of material other than forest products, not exceeding $2,000.00 in value.

(z) Recreation. Take all actions relating to recreation management pursuant to 43 CFR Parts 6000–6270.

The District Manager may at any time temporarily reserve, restrict or withhold any portion of the above delegated authority through use of Form 1213–1, District Office Authority and Responsibility Guide.

This order will become effective on July 18, 1976.

Dated: June 23, 1976.

H. M. BRUCE,
District Manager.

[FR Doc.76–20266 Filed 7–13–76; 8:45am]

CALIFORNIA STATE ADVISORY BOARD AD HOC COMMITTEE ON GEOTHERMAL ENERGY LEASING PROGRAM

Meeting

Notice is hereby given in accordance with Public Law 92–463 that an ad hoc committee on the geothermal energy leasing program of the California State Multiple-Use Advisory Board to the Bureau of Land Management will meet in the Pacifica Room "B" of the Mansion Inn, Sacramento, California on July 28, 1976. The committee will draft recommendations for the full Board's consideration at the next meeting regarding priorities and approaches which should be considered by the Bureau of Land Management in furtherance of its geothermal energy leasing program. The Federal representative will be Ed Hastey, California State Director of the Bureau of Land Management, or his authorized representative.

The meeting will begin at 7:00 p.m., Wednesday, July 28, 1976, and will be open to the public. Time will be made available between 7:30 p.m. and 8:00 p.m. for brief statements by members of the public. Such statements must not exceed five minutes and must be limited in content to recommendations concerning the Bureau's geothermal energy leasing program. Additionally, such statements should be reduced to writing and at least two copies filed with the Chairman. Written statements or requests for time to make oral presentations should be made to Chairman Nolan H. Daines, c/o State Director (C–912), Bureau of Land Management, 2800 Cottage Way, Sacramento, Calif. 95825 by the close of business, July 23, 1976.

Dated: July 6, 1976.

ED HASTEY,
State Director.

[FR Doc.76–20264 Filed 7–13–76;8:45 am]

[Wyoming 55737]

WYOMING

Application

JULY 6, 1976.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Northern Gas Company filed an application for a right-of-way to construct a 4 inch pipeline for the purpose of transporting natural gas across the following National Resource Lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 26 N., R. 90 W.,
sec. 18, lots 2, 3, 4, E½W¼;
sec. 19, lots 1, 2.

The pipeline will transport natural gas from wells in the Bull Springs Field to an existing pipeline.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views on this matter should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, P.O. Box 670, 1300 Third St., Rawlins, Wyoming 82301.

HAROLD G. STINCHCOMB,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.76–20265 Filed 7–13–76;8:45 am]

Geological Survey

GULF OF MEXICO AND PACIFIC AREAS

Disposal of Outer Continental Shelf Royalty Oil

On March 4, 1976, a notice was published in the FEDERAL REGISTER whereby all existing contracts involving royalty oil from the Outer Continental Shelf (OCS) in the Gulf of Mexico and the Pacific Areas were extended to July 1, 1976. Said notice also solicited comments concerning proposed procedures to be followed relating to the allocation of OCS royalty oil, bond coverage, default action, and future contracts. In addition to the proposed allocation procedures, it was also proposed that in order to minimize the impact of a sudden decrease in this source of crude oil supply on refiners receiving more royalty oil under existing contracts than they would receive under the proposed method of allocation, for the first year of the new contracts, such refiners could be allotted double the base allocation or up to the amount the refiner was currently receiving.

Based in part on the comments received and policy decisions, the following procedures were adopted.

ALLOCATION PROCEDURES

OCS royalty oil would be allocated on an application-number basis. An allocation would be made to each qualified refiner and to each refiner for which a final determination as its qualification had not been made by the Small Business Administration. The allocation of royalty oil to each refiner included consideration of the following:

(a) Each refiner would receive an equal amount as its base allocation volume, depending on the amount of royalty oil available and the number of such refiners.

(b) The allocation of double amounts of the base allocation volume or up to the amount being received under current contract for those refiners that could be impacted by a sudden decrease in this source of crude oil supply. Where such an allocation is made, the volume of royalty oil will be reduced to the base allocation volume effective July 1, 1977.

(c) The sum of the volumes of OCS and onshore royalty oil acquired or being acquired by a refiner would not exceed 60 percent of the combined refinery capacity of that refiner.

(d) The amount allocated to a refiner would not exceed the maximum stated need, and

(e) The final amount of royalty oil allocated to any refiner from all OCS Areas plus the amount of royalty oil being received from onshore Federal leases could not exceed the base allocation volume. In the event the amount of onshore royalty oil acquired or being acquired by a refiner exceeded the base volume of OCS royalty oil allocated, no allocation of OCS royalty oil would be made to such refiner.

BOND COVERAGE

Security under a royalty oil contract is necessary in order to protect the United States from loss in the event of default in performance of the terms and specifications of the contract. Such security may be in the form of a properly attested corporate surety bond, a personal bond accompanied by negotiable Federal securities of par value equal to the amount of the bond and a power of attorney, or an irrevocable straight letter of credit signed by an authorized official of the issuing bank. The amount of surety required will depend on the payment plan adopted by the refiner. The payment plans are as follows:

(a) Where billing procedures are based on the value of the estimated volume of royalty oil to be taken during the coming month and payment is made prior to the last day of the month preceding deliveries, the surety posted must cover a 30-day period.

(b) Where billing procedures are based on the value of the estimated volume of royalty oil taken during a month and payment is made prior to the last day of the month in which deliveries are made, the surety posted must cover a 60-day period.

(c) Where billing procedures are based on the actual monies due and payment is made prior to the last day of the month following the month in which deliveries were made, the surety posted must cover a 90-day period.

In order to provide flexibility in securing adequate surety coverage throughout the term of the contract, the Oil and Gas Supervisor has the authority to increase the amount of surety or to decrease the amount of royalty oil delivered under the contract, as necessary, to allow for any oil price increases as such occur.

DEFAULT ACTION

In the event payment for royalty oil is not made in accordance with the provisions of the contract and royalty oil deliveries to a refiner are discontinued, future deliveries of royalty oil will not be resumed until 30 days after the last day of the month in which the default has been corrected.

FUTURE CONTRACTS

As additional royalty oil becomes available, it will be offered only on an annual basis with the next offering being made to provide for delivery of royalty oil on July 1, 1977. Any contracts entered into on this date or the next anniversary date of July 1, 1978, will have a term that will expire on July 1, 1979.

A list of qualified small refiners, along with each one's allocation, will be published in the FEDERAL REGISTER as soon as final determinations as to their qualifications have been made.

Dated: July 6, 1976.

WILLIAM L. FISHER,
Assistant Secretary of the Interior.

[FR Doc.76-20269 Filed 7-13-76;8:45 am]

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

[Notice of Designation Number A356]

IOWA

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in the following Iowa Counties as a result of tornadoes, June 13, 1976:

Boone Story

Therefore, the Secretary has designated this area as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Public Law 94-68, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Robert D. Ray that such designation be made.

Applications for emergency loans must be received by this Department no later than August 31, 1976, for physical losses and April 1, 1977, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 7th day of July 1976.

FRANK B. ELLIOTT,
Farm Home Administration.

[FR Doc.76-20248 Filed 7-13-76;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

HUTCHINSON CANCER RESEARCH CENTER

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 76-00337. Applicant: Fred Hutchinson Cancer Research Center, 1124 Columbia Street, Seattle, Washington 98104. Article: Ultramicrotome, Model Om U3. Manufacturer: C. Reichert Optische Werke AG, Austria. Intended use of article: The article is intended to be used for the examination of human tumor and tumor cells at high resolution. Studies of normal tissue and those with specific cancer related diseases will be conducted to determine the manner in which certain tumor cells develop and how they differ from normal cells.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: Examination of the applicant's thin sections under the electron microscope will provide optimal information when such sections are uniform in thickness and have smoothly cut surfaces. Conditions for obtaining high quality sections depend to a large extent on the properties of the specimen being sectioned (e.g., hardness, consistency, toughness etc.), the properties of the embedding media and the geometry of the block. In connection with a prior case (Docket No. 69-00118-33-46500) which relates to the duty-free entry of a similar foreign article, the Department of

Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] obvious factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned." In connection with another prior case (Docket No. 69–00665–33–46500) relating to the duty-free entry of a similar foreign article, HEW advised that "The range of cutting speeds and a capability for the higher cutting speeds is * * * a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section." In connection with still another prior case (Docket No. 70–00077–33–46500) relating to the duty-free entry of a similar foreign article, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult." The foreign article has a cutting speed range of 0.5 to 10 millimeters/second (mm/sec). The most closely comparable domestic instrument is the Model MT–2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT–2B ultramicrotome has a cutting speed range of 0.09 to 3.2 mm/sec. We are advised by HEW in its memorandum of June 18, 1976 cutting speeds in excess of 4 mm/sec. are pertinent to the applicant's research studies. We, therefore, find that the Model MT–2B ultramicrotome is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

BERNARD ASCHER,
Acting Director,
Office of Import Programs.

[FR Doc.76–20220 Filed 7–13–76;8:45 am]

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 76–00334. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, Massachusetts 02139. Article: 1 Standard 3-Dimensional Selspot System, and accessories. Manufacturer: Selcom, Sweden. Intended use of article: The article is intended to be used to form the basis of a new laboratory that will study the biomechanics of human motion, with particular emphasis on designing assistive devices for the physically handicapped. The prime areas of research will include the design and evaluation of prosthetic limbs, studies of mobility of the blind and the evaluation of patterns of gait in the physically handicapped. The article will give three dimensional paths of motion of up to 30 discrete points on the body of the user. This motion will be analyzed in real-time to allow the experimenters to optimize the system for the user.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides real-time analysis of the 3-dimensional paths of as many as 30 body points at a sampling rate of 10,000 points per second. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated June 18, 1976 that the article's speed and number of points followed are pertinent to the applicant's use in studies of the biomechanics of human motion. HEW also advises that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended purposes.

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

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

BERNARD ASCHER,
Acting Director,
Office of Import Programs.

[FR Doc.76–20222 Filed 7–13–76;8:45 am]

METROPOLITAN MEDICAL CENTER ET AL.

Consolidated Decision on Applications for Duty-Free Entry of Scientific Articles

The following is a consolidated decision on applications for duty-free entry of scientific articles pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Decision: Applications denied. Applicants have failed to establish that instruments or apparatus of equivalent scientific value to the foreign articles, for such purposes as the foreign articles are intended to be used, are not being manufactured in the United States.

Reasons: Subsection 301.8 of the Regulations provides in pertinent part:

> The applicant shall on or before the 20th day following the date of such notice, inform the Deputy Assistant Secretary whether it intends to resubmit another application for the same article for the same intended purposes to which the denied application relates. The applicant shall then resubmit the new application on or before the 90th day following the date of the notice of denial without prejudice to resubmission, unless an extension of time is granted by the Deputy Assistant Secretary in writing prior to the expiration of the 90 day period. * * * If the applicant fails, within the applicable time periods specified above, to either (a) inform the Deputy Assistant Secretary whether it intends to resubmit another application for the same article to which the denial without prejudice to resubmission relates, or (b) resubmit the new application, the prior denial without prejudice to resubmission shall have the effect of a final decision by the Deputy Assistant Secretary on the application within the context of Subsection 301.11.

The meaning of the subsection is that should an applicant either fail to notify the Deputy Assistant Secretary of its intent to resubmit another application for the same article to which the denial without prejudice relates within the 20 day period, or fails to resubmit a new application within the 90 day period, the prior denial without prejudice to resubmission will have the effect of a final denial of the application.

None of the applicants to which this consolidated decision relates has satisfied the requirements set forth above, therefore, the prior denials without prejudice have the effect of a final decision denying their respective applications.

Subsection 301.8 further provides:

> * * * the Deputy Assistant Secretary shall transmit a summary of the prior denial without prejudice to resubmission, to the FEDERAL REGISTER for publication, to the Commissioner of Customs, and to the applicant.

Each of the prior denials without prejudice to resubmission to which this consolidated decision relates was based on the failure of the respective applicants to submit the required documentation, including a completely executed application form, in sufficient detail to allow the issue of "scientific equivalency" to be determined by the Deputy Assistant Secretary.

Docket number: 74–00114–01–11000. Applicant: University of Minnesota, Institute of Agriculture, St. Paul, Minnesota 55101. Article: LKB 9000 Gas Chromatograph-Mass Spectrometer. Date of denial without prejudice to resubmission: February 27, 1976.

Docket number: 76–00202–33–90000. Applicant: The Medical Center, P.O. Box 951, Columbus, Georgia 31902. Article: EMI Brain Scanner System with Magnetic Tape System and Diagnostic Display Console. Date of denial without

prejudice to resubmission: March 8, 1976.

Docket number: 76-00208-33-90000. Applicant: The Milton S. Hershey Medical Center of the Pennsylvania State University, 500 University Drive, Hershey, Pennsylvania 17033. Article: EMI Scanner with Magnetic Tape System. Date of denial without prejudice to resubmission: March 3, 1976.

Docket number: 76-00223-33-90000. Applicant: Metropolitan Medical Center, 900 South 8th Street, Minneapolis, Minnesota 55404. Article: EMI Scanner System with Magnetic Tape System, Diagnostic Display Console and Data Transfer Module. Date of denial without prejudice to resubmission: March 8, 1976.

Docket number: 76-00276. Applicant: Monsanto Research Corporation, Mound Laboratory, Metuchen, New Jersey 08841. Article: Monochromator. Date of denial without prejudice to resubmission: February 26, 1976.

Docket number: 76-00290. Applicant: Spohn Hospital, 1436 Third Street, Corpus Christi, Texas 78404. Article: EMI Scanner with Diagnostic Display Console and Data Transfer Module. Date of denial without prejudice to resubmission: February 26, 1976.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.76-20219 Filed 7-13-76;8:45 am]

SAN JOSE STATE UNIVERSITY ET AL.

Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

The following is a consolidated decision on applications for duty-free entry of electron microscopes pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301). (See especially Section 301.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 76-00333. Applicant: San Jose State University, Dept. of Biological Sciences, San Jose, Ca. 95114. Article: Electron Microscope, Model JEM 100S. Manufacturer: JEOL, Japan. Intended use of article: The article is intended to be used for biological investigations which will consist primarily of investigations of the ultrastructural correlates of ion transport of epithelial organs, such as skin, intestine, and kidney. Most experiments are designed to see how cells alter their morphology and ion transport when treated with a wide variety of agents known to have physiological effect upon the well-being of living organisms. The article will also be used in the courses, Biology 234, Cell Ultrastructure and Biology 135, Cell Physiology and Graduate Research to acquaint students with the basic techniques of biological electron microscopy and to develop expertise and to solve biological problems. Application received by Commissioner of Customs: March 9, 1976. Advice submitted by the Department of Health, Education, and Welfare on: June 18, 1976. Article ordered: January 23, 1976.

Docket number: 76-00336. Applicant: University of Oregon Health Sciences Center, Dept. of Physiology, School of Medicine, 3181 SW Sam Jackson Park Road, Portland, Oregon 97201. Article: Electron Microscope, Model JEM-100S, and Anticontamination Device. Manufacturer: JEOL, Japan. Intended use of article: The article is intended to be used to examine several types of biological tissue which have been prepared for electron microscopic inspection, i.e. embedded in plastic and thin sectioned. The sections to be examined will be taken from various tissues of laboratory animals which are undergoing differentiation and maturation during intrauterine life or from the placental tissue of these animals. The objectives of the experiments to be conducted will include the following:

(1) To clarify the ultrastructural relationships of maternal and fetal tissue in placentas of various types.

(2) To manufacture of nonbiological tracer particle which can be used to determine the physiological role of each placental ultrastructural layer and to correlate that role with comparable layers in placentas of other types for the purpose of delineating the principles of intrauterine nutrition and prenatal toxicity of enogenous materials; and

(3) To correlate the appearance of certain organelles with changes in physiological characteristics during differentiation and maturation of cardiac tissue.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles for such purposes as these articles are intended to be used, was being manufactured in the United States at the time the articles were ordered. Reasons: Each foreign article provides distortion free micrographs over a magnification range 100 to 200,000× without a pole-piece change. The most closely comparable domestic instrument available is the Model EMU-4C electron microscope manufactured by the Adam David Company (Adam David). When each article was ordered the Model EMU-4C with its standard pole-piece, had a specified range from 1,400 to 240,000 magnifications. For survey and scanning, the lower end of this range could be reduced to 400 magnifications or less. But the continued reduction of magnification induced an increasingly greater distortion. The domestic manufacturer suggests in its literature on the Model EMU-4C that for highest quality, low magnification electron micrographs, an optional low magnification pole-piece providing 500-70,000× should be used. It is noted that changing the pole-piece on the Model EMU-4C requires a break in the vacuum of the column that induces the danger of contamination which would very likely lead to the failure of the experiment.

The Department of Health, Education, and Welfare (HEW) advises in its respectively cited memoranda that each article's low distortion, low magnifiaction capability is pertinent to the purposes for which each foreign article is intended to be used. HEW also advises that the domestic Model EMU-4C did not provide equivalent low magnification to that of each foreign article for the purposes for which each foreign article is intended to be used.

We, therefore, find that the Model EMU-4C was not of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used at the time the articles were ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing application relate) for such purposes as these articles are intended to be used, which was being manufactured in the United States at the time the articles were ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

BERNARD ASCHER,
Acting Director, Office of Import Programs.

[FR Doc.76-20224 Filed 7-13-76;8:45 am]

UNIVERSITY OF MINNESOTA

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00489-33-46040. Applicant: University of Minnesota, School of Dentistry, Health Sciences Unit A, 515 Delaware St. S.E., Minneapolis, Minnesota 55455. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used in studies of the structure and morphogenesis of the small *Bacillus subtilis* phage ϕ29 which are designed to define and analyze the steps involved *in vivo* morphogenesis of this virus. The article

will also be used to teach the basics of electron microscope methods and application of these methods to the microscopic study of the healthy and diseased oral tissues.

Comments: No comments have been received with respect to this application.

Decision: Application denied. An instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: This application is a resubmission of Docket Number 75-00101-33-46040 which was denied without prejudice to resubmission on January 23, 1975 for informational deficiencies. The applicant in response to Question 8 alleges that the foreign article provides the following pertinent features:

(1) Guaranteed resolution of 4 Angstroms (Å) point-to-point (pt.) and 3.4 Å lattice with 2.5Å pt. obtainable.

(2) Distortion-free magnifications from 200× up and micrographs that overlap the optical microscope range without a pole-piece change or otherwise dismantling the column.

(3) Simplicity of design and ease of operation including the following features:

(a) Single condenser design.

(b) Automatic photometer, single push button control for photography.

(c) Substantially pre-aligned optics, electrical switch program for other alignments.

(d) State-of-the-art solid-state electronics.

We note that the applicant's intended use of the article is essentially research-oriented with the educational aspect at a relatively sophisticated level. The only domestic electron microscope available at the time the article was ordered was the EMU-4C manufactured by the Adam David Company.

The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated July 25, 1975 that this application should be denied because the applicant provides no pertinent specification within the meaning of Subsection 301.2(n) of the regulations upon which duty-free entry could be based. As to the specific allegations of the applicant in reply to Question 8, in the order listed above, the following is noted.

(1) According to Subsection 301.11(a) of the regulations, the determination of scientific equivalency is based upon the guaranteed specifications of the foreign article and the most closely comparable domestic instrument. HEW accepts the micrographs submitted by the applicant in this submission as evidence supporting the 4Å pt. guarantee of the article. Moreover, HEW notes that the domestic Model EMU-4C currently guarantees 5Å pt. resolution. However, HEW finds the difference in resolution between the article and the EMU-4C does not have scientific significance in biological work.

(2) HEW advises that (a) the standard lens magnifications of the article are 1500× to 200,000× with 200× for survey and (b) the EMU-4C provides equivalent magnifications [i.e., 1400× to 240,000× with 400× or less (250×) for survey without a pole-piece change]. With a pole-piece change, the article provides 600× to 80,000× and the EMU-4C provides 500× to 70,000× in distortion-free magnifications.

(3) With respect to simplicity of design and ease of operation, HEW advises that the article is, as is the EMU-4C, a relatively complex instrument designed for research use. HEW also notes that the EMU-4C is available with a single- or double-condenser lens system (feature (3)(a)) and that photographic convenience and degree of automation (feature (3)(b)), alignment skill (or ease) (feature (3)(c)), solid-state electronics (feature (3)(d)), etc. are convenience features which are not pertinent to the applicant's intended purposes within the meaning of subsection 301.2(n) of the regulations.

For the foregoing reasons, we find that the Model EMU-4C is of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.76-20218 Filed 7-13-76;8:45 am]

UNIVERSITY OF PENNSYLVANIA

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 76-00346. Applicant: University of Pennsylvania, School of Veterinary Medicine, Philadelphia, Pennsylvania 19174. ARTICLE: Electron Microscope, Model JEM-100C. Manufacturer: JEOL, Japan. Intended use of article: The article is intended to be used to continue studies of biological specimens drawn from the blood, blood-producing tissues, and immune system tissue such as spleen and thymus. Experiments will be conducted on animal models in which these tissues will be selectively treated with drugs, chemicals, and radiation. In addition, diseased tissues from humans and animals will be studied to gain an understanding of the structure and function of these tissues and to obtain information necessary for the treatment and cure of leukemia, anemia, multiple myeloma, and related diseases. Additionally, the precise effects of the various clinical treatment methods will be monitored. The article will also be used to teach cell biology and hematology to medical, veterinary and graduate students. Post-doctoral fellows and visiting scientist will also be trained using the article.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (March 15, 1976).

Reasons: The foreign article provides distortion free micrographs over a magnification range of 330 to 250,000× without a pole-piece change and an eucentric side entry goniometer stage with ±60 degree tilt and 7 Angstroms point-to-point guaranteed resolution. The most closely comparable domestic instrument available is the Model EMU-4C electron microscope currently supplied by the Adam David Company (Adam David). When the article was ordered the Model EMU-4C with its standard pole-piece had a specified range from 1,400 to 240,000 magnifications. For survey and scanning, the lower end of this range could be reduced to 400 magnifications or less. But the continued reduction of magnification induced an increasingly greater distortion. The domestic manufacturer suggests in its literature on the Model EMU-4C that for highest quality, low magnification electron micrographs, an optional low magnification pole-piece providing 500-70,000× should be used. It is noted that changing the pole-piece on the Model EMU-4C requires a break in the vacuum of the column that induces the danger of contamination which would very likely lead to the failure of the experiment.

The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated June 18, 1976 that the low distortion magnification range and resolution with and without the eucentric goniometer stage are pertinent to the applicant's purposes. HEW also advises that the Model EMU-4C does not provide equivalent low magnifications or equivalent resolution.

We, therefore, find that the Model EMU-4C was not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, at the time the article was ordered.

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

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

BERNARD ASCHER,
Acting Director, Office of Import Programs.

[FR Doc.76-20221 Filed 7-13-76;8:45 am]

UNIVERSITY OF PENNSYLVANIA

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 76–00347. Applicant: University of Pennsylvania School of Medicine, Business Office, 3451 Walnut Street, Philadelphia, Pa. 19174. Article: ^{15}N-Analyser N01–5 Tracer Technique with Stable Isotopes. Manufacturer: Isocommerz, East Germany. Intended use of article: The article is intended to be used for measuring 15–N which is used as a tracer in a research program on protein metabolism in surgical patients.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides the capability for performing 50 or more nitrogen analysis per day. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated June 18, 1976 that (1) the capability of the article described above is pertinent to the applicant's intended purposes and (2) it knows of no domestic instrument of equivalent scientific value to the foreign article.

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

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director,
Special Import Programs Division.

[FR Doc.76–20217 Filed 7–13–76;8:45 am]

UNIVERSITY OF TENNESSEE

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75–00547–33–00530. Applicant: University of Tennessee, Memorial Hospital, 1924 Alcoa Highway, Knoxville, Tennessee 37920. Article: Linear Accelerator and Accessory. Manufacturer: Atomic Energy of Canada Ltd., Canada. Intended use of article: The article is intended to be used in a number of research projects which include investigation of:

(1) The improvement in reliability of radiation therapy delivery as provided by a system capable of verifying all treatment parameters.

(2) The shape of isodose curves produced by a 6 MeV linear accelerator as a function of design and elemental composition of the flattening filter.

(3) The percentage depth doses and tissue-air ratios produced by a 6 MeV travelling-wave linear accelerator.

(4) Modeling procedures for computer generation of isodose curves.

(5) The differences between film dosimetry and ionization chamber (or solid-state diode) dosimetry for a 6 MeV X-ray beam.

(6) The dose delivered in the buildup region of a 6 MeV X-ray beam (0–1.5 cm depth).

(7) The tissue-air ratio as a function of the fraction of 6 MeV X-radiation transmitted through sections of a patient during rotation therapy.

The article will also be used for the training of radiology residents as well as medical physics students in supervoltage radiation therapy techniques.

Comments: Comments were received from two domestic manufacturers. Comments dated July 22, 1975 and July 25, 1975 were received from Siemens Corporation (Siemens). Siemens alleges inter alia that the Mevatron 6 with optional mervomatic Data Monitoring System is of equivalent scientific value to the foreign article. Comments dated July 24, 1975 were also received from Varian. Varian alleges inter alia that the Clinac 12 or Clinac 14 are of equivalent scientific value to the foreign article.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (April 11, 1975). Reasons: The foreign article provides the capability for a 6 million electron volt (MeV) X-ray beam and dedicated computer control. The Department of Health, Education, and Welfare (HEW) advises, in its memorandum dated September 30, 1975, that a 6 MeV X-ray beam and dedicated computer control are pertinent to the applicant's investigations involving modeling procedure for computer generation of isodose curves, tissue dose-buildup at 6 MeV, dosimetric methods, etc., applied to a radiation verification system under computer control as well as to significant use by the applicant in teaching. In this connection, HEW advised that Varian did not manufacture a 6 MeV instrument and the Mevatron 6 did not have dedicated computer verification and data system at the time of order. Varian in its comments claimed that (1) the intended purposes of the applicant are not scientific research but rather are patient treatment and (2) the article is a prototype instrument. As to these claims, HEW advises (1) that Varian's comments are not related to the pertinent characteristics and (2) the article is new but is not a prototype instrument. Moreover, HEW considered the applicant's purposes to involve both research and teaching.

For these reasons, we find that domestic linear accelerators are not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director,
Special Import Programs Division.

[FR Doc.76–20216 Filed 7–13–76;8:45 am]

TEMPLE UNIVERSITY SCHOOL OF MEDICINE

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 76–00343. Applicant: Temple University School of Medicine, Department of Pharmacology, 3420 N. Broad Street, Philadelphia, Pennsylvania 19140. Article: Eye Position Detection Coils and Calibration Coil Manufacturer: Ferch Electronics Ltd., Canada. Intended use of article: The article is intended to be used for the study of the relationship between cerebellar neuronal activity and eye movements in the cat. Specifically this research investigates the cellular discharge patterns of Purkinje cells in the vermal cerebellum with absolute eye position and velocity as determined by eye position detection system. The experiment to be conducted involves teaching a cat to look at a moving pattern of lights. After training, the cats neural activity will be recorded during eye movements which are made in response to moving lights.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides eye position detection by

means of two oscillating magnetic fields without interfering with neuronal recording. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated June 18, 1976 that the capability described above is pertinent to the applicant's intended use. HEW also advises that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended purposes.

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

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

BERNARD ASCHER,
Acting Director,
Office of Import Programs Division.

[FR Doc.76-20223 Filed 7-13-76;8:45 am]

VETERANS ADMINISTRATION ET AL.

Consolidated Decision on Applications for Duty-Free Entry of Ultramicrotomes

The following is a consolidated decision on applications for duty-free entry of ultramicrotomes pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301). (See especially Section 301.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 76-00363. Applicant: Veterans Administration Hospital, West Spring Street, West Haven, Connecticut 06516. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for the investigation of virus particles in passaged cell cultures (monolayer) and in many types of tissues derived from naturally and experimentally infected animals. Experiments will include the following lines of investigation:

(1) In vivo and in vitro infections of guinea pig leukocytes.

(2) Mode of transmission of herpes-like virus in guinea pigs.

(3) Activation of guinea pig C-type virus in cultured spleen cells by BrdU (5-bromo-2'-deoxyuridine).

(4) In vitro transformation of leukocytes with GPHLV (guinea pig herpes-like virus).

(5) Ultrastructural studies of the envelopment and release of GPHLV in cultured cells.

(6) Oncogenic potential of guinea pig herpes- and C-type viruses.

(7) Natural history of herpes- and C-type virus infections and their possible relation to viral oncogenesis.

(8) Animal models for DNA-RNA virus interaction.

(9) Induction of tumors by guinea pig herpesvirus transformed hamster cell line.

(10) Comparison of guinea pig cytomegalovirus and guinea pig herpes-like virus: growth characteristics, antigenic relationship, pathogenesis and persistence in experimentally infected animals.

(11) Distribution of latent herpes-like virus in trigeminal ganglion and brain of guinea pigs.

In addition, the article will be used to prepare demonstration grids of a variety of tissues and cultured cell monolayers for the following courses: Post-graduate course in Diagnostic Virology, and course in Clinical Virology given to medical students.

Application received by Commissioner of Customs: April 2, 1976. Advice submitted by the Department of Health, Education, and Welfare on: June 23, 1976.

Docket number: 76-00373. Applicant: University of Michigan, Great Lakes Research Division, Inst. of Sci. & Technology Bldg., Ann Arbor MI 48109. Article: Ultramicrotome, Model LKB 8800A and accessories. Manufacturer: LKB Produkter AB, Sweden.

Intended use of article: The article is intended to be used for both thick and thin sectioning of complex biological tissues and unicellular algae. These sections, in turn, will be examined in a transmission electron microscope for polyphophate deposition as well as be analyzed by X-ray energy dispersive analysis.

Application received by Commissioner of Customs: April 13, 1976. Advice submitted by the Department of Health, Education, and Welfare on: June 24, 1976.

Docket number: 76-00380. Applicant: University of Illinois, College of Dentistry, 801 South Paulina, Chicago, Ill. 60612. Article: Ultramicrotome, Model LKB 8800A and accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of biological specimens derived from humans and experimental animals. Experiments to be performed include the following: cellular control of mineralization, using rat and amphibian enamel and dentin in normal and experimentally altered states; quantitative electron microscopic studies of cytoplasmic organelles in orthokeratinized leukoplakias; cytologic mechanisms involved in various disease processes and identification of the role of macromolecules and cells in formation of secondary and sclerotic dentin formation. The objectives pursued in the course of these investigations include improved understanding of the basic mechanism of mineralization, further elaboration of intricate cytologic mechanisms involved in various disease processes and identification of the role of macromolecules and cells in formation of secondary and sclerotic dentin. Application received by Commissioner of Customs: April 15, 1976. Advice submitted by the Department of Health, Education, and Welfare on: June 24, 1976.

Docket number: 76-00382. Applicant: Veterans Administration Hospital, Laboratory Service (113), 3900 Loch Raven Blvd., Baltimore, Maryland 21218. Article: Ultramicrotome, Model LKB 8800A and accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to cut frozen sections at environmental temperatures of less than −80° C in a controlled chamber. In addition, the article is intended to be used for investigation of the elemental distributions and re-distributions that occur in the transition from normal to diseased tissues. Educational use will also be made of this equipment and suitable training will be given in the preparation and subsequent analysis by X-ray techniques combined with electron microscopy of ultrathin frozen sections of a variety of tissues, both human and animal. Application received by Commissioner of Customs: April 21, 1976. Advice submitted by the Department of Health, Education, and Welfare on: June 24, 1976.

Docket number: 76-00389. Applicant: College of Medicine & Dentistry of New Jersey-Rutgers Medical School, Anatomy Department, P.O. Box 101, Piscataway, New Jersey 08854. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to section tissues primarily of embryonic or neonatal origin. Experiments to be conducted include a comparison of normal in vitro tissue with treated and/or pathological tissue cultures. These studies will determine the degree of ultrastructural changes as a result of the various treatments. The entire degenerative process characteristic of, for example, Amyotrophic Lateral Sclerosis will be studies at an ultrastructural level. The article will also be used for educational purposes in the course Investigative Methods in Cytology in which students learn to section material for electron microscopy. Application received by Commissioner of Customs: April 27, 1976. Advice submitted by the Department of Health, Education, and Welfare on: June 24, 1976.

Docket number: 76-00396. Applicant: University of Wisconsin, Madison, Dept. of Pathology, 470 North Charter Street, Madison, Wisconsin 53706. Article: Ultramicrotome, Model LKB 8800A and accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for ultrastructural studies on normal and pathologic changes in various organ systems. Electron microscope cyto- and histochemical studies on enzymes and subcellular organelle localization in cells and tissues will also be performed. In addition, the article will be used to provide students and trainees the knowledge of the electron microscope tech-

niques and the application of electron microscope in medical and biological research. Application received by Commissioner of Customs: April 30, 1976. Advice submitted by the Department of Health, Education, and Welfare on: June 24, 1976.

Docket number: 76-00397. Applicant: University of Wisconsin, Madison, 750 University Avenue, Madison, WI 53706. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter, AB, Sweden. Intended use of article: The article is intended to be used for studies of biological material from various animals. Observations will be made on the hypothalamic brain region after various hormones are injected, in the growth of nerve fibers and various lesions, and on the development of the central nervous system. The objective of this research is to further basic knowledge on cell and tissue ultrastructure and on tissues developing under normal and experimental conditions. The article will also be used for courses dealing with Ultrastructure Cytochemistry, principally studies of the Hypothalamus and Tissue Culture. Students will be trained in the use and application of electron microscopy and to use the electron microscope in solving research problems. Application received by Commissioner of Customs: May 4, 1976. Advice submitted by the Department of Health, Education, and Welfare on: June 24, 1976.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles for such purposes as these articles are intended to be used, is being manufactured in the United States.

Reasons: Each of the foreign articles provides a range of cutting speeds from 0.1 to 20 millimeters per second. The most closely comparable domestic instrument is the Model MT-2B ultramicrotome which is manufactured by Ivan Sorvall, Inc. Sorvall. The Model MT-2B a range of cutting speeds from 0.09 to 3.2 millimeters per second. The conditions for obtaining high-quality sections that are uniform in thickness, depend to a large extent on the hardness, consistency, toughness and other properties of the specimen materials, the properties of the embedding materials, and geometry of the block. In connection with a prior application (Docket Number 69-00665-33-46500), which relates to the duty-free entry of an article that is identical to those to which the foregoing applications relate, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting, (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section." In connection with another prior application (Docket Number 70-00077-33-46500) which also relates to an article that is identical to those described above, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness etc." requires a maximum range in cutting speed and, further, that the "production of ultrathin serial sections of specimens that have a great variation in physical properties is very difficult." Accordingly, HEW advises in its respectively cited memoranda, that cutting speeds in excess of 4 millimeters per second are pertinent to the satisfactory sectioning of the specimen materials and the relevant embedding materials that will be used by the applicants in their respective experiments.

For these reasons, we find that the Sorvall Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

BERNARD ASCHER,
Acting Director,
Officer of Import Programs.

[FR Doc.76-20225 Filed 7-13-76;8:45 am]

National Oceanic and Atmospheric Administration

BEARDSLEY ZOOLOGICAL GARDENS

Receipt of Application for Public Display Permit

Notice is hereby given that the following Applicant has applied in due form for a permit to take marine mammals for public display as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216).

Beardsley Zoological Gardens, Noble Avenue, Bridgeport, Connecticut 06610, to take one (1) California sea lion (*Zalophus californianus*) for public display.

The requested animal will be taken by a professional collector, off the Channel Islands, Santa Barbara, California. The animal will be shipped to the Beardsley facility by Commercial plane and truck.

At the facility, the animal will be displayed with another sea lion in a kidney shaped pool, 36 feet by 25 feet by 8 feet in depth. There are two holding facilities each 5½ feet by 10 feet by 6½feet in depth which connect to the pool. A viewing area surrounds the pool with a fence separating the area from the pool.

The sea lion is desired to provide recreational and educational benefits to the 250,000 visitors that visit the facility annually. The facility is a non-profit organization. Two keepers each with four years experience working with marine mammals, will provide for care and maintenance of the sea lions.

The arrangements and facilities for transporting and maintaining the marine mammals requested in the above described application have been inspected by a licensed veterinarian, who has certified that such arrangements and facilities are adequate to provide for the well-being of the marine mammals involved.

Documents submitted in connection with the above application are available for review in the following offices:

Director, National Marine Fisheries Service, 3300 Whitehaven Street, NW., Washington, D.C.

Regional Director, National Marine Fisheries Service, Northeast Region, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930.

Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Concurrent with the publication of this notice in the FEDERAL REGISTER, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and the committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this application should be submitted to the Director, National Marine Fisheries Service, Washington, D.C. 20235 on or before August 13, 1976. The holding of such a hearing is at the discretion of the Director.

All statements and opinions contained in this notice in support of this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Dated: July 8, 1976.

HARVEY M. HUTCHINGS,
Acting Associate Director for Resource Management, National Marine Fisheries Service.

[FR Doc.76-20229 Filed 7-13-76;8:45 am]

GERALD L. KOOYMAN

Receipt of Application for Scientific Research Permit

Notice is hereby given that the following Applicant has applied in due form for a permit to take marine mammals for scientific research as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216).

Dr. Gerald L. Kooyman, Associate Research Physiologist, University of California, San Diego, Scripps Institution of Oceanography, P.O. Box 1529, La Jolla, California 92037, to take ten (10) South African fur seals (*Arctocephalus pusillus*) in South Africa.

The animals are to be used in comparative behavior studies and as test subjects for a new type of at sea behavioral monitor.

The requested animals will be female adult, lactating animals weighing from

150–200 lbs. The Applicant states that lactating females are necessary because they have good fidelity and return at regular intervals to nurse pups, thus reducing the chance of instrument loss. The project will be conducted over one year with the principal investigator being Dr. Gerald L. Kooyman. The animals will be taken on a rookery site in South Africa.

The instrument, which is .5 cm in diameter 20 cm long and weighs 650 grams, is clamped to a harness on the animal. The instrument is a battery powered, depth-time recorder that can continuously record all diving activity for 1–3 weeks. The applicant states that after the experiments of 1–2 weeks duration the harness will be removed from the animal by a radio release mechanism.

The device has been used on previous research projects and with this one year research proposal the Applicant hopes to continue development and modification of the device. The final development of the depth-time recorder could provide a useful tool for defining the general behavior and ecology of marine mammals, and consequently, have important value in developing appropriate conservation practices.

Documents submitted in connection with this application are available in the following offices:

Director, National Marine Fisheries Service, 3300 Whitehaven Street, NW., Washington, D.C.

Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Concurrent with the publication of this notice in the FEDERAL REGISTER, the Secretary of Commerce is sending copies of the application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written views or data, or requests for a public hearing on this application should be submitted to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235 on or before August 13, 1976. The holding of such hearing is at the discretion of the Director.

All statements and opinions contained in this notice in support of this application are those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Dated: July 8, 1976.

HARVEY M. HUTCHINGS,
Acting Associate Director for Resource Management, National Marine Fisheries Service.

[FR Doc.76-20226 Filed 7-13-76;8:45 am]

STATE OF MAINE DEPARTMENT OF MARINE RESOURCES

Receipt of Application for Endangered Species Permit—E17

Notice is hereby given that the following Applicant has applied in due form for a permit to take an endangered species of fish for scientific purposes as authorized by the Endangered Species Act of 1973 (16 U.S.C. 1531–1543) and the National Marine Fisheries Service Regulations Governing Endangered Fish or Wildlife Permits (50 CFR 222), as published in the November 27, 1974, FEDERAL REGISTER on pages 41375–41377.

State of Maine, Department of Marine Resources, State House Annex, Capitol Shopping Center, Augusta, Maine 04333, has applied to take for research purposes an endangered species of fish, the shortnose sturgeon (*Acipenser brevirostrum*), by capture and tagging of live specimens and by collection of specimens inadvertently killed in the Kennebec River estuary which includes Merrymeeting Bay, the Androscoggin River estuary and the Sasona River and Sheepscot estuary.

The objective of the project is to determine the status of the shortnose sturgeon population by studying its age structure and frequency distribution. The data on this population will be utilized in reviewing Environmental Impact Statements and to minimize adverse affects of other fisheries on the sturgeon resource.

In the process of accomplishing these objectives, the Applicant proposes to capture, collect biological data, tag and release the sturgeon. The method of capture will be by gill net, seine and other trawls. No specimens are to be sacrificed; however, any inadvertent mortalities resulting from the course of study will be deposited in scientific collections.

Documents submitted in connection with this application are available for review in the following offices:

Director, National Marine Fisheries Service, 3300 Whitehaven Street, NW., Washington, D.C.

Regional Director, National Marine Fisheries Service, Northeast Region, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930.

Written data or views, or requests for a public hearing on this application, should be submitted to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, on or before August 13, 1976. The holding of such a hearing is at the discretion of the Director.

Any statements and opinions that may be contained in this notice in support of this application are summarized from information supplied by the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Dated: June 25, 1976.

HARVEY M. HUTCHINGS,
Acting Associate Director, for Resource Management, National Marine Fisheries Service.

[FR Doc.76-20230 Filed 7-13-76;8:45 am]

THEATER OF THE SEA, INC.

Receipt of Application for Public Display Permit

Notice is hereby given that the following Applicant has applied in due form for a permit to take marine mammals for public display as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216);

Theater of the Sea, Inc., P.O. Box 407, Islamorada, Florida 33036 to take two (2) California sea lions (*Zalophus californianus*) for the purpose of public display.

The requested animals will be taken by a professional collector from San Nicolas, Santa Cruz or San Miguel islands, off the coast of Santa Barbara, California, by means of a hoop net on land or a modified gill net in water. The animals will be transported by boat to the acclimating center and then transported to the Theater of the Sea by aircraft and truck.

The sea lions will be maintained in a pool which is 50 feet long by 20 feet wide and has a 8,000 gallon a minute turn over of fresh sea water pumped in from the adjacent ocean.

The sea lions will perform in shows seven days a week. The display is for profit and is visited by about 100,000 people annually. A member of the staff has fifteen years experience in the display of marine mammals including sea lions.

The arrangements and facilities for transporting and maintaining the marine mammals requested in the above described application have been inspected by a licensed veterinarian, who has certified that such arrangements and facilities are adequate to provide for the well-being of the marine mamals involved.

Documents submitted in connection with the above application are available for review in the following offices:

Director, National Marine Fisheries Service, 3300 Whitehaven Street NW., Washington, D.C.

Regional Director, National Marine Fisheries Service, Southeast Region, 9450 Gandy Boulevard, Duval Building, St. Petersburg, Florida 33702.

Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Concurrent with the publication of this notice in the FEDERAL REGISTER, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this application should be submitted to the Director, National Marine Fisheries Service, Washington, D.C. 20235, on or before August 13, 1976. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such a hearing is at the discretion of the Director.

All statements and opinions contained in this notice in support of this application are summaries of those of the Applicant and do not necessarily reflect the

views of the National Marine Fisheries Service.

Dated: July 9, 1976.

ROBERT J. AYERS,
Acting Associate Director for Resource Management, National Marine Fisheries Service.

[FR Doc.76-20227 Filed 7-13-76;8:45 am]

WINDSOR SAFARI PARK LTD.

Issuance of Permit To Take Marine Mammals

On April 21, 1976, notice was published in the FEDERAL REGISTER (41 FR 16677) that an application had been filed with the National Marine Fisheries Service by Windsor Safari Park Ltd., Royal Windsor, Berkshire, England, for a permit to take two (2) short-finned pilot whales (*Globicephala macrorhynchus*), for public display at Royal Windsor Safari and Leisure Park, Berkshire, England.

Notice is hereby given that on June 18, 1976, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the National Marine Fisheries Service issued a permit for the above taking to Windsor Safari Park Ltd., subject to certain conditions set forth therein.

The Permit is available for review by interested persons in the following offices:

Director, National Marine Fisheries Service, 3300 Whitehaven Street, N.W., Washington, D.C.

Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Dated: June 18, 1976.

ROBERT W. SCHONING,
Director, National Marine Fisheries Service.

[FR Doc.76-20228 Filed 7-13-76;8:45 am]

Patent and Trademark Office

PUBLIC SEARCH ROOM FOR PATENTS

Establishment of New Procedures and Revisions of Regulations

One of the major obligations of the Patent and Trademark Office is to make patent information available for public inspection. The quality of this service depends upon promoting an environment conducive to research and maintaining the integrity of the files in the Public Search Room for Patents.

To emphasize our commitment to providing this environment with complete and orderly files for public use, the Patent and Trademark Office is establishing new procedures and revising the Regulations for using the facilities of the Public Search Room for Patents. The new procedures and revised Regulations will become effective August 23, 1976. The new procedures for the Search Room include the requirement that users obtain and show, prior to entering the Search Room facilities, a User Pass. This pass can be obtained at a special desk near the guard station. User Passes will be issued to persons not under prohibition from using the search facilities who agree to abide by the Regulations of the Public Search Room for Patents by signing a statement to that effect. User Passes are non-transferable and are valid until reissue or revocation for cause.

The new procedures also include the requirement that persons entering and exiting the Search Room use designated lanes. Persons exiting the Search Room will automatically pass electronic sensing equipment designed to detect any marked documents or materials being removed from the Search Room. The sensing equipment is capable of detecting marked documents and materials in briefcases and parcels and under clothing. The equipment does not use x-ray or other high energy radiation and is, therefore, completely safe and harmless to persons, photographic film, magnetic tape and electronic or mechanical devices such as wristwatches. The Patent and Trademark Office is now preparing older documents in the Classified and Application files for use under this system. All new patents are marked for sensing before being placed in the Classified files.

Whenever a marked document is transported past the sensing equipment, Patent and Trademark Office officials and the security guards will be alerted to the removal of the document, and a gate on the exit lane will lock. Persons triggering the alarm will be asked to cooperate in identifying the source for the alarm. Failure to cooperate when the alarm is triggered could result in detention of the person, seizure of any briefcase or the like, or other legal measures deemed necessary and appropriate in the specific case.

In order to assure that the changes in the Search Room fully apply to the Record Room, the entrance to the Record Room will be relocated within the Search Room. This change is currently under way.

The revised Regulations for the Search Room appear below, and a reprinting of the Regulations brochure incorporating the revisions will soon be available in the Search Room. The substance of the changes in the procedures and the revised Regulations for the Search Room, as well as any pertinent information that will assist users in the changeover, will be prominently posted in the Search Room. In order to maintain an environment conducive to research, the revised Regulations will be strictly enforced.

Although these new procedures and revised Regulations may cause some inconvenience, it is hoped that with your understanding and cooperation they will result in improvement in search facilities which will benefit all participants in our patent system.

REGULATIONS FOR THE PUBLIC USE OF RECORDS IN THE PUBLIC SEARCH ROOM FOR PATENTS OF THE PATENT AND TRADEMARK OFFICE

The Public Search Room for Patents is defined as that area comprising the foyers off the lobbies of Buildings 3 and 4 of Crystal Plaza; the offices, Microfilm Center, restrooms and telephone areas off these foyers; the stacks, Record Room, study and copier areas between the foyers; and the Mezzanine.

Under applicable statutes and regulations, including 40 U.S.C. 486 (c); 41 CFR 101-19.3; and appropriate Sections of Department Organization Orders 30-3A and 30-3B of the Department of Commerce, the regulations appearing below are established for those using the facilities of the Public Search Room for Patents.

1. All persons using these facilities are subject to the regulations governing conduct on Federal Property, as specified in 41 CFR 101-19.3.

2. All posted Official Notices are to be complied with.

3. Smoking is not permitted except in designated areas.

4. Food and beverages in any form are not to be consumed except in designated areas.

5. Loud talking, use of radios, or any other form of activity which may disturb other members of the public is forbidden.

6. Children brought into the Public Search Room for Patents must not be allowed to disturb others.

7. Users of the facilities may not give the Patent and Trademark Office as a mailing address or otherwise suggest that mail may be received at the Patent and Trademark Office; nor may correspondence be conducted on official Patent and Trademark Office stationery.

8. Messages shall not be affixed to walls, desks, phone booths, or other public property, except designated message boards.

9. Patents and records shall not be removed from the facilities without proper authorizations; nor shall they be mutilated. The unlawful removal or multilation of records is forbidden by law and is punishable by fine or imprisonment or both (18 U.S.C. 2071).

10. The presence or use of equipment such as reproducing machines, typewriters and photographic equipment is prohibited without prior permission. The use of dictating equipment is prohibited, except in designated areas.

11. Library trucks or carts are to be used for transporting bundles only. They are not to be used for storage while making searches.

12. Patents temporarily removed from bundles for copying must be replaced promptly.

13. All bundles of patents must be promptly replaced in the stacks by the user.

14. The reserving of seats and/or working areas is prohibited.

15. Users of the Public Search Room for Patents are not permitted to use Patent and Trademark Office facilities beyond the Search Room after 5 p.m.

16. The front portion of the Public Search Room for Patents, i.e., that portion facing Crystal Plaza Drive and having a high ceiling, shall not be occupied by users after 6 p.m.

17. A valid User Pass must be shown upon request to authorized Patent and Trademark Office personnel.

18. User Passes are nontransferable and must be surrendered to authorized Patent and Trademark Office personnel upon request.

19. Packages, briefcases or other personal effects are subject to search by authorized Patent and Trademark Office personnel upon request.

20. All verbal requests for compliance with these regulations or other posted Patent and Trademark Office Notices pertaining to activity in the Public Search Room for Patents, when made by authorized Patent and Trademark Office personnel, must be promptly complied with.

Persons violating these regulations may be denied the use of the facilities in the Public Search Room for Patents, and may further be subjected to prosecution under the Criminal Code. Additionally, the name of any person violating these regulations who is registered to practice before the Patent and Trademark Office may be forwarded to the Solicitor for appropriate action under 37 CFR 1.348.

C. MARSHALL DANN,
Commissioner of Patents and Trademarks.

JULY 9, 1976.

[FR Doc.76-20318 Filed 7-13-76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health

BREAST CANCER DETECTION—MAMMOGRAPHY

Discussion Meeting

Notice is hereby given of the Discussion Meeting on Breast Cancer Detection—Mammography sponsored by the Office of the Director, National Cancer Institute, to be held July 19, 1976, National Institutes of Health, Building 31, Conference Room 6.

This meeting will be open to the public on July 19 from 10:00 a.m. to adjournment. Attendance by the public will be limited to space available.

For additional information, please contact: Dr. Richard A. Tjalma, Assistant Director, National Cancer Institute, Building 31, Room 11A46, Bethesda, Maryland 20014 (301/496-5854).

Dated: July 12, 1976.

R. W. LAMONT HAVERS,
Deputy Director, National Institutes of Health.

[FR Doc.76-20465 Filed 7-13-76;8:45 am]

Public Health Service

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

Part 13 (Alcohol, Drug Abuse, and Mental Health Administration) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (39 FR 1654, as amended) is hereby amended to reflect the establishment of two divisions within the Office of Program Coordination (OPC), which will provide for improved administration of the functions of this office, and to update the OPC statement:

Section 13-B, Organization and Functions, is amended by inserting the following statements in lieu of the existing statement for the *Office of Program Coordination (CA13)*:

OFFICE OF PROGRAM COORDINATION (CA 13)

(1) Develops policies and procedures to assure coordination between the ADAMHA Institutes in program implementation and in carrying out intergovernmental activities; (2) sponsors and provides leadership to initiatives in the coordination of ADAMHA programs on special populations, including minorities and women; (3) stimulates, monitors, and coordinates ADAMHA program activities with other components of the Department, other Federal agencies, States, and local governmental levels; (4) serves as central liaison and coordinating point between the three Institutes and the Regional Offices; (5) serves as liaison between the Institutes and the Office of Regional Operations, Office of the Assistant Secretary for Health; (6) facilitates coordination and collaboration between components of ADAMHA and professional organizations, citizen organizations, and public interest groups (including minority groups); (7) monitors implementation of the Administrator's program priorities, and makes periodic reports; (8) provides, or arranges for the provision of, executive and logistical support to ADAMHA advisory committees, and plans intergovernmental meetings, conferences, and seminars.

DIVISION OF PROGRAM IMPLEMENTATION (CA1303)

(1) Develops policies and procedures to assure a coordinated approach to overall program implementation within ADAMHA, with special emphasis on service delivery programs; (2) sponsors and provides leadership to initiatives in the coordination of ADAMHA programs on special populations, including minorities and women; (3) maintains a system for recording and reporting on the progress of ADAMHA's program priorities, makes periodic status reports to the Administrator, and recommends changes in priorities and policies for their implementation; (4) provides, or arranges for the provision of, executive and logistical support to the National Panel on Alcohol, Drug Abuse, and Mental Health and to the ADAMHA Minority Advisory Committee; (5) develops and maintains contacts with citizen organizations representing minority groups to improve communications, to assure that the needs of such groups are adequately considered in the implementation of ADAMHA programs, to encourage greater participation in local decision-making processes, and to promote increased utilization of volunteers in ADAMHA funded projects; (6) develops ADAMHA policy and procedures with respect to implementation of Title VI of the Civil Rights Act of 1964.

DIVISION OF INTERGOVERNMENTAL COORDINATION (CA1305)

(1) Develops policies and procedures for carrying out ADAMHA intergovernmental coordination in order to improve cross-Institute activities in this area; (2) serves as ADAMHA's central liaison on operating matters between the Institutes and the Regional Health Administrators to improve communications and promote cooperative working relationships; (3) clears ADAMHA policy documents affecting decentralized program operations, and serves as liaison between the Institutes and the Office of Regional Operations, Office of the Assistant Secretary for Health, in resolution of issues; (4) reviews and recommends approval of the ADAMHA portion of the Regional Health Administrator's Work Plans and monitors progress of ADAMHA regional components in the implementation of such plans; (5) provides leadership and coordinates the formulation and implementation of ADAMHA State Program Development plans to meet technical assistance needs in selected States; (6) stimulates and monitors collaboration with Federal, State, and local governmental levels, and with professional organizations as related to ADAMHA program interests in such areas as rural health, children and youth, and the aged, (7) plans conferences and meetings for intergovernmental groups including an annual ADAMHA conference of State and Territorial Alcohol, Drug Abuse, and Mental Health Authorities.

Dated: July 7, 1976.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.76-20324 Filed 7-13-76;8:45 am]

NATIONAL INSTITUTES OF HEALTH

Statement of Organization, Functions, and Delegations of Authority

Part 8 (National Institutes of Health) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (40 FR 22867-8, May 27, 1975) is amended to reflect: the establishment of the Intramural Research Program and the Research Resources Program in the National Institute of Environmental Health Sciences.

Section 8-B Organization and Functions, is amended as follows:

Under *National Institute of Environmental Health Sciences (8Q)*, after the statement for *Extramural Program (8Q12)*, insert the following:

INTRAMURAL RESEARCH PROGRAM (8Q18)

(1) Plans and conducts the Institute's basic laboratory research program, which encompasses five major areas: pharmacology, environmental toxicology, biometry, environmental mutagenesis, and environmental biophysics, to insure maximum utilization of available re-

sources in the attainment of Institute objectives; (2) evaluates research efforts and establishes program priorities; (3) allocates funds, space, and personnel ceilings, and integrates ongoing and new research activities into the program structure; (4) collaborates with other Institute and NIH programs and maintains awareness of national research efforts in program areas; (5) provides advice to Institute Director and staff on matters of scientific interest.

RESEARCH RESOURCES PROGRAM (8020)

(1) Plans, develops, and conducts a program of special targeted research, independently or in collaboration with other scientists, in the areas of (a) inhalation toxicology, (b) analytical biochemistry, biorganic chemistry and synthesis, (c) laboratory animal medicine and animal science (d) microbiology, and (e) comparative pathology; (2) plans, directs, coordinates, and evaluates the NIEHS's research contract program; (3) furnishes services and specialized assistance to the NIEHS in the following areas: (a) biomedical engineering and instrumentation design and development, (b) research animal production, care, procurement, and animal disease identification and control, (c) facilities design, construction, and maintenance, (d) centralized tissue culture, media, and glassware preparation and issuance, (e) library, arts, and photography services, (f) safety; (4) evaluates program efforts and establishes priorities; (5) allocates resources to assure maximum utilization in support of ongoing and new research programs of the NIEHS; (6) provides advice to Institute Director, Scientific Director, and staff on matters of interest.

Dated: July 7, 1976.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.76-20323 Filed 7-13-76;8:45 am]

Office of the Secretary

CHILD AND FAMILY DEVELOPMENT RESEARCH REVIEW COMMITTEE

Meeting

The Child and Family Development Research Review Committee will meet on Wednesday, September 1, 1976 through Friday, September 3. The meeting will be held daily from 9 a.m. to 5 p.m. in Room 5559, Office of Child Development, 400 Sixth Street, SW., Washington, D.C., and will be closed to the public except for the opening remarks. The purpose of the Committee is to review applications for research and demonstration projects in the areas of child development and child welfare and to make recommendations to the Director, Office of Child Development, as to which projects should be funded. The agenda of this meeting will consist of opening remarks by the Director, Office of Child Development, followed by the review of demonstration proposals concerned with child welfare which have been submitted to the Office of Child Development for the award of grants. The closed portion of the meeting involves solely the internal expression of views and judgments of committee members on individual grant applications which contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. These are matters listed in 5 USC 552(b) (4), (5), and (6). A list of Committee members and a summary of the meeting may be obtained from:

Barbara Rosengard,
Research and Evaluation Division,
Office of Child Development,
P.O. Box 1182,
Washington, D.C. 20013,
(202) 755-7758.

Dated: June 18, 1976.

BARBARA ROSENGARD,
Executive Secretary.

[FR Doc.76-20322 Filed 7-13-76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Assistant Secretary for Community Planning and Development

[Docket No. D-76-447]

REGIONAL ADMINISTRATORS, ET AL.

Redelegation of Authority With Respect to Rehabilitation Loan Program Under Section 312

In order to avoid duplicate processing, it has been determined that each Regional Administrator should have flexibility to organize the management of rehabilitation loans authorized by section 312 of the Housing Act of 1964 in the manner which best suits the needs of the Region. Each Administrator shall have the following options with respect to processing section 312 loans: processing by the Area Office generally responsible for HUD programs in the respective location, processing at the Regional level, or processing by one Area Office for two or more Area Offices within the Region.

Accordingly, the Assistant Secretary redelegates as follows:

Sec. A. Each Regional Administrator, each Deputy Regional Administrator, each Assistant Regional Administrator for Community Planning and Development, each Regional Loan and Grant Specialist or Officer, and each Community Planning and Development Financial Analyst or Officer is authorized to exercise the power and authority of the Secretary of Housing and Urban Development with respect to the Rehabilitation Loan Program under section 312 of the Housing Act of 1964 (42 U.S.C. 1452b), except the power and authority to:

1. Delegate to or use as an agent any Federal or private agency or organization pursuant to section 312(f) [42 U.S.C. 1452b(f);

2. Make the determinations to:

a. Foreclose on any property or to commerce any legal action to protect or enforce any right conferred upon the Secretary by any law, contract, or other agreement;

b. Accept deeds in lieu of foreclosure; or

c. Purchase prior liens on such property.

Sec. B. Every Area Director, Deputy Area Director, Director and Deputy Director, Community Planning and Development Division, Area Office, and Rehabilitation Loan and Grant Specialist, Area Office, is authorized to exercise the power and authority in Section A., for his Area and for any other Area in the respective Region, except the power and authority to service loans and to dispose of property in the custody of the Secretary. Each of the Area Offices is empowered to act throughout the Region in carrying out the responsibilities set forth in this delegation. Each Regional Administrator shall determine from time to time whether processing of the loans shall be done in the Regional Office, in the Area Offices or in one or more Area Offices for all Area Offices within the Region.

(Section 7(d), Department of HUD Act, 42 U.S.C. 3535(d)).

Effective date: July 14, 1976.

DAVID O. MEEKER, JR.,
Assistant Secretary for Community Planning and Development.

[FR Doc.76-22320 Filed 7-13-76;8:45 am]

[Docket No. D-76-446]

REGIONAL ADMINISTRATORS, ET AL.

Amendment to Redelegation of Authority With Respect to Renewal Assistance Programs

In order to avoid duplicate processing, it has been determined that each Regional Administrator should have flexibility to organize the management of section 312 rehabilitation loans authorized by section 312 of the Housing Act of 1964 in the manner which best suits the needs of the Region. Each Administrator shall have the following options with respect to processing section 312 loans: processing by the Area Office generally responsible for HUD programs in the respective location, processing at the Regional level or processing by one Area Office for two or more Area Offices within the Region. Accordingly, a new redelegation giving effect to the foregoing is being published simultaneously herewith; and the redelegation of authority, published on October 14, 1970, at 35 FR 16102 et seq., authorizing the processing of section 312 loans by Regional Administrators and Area Directors, et al., and subsequently to Directors and Deputy Directors, Community Planning and Development Division and to Rehabilitation Loan and Grant Specialists in the Area Offices, is amended as follows:

1. Subsection 2 of Section A is deleted.
2. Subsection 1 of Section F is deleted.

(Section 7(d), Department of HUD Act, 42 U.S.C. 3535(d)).

Effective date: This amendent is effective July 14, 1976.

WARREN H. BUTLER,
Deputy Assistant Secretary for Community Planning and Development.

[FR Doc.76-20321 Filed 7-13-76;8:45 am]

Office of Interstate Land Sales Registration

[Docket No. N-76-567]

CALVADA VALLEY AND CALVADA NORTH

Hearing

In the matter of: Calvada Valley and Calvada North; Developer, Preferred Equities Corp., Las Vegas, Nevada, OILSR No. 0-1316-33-10(H); Docket No. ED-76-10-IS.

Notice is hereby given that: 1. Calvada Valley and Calvada North, Preferred Equities Corp., Las Vegas, Nevada, its officers and agents, hereinafter referred to as "Respondent", being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90-448) (15 U.S.C. 1701, et seq.,) received a Notice of Suspension dated June 7, 1976, which was sent to the developer pursuant to 15 U.S.C. 1706(b) and 24 CFR 1720.45 (a) informing the developer that its amended Statement of Record submitted for Calvada Valley and Calvada North and the Preferred Equities Corp., of Las Vegas, Nevada, was not effective pursuant to the Act, and the regulations contained in 24 CFR Part 1710.

2. The Respondent filed an Answer dated June 22, 1976, in answer to the allegations of the Notice of Suspension dated June 7, 1976.

3. In said Answer the Respondent requested a hearing on the Suspension Order.

4. Therefore, pursuant to the provisions of 15 U.S.C. (1706(e) and 24 CFR 1720.165(b), *it is hereby ordered*, That a public hearing for the purpose of taking evidence on the propriety of the Suspension Order will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, SW., Washington, D.C., on July 19,, 1976, at 10 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before July 12, 1976.

6. The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default, and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and the Suspension Order shall be continued in effect.

This notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: July 2, 1976.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc.76-20254 Filed 7-13-76;8:45 am]

ARMS CONTROL AND DISARMAMENT AGENCY

PRIVACY ACT OF 1974

Systems of Records

On May 26, 1976 the U.S. Arms Control and Disarmament Agency published a notice of systms of records and proposed routine uses in the FEDERAL REGISTER (41 FR 21624-21626) which amended a previous notice of systems of records and proposed routine uses published by the Agency in the FEDERAL REGISTER on August 28, 1975 (40 FR 39665-39669).

Pursuant to 5 U.S.C. 552a(e)(11) interested persons were given thirty days to submit written data, views, or arguments to the Agency. No comments have been received. Accordingly as required by 5 U.S.C. 552(e)(4) the U.S. Arms Control and Disarmament Agency hereby gives notice of the existence and character of its systems of records as published on August 28, 1975 (40 FR 39665-39669) and amended on May 26, 1976 (41 FR 21624-21626).

Effective date: This notice shall be effective July 14, 1976.

Dated: July 6, 1976.

JOHN F. LEHMAN,
Acting Director.

[FR Doc.76-20303 Filed 7-13-76;8:45 am]

[Docket 24869; Order 76-7-32]

CIVIL AERONAUTICS BOARD

BAGGAGE ALLOWANCE TARIFF RULES

Overseas and Foreign Air Transportation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 8th day of July, 1976.

By Order 76-6-73, dated June 9, 1976, the Board at the request of the Department of State deferred for 30 days, through July 10, 1976, the cancellation of various tariffs establishing excess-baggage charges in overseas and foreign air transportation. The request of the Department of State was based on the likelihood that the United Kingdom authorities would submit a letter containing justification for extending the effective date for cancellation of the tariffs.

The Department of State has now submitted the text of a letter from the Department of Trade of the United Kingdom requesting that the Board defer its tariff cancellation action until such time as a suitable solution to the excess-baggage charge issue can be found within the International Air Transport Association.

The letter from the United Kingdom indicates an understanding of the Board's position to obtain early results on the matter of excess-baggage charges, however, it suggests it would be prudent to allow some further time for the airlines and authorities to reach an agreed solution. If the effect of changes in excess-baggage charges were a reduction in airlines' receipts, changes in the rate structure would be required to compensate for the loss. While the United Kingdom has no considered view as to what system of charges should be employed, it requests that IATA be allowed till the end of October to come forward with revised proposals with a view to an agreed intergovernmental solution not later than December 31, 1976 so that any new basis for excess-baggage charges could take effect on April 1, 1977.

Upon consideration of the contents of the document we find no basis for altering our previous position and we shall reaffirm the action taken by Order 76-6-73 and order the tariffs canceled prior to July 11, 1976. This matter has been the subject of discussions within IATA for at least ten years, the Board's formal investigation was instituted in 1972, and four months have now passed since that decision. Under these circumstances we discern no basis for any further delay.

Accordingly, *it is ordered*, that:

Ordering paragraphs 3 and 4 of Order 76-3-81 are hereby amended to require that the excess-baggage rate of one percent of the applicable one-way first-class fare per kilogram be cancelled prior to July 11, 1976, and to provide for the approval of IATA Resolution 311 through July 10, 1976.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.76-20298 Filed 7-13-76;8:45 am]

[Docket 29351]

CATHAY PACIFIC AIRWAYS LTD.; HONG KONG-MANILA-GUAM

Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on July 23, 1976, at 9:30 a.m. (local time), in Room 1003, Hearing Room B, Universal North Building, 1875 Connecticut Avenue, NW., Washington, D.C., before the undersigned administrative law judge.

Dated at Washington, D.C., July 8, 1976.

RONNIE A. YODER,
Administrative Law Judge.

[FR Doc.76-20295 Filed 7-13-76;8:45 am]

[Docket 29501, Order 76-7-36]

EL AL ISRAEL AIRLINES LTD., ET AL.

North Atlantic Economy Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 29th day of June, 1976.

By Order 76-4-175, April 30, 1976, the Board disapproved a resolution of the International Air Transport Association (IATA) which would have increased normal economy fares over the North Atlantic for the period May 1 through October 31, 1976.

El Al Israel Airlines Limited (El Al) has filed tariff revisions June 11, 1976 for effectiveness July 11, 1976, and Compagnie Nationale Air France (Air France), K.L.M. Royal Dutch Airlines (KLM), and Scandinavian Airlines System (SAS) have filed tariff revisions June 18, 1976 for effectiveness July 18, 1976, all proposing to increase North Atlantic normal economy fares by amounts ranging from 2.7 to 4.9 percent depending on season and specific market. The proposed fares are identical to those proposed for effect July 1, 1976 by Pan American World Airways, Inc. (Pan American), Trans World Airlines, Inc. (TWA), and Aerlinte Eireann Teoranta (Aer Lingus). El Al and SAS state in support of their filings that they rely on the justifications submitted by Pan American and Aer Lingus. Air France and KLM indicate that the proposed filings would serve to overcome the Board's objections stated in Order 76-4-175 that the normal economy fare was to increase in lesser dollar amounts than the promotional fares in the IATA agreement.

By Order 76-6-180, June 18, 1976, the Board suspended the normal fare increase proposed by Pan American, TWA, and Aer Lingus pending investigation, on the basis that none of the carriers had presented anything which would cause the Board to alter its conclusions stated in Order 76-4-175 that no increases in normal economy fares were warranted. No facts have been presented which were not adequately treated in Order 76-6-180. Clearly there is nothing to distinguish the instant filings now before us from the earlier filings of the other carriers, and accordingly these proposals will likewise be suspended pending investigation.

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, and particularly sections 102, 204(a), 403, 404, 801, and 1002 thereof,

It is ordered, That:

1. An investigation be instituted to determine whether the fares and provisions set forth in the Appendices hereof, and rules, regulations, or practices affecting such fares and provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and, if found to be unlawful, to take appropriate action to prevent the use of such provisions or rules, regulations, or practices;

2. Pending hearing and decision by the Board, the tariff provisions specified in Appendix A[1] hereof are suspended and their use deferred from July 11, 1976 to and including July 10, 1977, unless otherwise ordered by the Board and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. Pending hearing and decision by the Board, the tariff provisions specified in Appendix B hereof are suspended and their use deferred from July 18, 1976 to and including July 17, 1977, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

4. This order shall be submitted to the President[2] and shall become effective on July 11, 1976;

5. The investigation ordered herein be assigned for hearing before an Administrative Law Judge of the Board at a time and place hereafter to be designated; and

6. Copies of this order be filed in the aforesaid tariffs and be served upon El Al Israel Airlines Limited, Compagnie Nationale Air France, K.L.M. Royal Dutch Airlines, and Scandinavian Airlines System.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.76-20299 Filed 7-13-76;8:45 am]

[Order 76-7-27; Docket 27573; Agreement C.A.B. 25972]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Specific Commodity Rates

Issued under delegated authority July 8, 1976.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the Joint Traffic Conferences of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement names an additional specific commodity rate as set forth below, reflecting reductions from general cargo rates, and was adopted pursuant to unprotested notices to the carriers and promulgated in IATA letter dated June 30, 1976.

Specific commodity item no.	*Description and rate*
2203	Clothing and Footwear, Outerwear, Undergarments [1] 250 cents per kg.,[2] minimum weight 500 kgs. From Colombo to Los Angeles

[1] See applicable tariffs for complete commodity description.
[2] Expires September 30, 1977.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14, it is not found that the subject agreement is adverse to the public interest or in violation of the Act, provided that approval is subject to the conditions hereinafter ordered.

Accordingly, *it is ordered*, That:

Agreement C.A.B. 25972 is approved, provided that approval shall not constitute approval of the specific commodity description contained therein for purposes of tariff publications; provided further that tariff filings shall be marked to become effective on not less than 30 days' notice from the date of filing.

Persons entitled to petition the Board for review of this order, pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.76-20297 Filed 7-13-76;8:45 am]

[Order 76-7-26; Docket 27573; Agreement C.A.B. 25932]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Specific Commodity Rates

Issued under delegated authority, July 8, 1976.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreement was adopted at the 41st Meeting of the TC1 Specific Commodity Rates Board held in Miami, Florida on May 26, 1976.[1]

With respect to air transportation as defined by the Act, the agreement ex-

[1] Appendices A and B filed as part of the original document.
[2] This order was submitted to the President on June 29, 1976.

[1] Order 76-6-159 approved Agreement C.A.B. 25902 which contained the expedited rates approved at the 41st Meeting of the TC1 SCRB.

tends and/or cancels certain specific commodity rates (Attachment I);[2] and adds as well as amends certain specific commodity descriptions (Attachment II).

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14, it is not found that the subject agreement is adverse to the public interest or in violation of the Act, provided that approval is subject to the conditions hereinafter ordered.

Accordingly, *it is ordered*, That:

Agreement C.A.B. 25932 be and hereby is approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publications; provided further that tariff filings shall be marked to become effective on not less than 30 days' notice from the date of filing.

Persons entitled to petition the Board for review of this order, pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.76-20296 Filed 7-13-76;8:45 am]

[Docket 29181]

TRANSPORTES AEREOS PORTUGUESES S.A.R.L. (TAP)

Proposed Nonaffinity Group Fares Postponement of Prehearing Conference

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the prehearing conference in the above-entitled matter assigned to be held on July 9, 1976, (41 FR 20909, May 21, 1976), is postponed indefinitely.

Dated at Washington, D.C. July 8, 1976.

BURTON S. KOLKO,
Administrative Law Judge.

[FR Doc.76-20294 Filed 7-13-76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 581-8; PP5G1604/T69]

ACEPHATE

Establishment of a Temporary Tolerance

Chevron Chemical Co., 940 Hensley St., Richmond CA 94804, has submitted a pesticide petition (PP 5G1604) to the Environmental Protection Agency (EPA). This petition requests that a temporary tolerance be established for combined residues of the insecticide acephate (*O.S.*-dimethyl acetylphosphoramidothioate) and its cholinesterase-inhibiting metabolite *O.S.*-dimethyl phosphoroamidothioate in or on the raw agricultural commodity grapes at 5 parts per million (ppm) (of which no more than 1 ppm is *O.S.*-dimethyl phosphoramidothioate).

Establishment of this temporary tolerance will permit the marketing of the above raw agricultural commodity when treated in accordance with an experimental use permit that is being issued concurrently under the Federal Insecticide, Fungicide, and Rodenticide Act.

An evaluation of the scientific data reported and other relevant material has shown that the requested tolerance is adequate to cover residues resulting from the proposed experimental use, and it has been determined that the temporary tolerance will protect the public health. The temporary tolerance is established for the pesticide, therefore, with the following provisions:

1. The total amount of the pesticide to be used must not exceed the quantity authorized by the experimental use permit.

2. Chevron Chemical Co. must immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The firm must also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

This temporary tolerance expires July 6, 1977. Residues not in excess of 5 ppm in or on grapes (of which not more than 1 ppm is *O,S*-dimethyl phosphoramidothioate) remaining after this expiration date will not be considered to be actionable if the pesticide is legally applied during the term of and in accordance with the provisions of the experimental use permit and temporary tolerance. This temporary tolerance may be revoked if the experimental use permit is revoked or if any scientific data or experience with this pesticide indicate such revocation is necessary to protect the public health.

(Section 408(j) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 346a(j)].)

Dated: July 6, 1976.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

[FR Doc.76-20338 Filed 7-13-76;8:45 am]

[FRL 581-7; OPP—50171A]

UNIVERSITY OF ARIZONA

Issuance of Experimental Use Permit Correction

In FR Doc. 76-17084 appearing at page 23751 in the issue of June 11, 1976, the experimental use permit number in the first sentence of the second paragraph should be "38334-EUP-1" instead of "1471-EUP-47".

Dated: July 8, 1976.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

[FR Doc.76-20337 Filed 7-13-76;8:45 am]

[FRL 582-6]

ENVIRONMENTAL HEALTH ADVISORY COMMITTEE; AD HOC STUDY GROUP ON TOXIC SUBSTANCES PROGRAMS

Open Meeting

Notice is hereby given that a meeting of a special Ad Hoc Study Group of the Environmental Health Advisory Committee, dealing with programs in toxic substances, will be held on August 19 and 20, 1976, in Conference Room 1112 of Crystal Mall, Building #2 (1921 Jefferson Davis Highway, Arlington, Virginia), beginning each day at 9:00 a.m.

This meeting is a part of an activity of the Science Advisory Board of the U.S. Environmental Protection Agency to provide informed advice about a number of operating programs of the EPA's Office of Toxic Substances. The purpose of the meeting is to gather factual information and views upon which to base a scientific assessment report of the programs of the Office of Toxic Substances, said report to be presented at a future meeting of the Environmental Health Advisory Committee. The meeting will be chaired by Dr. Samuel S. Epstein, member of the Environmental Health Advisory Committee. Study Group participants include members of the Environmental Measurements Advisory Committee, Environmental Health Advisory Committee, Environmental Pollutant Movement and Transformation Advisory Committee, and the Technology Assessment and Pollution Control Advisory Committee, and several special consultants to the Science Advisory Board.

The first day of the meeting will involve presentations by personnel of the Office of Toxic Substances regarding: (a) The preparation of informational summaries on selected toxic chemicals, (b) activities to improve various early warning systems for environmental hazards from selected toxic chemicals, and (c) sponsored developments to assess environmental policy implications of health effects studies of toxic chemicals, including: Epidemiological methods, analytical chemical techniques; systems to study mutagenic, teratogenic, and carcinogenic properties; problems of informational transfer; and associated social sciences and decision making methodologies. The second day of the meeting will involve presentations by technical personnel of organizations which are under contract to the Office of Toxic Substances to perform selected studies among those described the first day.

The meeting is open to the public. Because of limited seating capacity in the conference room, however, any member of the public wishing to attend must preregister. To pre-register, or obtain additional information about the meeting, a person should contact the Staff Officer for the Study Group, Dr. Joel L. Fisher, Science Advisory Board, at (703) 557-7710 by close of business (c.o.b.) on August 16, 1976. Persons who wish to provide information to the Study Group should submit materials to the Staff Officer by c.o.b. August 10, 1976. It is requested that submissions of materials

[2] Filed as part of the original document.

be brief and not include bulky enclosures. Only materials related to methods of selecting toxic chemicals, and development of methodologies to assess the toxic nature of certain chemicals should be provided. The materials should be factual and referenced, but the references in the form of reprints or similar documents need not be supplied unless they are difficult to obtain otherwise. If more extensive materials are involved, it is essential that the Study Group Staff Officer be contacted as soon as possible to arrange for appropriate means of duplication and distribution of materials.

THOMAS D. BATH,
Staff Director,
Science Advisory Board.

JULY 9, 1976.

[FR Doc.76-20343 Filed 7-13-76;8:45 am]

[FRL 582;-5 OPP-30000/3B]

PESTICIDE PROGRAMS

Extension of Period for Submission of Rebuttal Evidence and Comments With Regard to Presumption Against Registration and Continued Registration of Pesticide Products Containing Chlorobenzilate

On May 26, 1976, the Environmental Protection Agency (EPA) published (41 FR 21517) a notice of presumption against registration and continued registration of pesticide products containing the ingredient chlorobenzilate. The regulations governing rebuttable presumptions provided that the applicant or registrant of such pesticide products shall have forty-five (45) days from the date such notice is sent to submit evidence in rebuttal of the presumption. However, the Administrator, for good cause shown, may grant an additional sixty (60) days in which such evidence may be submitted (40 CFR 162.11(a)(1)(f)).

Requests for an additional 60 days in which to present evidence to the Agency have been received from many of the applicants and registrants who were affected by the notice of presumption as well as by other interested parties. Several requestors specified a need for additional time to accumulate and assemble data to show the economic, social, and environmental benefits of the uses of chlorobenzilate outweigh the risk. Another request for an extension indicated that additional time was necessary to review all available data and information to determine if a rebuttal is indeed warranted at all. Many requestors cited the need to review an additional study referred to in the May 26 notice of presumption which may indicate that chlorobenzilate is oncogenic in rats as a result of oral exposure. As indicated, the Agency was advised by Ciba-Geigy Corporation that it considered the contents of this study a trade secret under section 10(b) of FIFRA. Ciba-Geigy was notified pursuant to Section 10(c) of FIFRA that the Deputy Assistant Administrator proposed to release this study for public inspection. Ciba-Geigy consented to release this study to the Agency for its use only and not to the public. The issue of availability has not yet been resolved; therefore, and extension would compensate for time lost by those wishing to submit evidence who have not culminated their research waiting for access to the study in question.

Because good cause has been shown for an extension of time by those wishing to respond to the above notices, all registrants, applicants for registration, and other interested persons shall have until August 27, 1976, to submit rebuttal evidence and other comments or information. Such evidence, comments or other information relevant to the presumption against registration and continued registration should be submitted to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Rm. 401 M St. SW, Washington DC 20460. Three copies of the comments should be submitted to facilitate the efforts of the Agency and others interested in inspecting them. All comments should bear the identifying notation "OPP—30000/3B". Comments and information received on or before August 27, 1976, shall be considered before it is determined whether a notice shall be issued in accordance with 40 CFR 162.11(a)(5)(ii) and 7 U.S.C. 136(a)(c)(6) or 7 U.S.C. 136d(b)(1). Comments received after August 27, 1976, shall be considered only to the extent feasible consistent with the time limits imposed by 40 CFR 162.11(a)(5)(ii). All written comments filed pursuant to this notice as well as the file supporting the Agency's presumption against this pesticide will be available for public inspection in the office of the Federal Register Section at the above address from 8:30 a.m. to 4 p.m. on normal business days.

Dated: July 9, 1976.

EDWIN L. JOHNSON,
Deputy Assistant Administrator
for Pesticide Programs.

[FR Doc.76-20342 Filed 7-13-76;8:45 am]

[FRL 582-7; OPP—30000/3C]

PESTICIDE PROGRAMS

Presumption Against Registration and Continued Registration of Pesticide Products Containing Chlorobenzilate

On May 26, 1976, the Environmental Protection Agency (EPA) gace notice (41 FR 21517) that the Deputy Assistant Administrator of the Office of Pesticide Programs had determined that a rebuttable presumption exists against registration and continued registration of all pesticide products containing chlorobenzilate as an ingredient for all uses. Registrants and applicants for registration identified in the notice were notified by certified mail of this action.

Additional applications for registration of products containing chlorobenzilate have come to the attention of the Agency. In light of the above action, a notice of presumption against registration is being issued at this time to:

Applicant	EPA file symbol/ State Reg. No.	Product name
Aceto Chemical Co., Inc., 126-02 Northern Blvd., Flushing N.Y. 11368.	2749-UNO	Chlorobenzilate Tech-Miticide.
Marubeni America Corp., c/o Donald Lerch, Donald Lerch & Co., Inc., 1101 17th N.W., Washington D.C. 20036.	9566-G	Chlorobenzilate Tech.
Tower Chemical Co., P.O. Box 586. Clermont, Fla. 32711.	9518-U	Benz-o-Chlor 8 mg.
	9518-10380 FLA	Mal-o-Chlor Malathion Chlorobenzilate.

The above applicants for registration are being notified by certified mail of the rebuttable presumption issued on May 26, 1976.

The above applicants for registration shall have 45 days from the date of signature of this notice, to submit evidence in rebuttal of the presumption. However, the Administrator may, for good cause shown, grant an additional 60 days in which such evidence may be submitted. Notice of such an extension, if granted, will appear in the FEDERAL REGISTER.

During the time allowed for submission of rebuttal evidence, any member of the public or any other federal agency is invited to submit written comments and other information relevant to the presumption against registration and continued registration contained in this notice to the FEDERAL REGISTER Section, Technical Services Division (WH-569), Office of Pesticide Programs, Rm. 401, East Tower, 401 M St. SW, Washington, D.C. 20460. Three copies of the comments should be submitted to facilitate the work of the Agency and others interested in inspecting them. The comments should bear the identifying notation "OPP-30000/3C". Comments and information received within the specified time limit shall be considered before it is determined whether a notice shall be issued in accordance with 40 CFR 162.11(a)(5)(ii). Comments received after the specified time period will be considered only to the extent feasible consistent with the time limits imposed by 40 CFR 162.11(a)(5)(ii). All written comments filed pursuant to this notice will be available for public inspection in the office of the FEDERAL REGISTER Section from 8:30 a.m. to 4 p.m. during normal working days.

Dated: July 9, 1976.

EDWIN L. JOHNSON,
Deputy Assistant Administrator
for Pesticide Programs.

[FR Doc.76-20344 Filed 7-13-76;8:45 am]

[FRL 582-4]

WATER POLLUTION PREVENTION AND CONTROL

Addition to List of Categories of Sources

Section 306(b)(1)(A) of the Federal Water Pollution Control Act, as amended October 18, 1972 (Pub. L. 92-500), directs the Administrator of the Environmen-

tal Protection Agency to publish, and from time to time revise a list of categories of sources which shall, at the minimum, include those listed in section 306(b)(1)(A). As soon as practicable, but in no case more than one year after the inclusion of a category of sources in such list, the Administrator is required to propose and publish regulations establishing Federal standards of performance for new sources within such categories. The original list of 27 source categories was published January 16, 1973 (38 FR 1624). Standards of performance have been promulgated for all 27 source categories.

The Administrator, after evaluating available information, has determined that photographic processing is an additional category of point sources which meets the above requirements. Evaluation of other point source categories is in progress, and the list will be supplemented from time to time as the Administrator deems appropriate. Accordingly, notice is given that the Administrator, pursuant to section 306(b)(1)(A) of the Act amends the list of categories of sources as follows:

LIST OF CATEGORIES OF SOURCES

39. Photographic.

Effluent limitations guidelines for existing sources appear elsewhere in this issue of the FEDERAL REGISTER.

Dated: July 7, 1976.

JOHN QUARLES,
Acting Administrator.

[FR Doc.76-20341 Filed 7-13-76;8:45 am]

EQUAL EMPLOYMENT OPPORTUNITY COORDINATING COUNCIL

EMPLOYEE SELECTION PROCEDURES

Uniform Guidelines

The Equal Employment Opportunity Coordinating Council, which is composed of the Department of Labor, the Equal Employment Opportunity Commission, the Civil Rights Commission, the Civil Service Commission and the Department of Justice is charged by law (Sec. 715 of the Civil Rights Act of 1964, as amended, (42 U.S.C. 2000e-14) to eliminate inconsistency among the operations of the agencies and departments responsible for enforcement of Federal equal employment opportunity law. Pursuant to that mandate, the Coordinating Council began work on proposed uniform guidelines on employee selection procedures early in 1973. A proposed draft of August 23, 1973 was circulated for comment pursuant to the procedures contained in OMB circular A-85. Later drafts also received wide circulation and have been the subject of written and oral comments.

Based upon these comments, the case law, and the American Psychological Association's Standards for Educational and Psychological Tests (1974), the Staff Committee of the Council, working pursuant to decisions made by the Council at its November, 1974, meeting undertook a redraft of the proposed uniform guidelines.

A draft "Staff Committee Proposal, Sept. 24, 1975," for Uniform Guidelines on Employee Selection Procedures was agreed upon by the designated representatives on the Staff Committee of the four agencies having operational responsibility—the Department of Labor, the Equal Employment Opportunity Commission, the Civil Service Commission, and the Department of Justice—for purposes of Council consideration, and for circularization for analysis and comment.

A majority of the Council believed that the Staff Committee Proposal, Sept. 24, 1975, should be widely circulated for comment, as a step toward achievement of the goal of Uniform Guidelines on Employee Selection Standards.

The Equal Employment Opportunity Commission reviewed the Staff Committee Proposal, and determined that it did not represent the position of that agency, and for that reason opposed circulating the Staff Committee Proposal for prepublication comment pursuant to the A-85 procedure.

The Staff Committee Proposal, September 24, 1975 was accordingly circulated for prepublication comment pursuant to the A-85 procedure. Substantial additional comments were received, and modifications of the proposal were made.

A majority of the Coordinating Council believes that the proposed guidelines, as set forth below, should be published for comment, as a step toward achievement of the goal of Uniform Guidelines on Employee Selection Standards; and this publication is made accordingly.

These proposed guidelines were prepared prior to the Supreme Court's decision in *Washington* v. *Davis*, S. Ct. No. 74-1497, June 7, 1976, 44 U.S.L.W. 4789. Accordingly, in addition to comments on the draft in general, comments are solicited on the effect, if any, of that decision on the issues to which the testing Guidelines are addressed.

The Equal Employment Opportunity Commission has reviewed the draft, and has determined that it does not represent the position of that agency; and for that reason has opposed publication for comment. It does, however, continue to adhere to the view that a uniform Federal position on employee selection procedures is a desirable objective.

Because one of the roles of the Civil Rights Commission is to analyze critically the efforts of Federal agencies in the enforcement of civil rights law, the Coordinating Council did not seek or receive the concurrence of that agency in the decisions to circulate and publish the proposed guidelines.

Any comments on the draft should be submitted, in quintuplicate, within forty-five (45) days of this date to:

Harold R. Tyler, Jr., Chairman, EEO Coordinating Council, U.S. Department of Justice, Washington, D.C. 20530.

Pursuant to the authority of secs. 201, 202, 203(a), 205, 206(a), 301, 303(a), 303(b), and 403(b) of Executive Order 11246, as amended, 30 FR 12319, 32 FR 14303, § 60-1.2 of Part 60-1 of 41 CFR Chapter 60, and Section 715 of the Civil Rights Act of 1964, as amended, (42 U.S.C. 2000e-14); notice is hereby given that the Department of Labor proposes to rescind present 41 CFR Part 60-3 and substitute a new Part 60-3, as set forth below.

Notice is hereby given that under authority of Section 3301, 3302, and 7301 of Title V, and Section 4763(b) of Title 42 U.S.C., and Executive Order 10577, 3 CFR 1954-1954 comp., p. 218, and Executive Order 11478, 3 CFR 1969, comp., p. 133, and Sec. 715 of the Civil Rights Act of 1964, as amended, (42 U.S.C. 2000e-14), Civil Service Commission proposes to issue federal personnel manual supplement appendices, as set forth below, to provide guidance and furtherance of the principles of Supplement 271-1 (development of qualification standards), 271-2 (test and other applicant appraisal procedures) 335-1 (evaluation of employees for promotion and internal placement) and 990-1 (Book 3), Part 900 subpart F (administration of standards for a merit system of personnel administration [test standards are located at part 70 Title V of the Code of Federal Regulation]) of the Federal Personnel Manual, insuring that examining, testing standards and employment practices are not affected by discrimination on the basis of race, color, religion, sex and national origin.

The Commission is not required to publish these proposed guidelines in advance of their effective date. However, in the interest of obtaining views from as many sources as possible, interested persons may submit written comments, objections, and suggestions as set forth above.

HAROLD R. TYLER, Jr.,
Deputy Attorney General and Chairman, Equal Employment Opportunity Coordinating Council.

Dated: July 9, 1976.

UNIFORM GUIDELINES ON EMPLOYEE SELECTION PROCEDURES

PART I—GENERAL PRINCIPLES

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PART I

GENERAL PRINCIPLES

§ 1 *Statement of purpose.*

a. These Uniform Guidelines on Employee Selection Procedures have been developed under the auspices of the Equal Employment Opportunity Coordinating Council, established by Section 715 of Title VII of the Civil Rights Act of 1964, as amended.

b. These guidelines are intended to be a set of principles which will assist employers, labor organizations, employment agencies, and licensing and certification boards in complying with equal employment opportunity requirements of Federal law with respect to race, color, religion, sex and national origin. They are designed to provide a framework for determining the proper use of tests and other selection procedures consistent with Federal law. These guidelines do not call for a user to conduct validity studies of selection procedures where no adverse impact results. However, all users are encouraged to use selection procedures which are valid, especially users operating under merit principles. Nothing in these guidelines is intended or should be interpreted as discouraging the use of procedures which have been properly validated in accordance with these guidelines for the purpose of determining qualifications or selecting on the basis of relative qualifications. Nothing in these guidelines is intended to apply to persons not subject to the requirements of Title VII, Executive Order 11246, or other equal employment opportunity requirements of Federal law. These guidelines are not intended to apply to any responsibilities an employer, employment agency or labor organization may have under the Age Discrimination in Employment Act of 1967 not to discriminate on the basis of age.

§ 2 *Scope.*

a. These guidelines will be applied by the Department of Labor to contractors and subcontractors subject to Executive Order 11246 as amended by Executive Order 11375 (hereinafter "Executive Order 11246"); and by the Civil Service Commission to federal agencies subject to Sec. 717 of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 (hereinafter "the Civil Rights Act of 1964") and to its responsibilities toward state and local governments under Section 208(b)(1) of the Intergovernmental Personnel Act; and by the Department of Justice in exercising its responsibilities under Federal law.

b. These guidelines apply to selection procedures which are used as a basis for any employment decision. Employment decisions include but are not limited to hire, additional compensation or promotion, demotion, membership (for example in a labor organization), referral, retention, licensing and certification, to the extent that licensing and certification may be covered by Federal equal employment opportunity law. Employment decisions may also include transfer, job or work assignments, or training if they are used as a basis for additional compensation or any of the decisions listed in the preceding sentence; if the procedures are not used as a basis for additional compensation or any of the decisions listed in the preceding sentence, however, they are not considered selection procedures for purposes of these guidelines.

c. These guidelines do not apply to the use of a bona fide seniority system within the meaning of Title VII of the Civil Rights Act of 1964, as amended, as defined by Federal appellate court decisions, for promotion, additional compensation, retention, discharge, lay off, transfer, job or work assignments, or training. These guidelines do not call for the validation of such a seniority system used as a basis for such employment decisions, and the use of such a seniority system as a basis for such employment decisions is consistent with these guidelines.

d. These guidelines do not apply to the entire range of Federal equal employment opportunity law, but only to selection procedures which are used as a basis for making employment decisions. For example, the use of recruiting procedures designed to attract racial, ethnic or sex groups which were previously denied employment opportunities or which are presently underutilized may be necessary to bring an employer into compliance with Federal law, and is frequently an essential element to any effective affirmative action program; but the subject of recruitment practices is not addressed by these guidelines because that subject concerns procedures other than selection procedures.

§ 3 *Relationship between use of selection procedures and discrimination.*

a. The use of any selection procedure which has an adverse impact on the members of any racial, ethnic or sex group with respect to hiring, promotion, transfer or other employment or membership opportunities, will be considered to be discriminatory and inconsistent with these guidelines, unless the procedure is validated in accordance with the principles contained in these guidelines or unless use of the procedure is warranted under § 3b.

b. There are circumstances in which it is not feasible or not appropriate to utilize the validation techniques contemplated by these guidelines. In such circumstances, the user should utilize selection procedures which are as job related as possible and which will minimize or eliminate adverse impact. (i) When an unstandardized, informal or unscored selection procedure which has an adverse impact is utilized, the user should seek insofar as possible to eliminate the adverse impact, or, if feasible, to modify the procedure to one which is a formal, scored or quantified measure or combination of measures and then to validate the procedure in accord with these guidelines, or otherwise to justify continued use of the procedure in accord with Federal law. (ii) When a standardized, formal or scored selection procedure is used for which it is not feasible or not appropriate to utilize the validation techniques contemplated by these guidelines, the user should either modify the procedure to eliminate the adverse impact or otherwise justify continued use of the procedure in accord with Federal law.

c. Generally where alternative selection procedures are available which have been shown to be equally valid for a given purpose, the user should use the procedure which has been demonstrated to have the lesser adverse impact. Accordingly, whenever a validity study is called for by these guidelines, the user should make a reasonable effort to investigate suitable alternative selection procedures which have as little adverse impact as possible, for the purpose of determining the appropriateness of using or validating them in accord with these guidelines. If a user has made a reasonable effort to become aware of such alternative procedures and a validity study for a job or group of jobs has been made in accord with these guidelines, the use of the selection procedure may continue until such time as it should reasonably be reviewed for currency. Whenever the user is shown a suitable alternative selection procedure with evidence of at least equal validity and less adverse impact, the user should investigate it for the purpose of determining the appropriateness of using or validating it in accord with these guidelines. This subsection is not intended to preclude the combination of procedures into a significantly more valid procedure, if such a combination has been properly validated.

§ 4 *Information on impact.*

a. Each user should have available for inspection records or other information which will disclose the impact which its selection procedures have upon employment opportunities of persons by identifiable racial, ethnic or sex groups in order to determine compliance with the provisions of § 3 above. Where there are large numbers of applicants and procedures are administered frequently, such information may be retained on a sample basis, provided that the sample is appropriate in terms of the applicant population and adequate in size. The records called for by this section are to be maintained by sex, and by racial and ethnic groups as follows: blacks (Negroes), American Indians (including Alaskan Natives), Asians (including Pacific islanders), Hispanic (including persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish origin or culture regardless of race), whites (Caucasians) other than Hispanic and totals. The classifications called for by this section are intended to be consistent with the Employer Information (EEO–1 et seq.) series of reports. The user should adopt safeguards to insure that records of race, color, religion, sex, or national oigin are used for appropriate purposes such as determining adverse impact, or (where required) for developing and monitoring affirmative action programs, and that such records are not used for making employment decisions.

b. The information called for by this section should be examined for possible adverse impact. If the records called for by this section indicate that the total selection process for a job has no adverse impact, the individual components of the selection process need not be evaluated separately for adverse impact. If a total selection process does have adverse impact, the individual components of the selection process should be evaluated for adverse impact.

A selection rate for any racial, ethnic or sex group which is less than four-fifths (4/5) (or eighty percent) of the rate for the group with the highest rate will generally be regarded as evidence of adverse impact, while a greater than four-fifths rate will generally not be regarded as evidence of adverse impact. Smaller differences in selection rate may nevertheless be considered to constitute adverse impact, where they are significant in both statistical and practical terms. Greater differences in selection rate would not necessarily be regarded as constituting adverse impact where the differences are based on small numbers and are not statistically significant, or where special recruiting or other programs cause the pool of minority or female candidates to be atypical of the normal pool of applicants from that group.

C. Federal agencies responsible for the enforcement of the equal employment opportunity laws will consider in carrying out their obligations the general posture of the user with respect to equal employment opportunity for the job classification or group of classifications in question. Where a user has adopted an affirmative action program, the Federal agencies will consider the provisions of that program, including the goals and timetables which the employer has adopted and the progress which the employer has made in carrying out that program and in meeting the goals and timetables. These guidelines recognize that a user is prohibited by Federal law from the making of employ-

ment decisions on the basis of race and color and (except for bona fide occupational qualifications) on the basis of sex, religion and national origin; and nothing in this subsection or in these guidelines is intended to encourage or permit the granting of preferential treatment to any individual or to any group because of the race, color, religion, sex or national origin of such individual or group.

§ 5 *General standards for validity studies.*

a. For the purposes of satisfying these guidelines users may rely upon criterion related validity studies, content validity studies or construct validity studies, in accordance with the standards set forth in Part II of these guidelines, § 12 infra.

b. These guidelines are intended to be consistent with generally accepted professional standards for evaluating standardized tests and other assessment techniques, such as those described in the Standards for Educational and Psychological Tests prepared by a joint committee of the American Psychological Association, the American Educational Research Association, and the National Council on Measurement in Education (Washington, D.C. 1974) (hereinafter "APA Standards"), and standard text books and journals in the field of personnel selection.

c. For any selection procedure which has an adverse impact each user should maintain and have available such documentation as is described in Part III of these guidelines, § 13 infra.

d. Selection procedures subject to validity studies under § 3a above should be administered and scored under standardized conditions.

e. In general, users should avoid making employment decisions on the basis of measures of knowledges, skills or abilities which are normally learned in a brief orientation period, and which have an adverse impact.

f. Where cut off scores are used, they should normally be set so as to be reasonable and consistent with normal expectations of acceptable proficiency within the work force. If other factors are used in determining cut off scores, such as the relationship between the number of vacancies and the number of applicants, the degree of adverse impact should be considered.

g. Selection procedures may be used to predict the performance of candidates for a job which is at a higher level than the job for which the person is initially being selected if a majority of the individuals who remain employed will progress to the higher level within a reasonable period of time. A "reasonable period of time" will vary for different jobs and employment situations but will seldom be more than five years. Examining for a higher level job would not be appropriate (1) if the majority of those remaining employed do not progress to the higher level job, (2) if there is a reason to doubt that the higher level job will continue to require essentially similar skills during the progression period, or (3) if knowledges, skills or abilities required for advancement would be expected to develop principally from the training or experience on the job.

h. Users may continue the use of a selection procedure which is not at the moment fully supported by the required evidence of validity, provided: (1) the user can cite substantial evidence of validity in accord with these guidelines and (2) the user has in progress, when technically feasible, studies which are designed to produce the additional data required within a reasonable time.

If the additional studies do not produce the data required to demonstrate validity, the user is not relieved of or protected against any obligations arising under federal law.

i. Whenever a validity study has been made in accord with these guidelines for the use of a particular selection procedure for a job or group of jobs, additional studies need not be performed until such time as the validity study is subject to review as provided in § 3c above. There are no absolutes in the area of determining the currency of a validity study. All circumstances concerning the study, including the validation strategy used, and changes in the relevant labor market and the job should be considered in the determination of when a validity study is outdated.

§ 6 *Cooperative valiity studies and use of other validity studies.*

a. It is the intent of the agencies issuing these guidelines to encourage and facilitate cooperative development and validation efforts by employers, labor organizations and employment agencies to achieve selection procedures which are consistent with these guidelines.

b. Criterion-related validity studies conducted by one test user, or described in test manuals and the professional literature, will be considered acceptable for use by another user when: (1) the weight of the evidence from studies meeting the standards of § 12b below shows that the selection procedure is valid; (2) the studies pertain to a job which has substantially the same major job duties as shown by appropriate job analyses and (3) the studies included a study of test fairness for those racial, ethnic and sex subgroups which constitute significant factors in the borrowing user's relevant labor market for the jobs or jobs in question. If the studies relied upon satisfy (1) and (2) above but do not contain an investigation of test fairness, and it is not technically feasible for the borrowing user to conduct an internal study of test fairness, the borrowing user may utilize the study until studies conducted elsewhere show test unfairness, or until such time as it becomes technically feasible to conduct an internal study of test fairness and the results of that study can be acted upon.

If it is technically feasible for a borrowing user to conduct an internal validity study, and there are variables in the other studies which are likely to affect validity significantly, the user may rely upon such studies only on an interim basis in accord with § 5h, and will be expected to conduct an internal validity study in accord with § 12b below. Otherwise the borrowing user may rely upon such acceptable studies for operational use without an internal study.

c. Selection procedures shown by one user to be content valid in accord with § 12c will be considered acceptable for use by another user for a performance domain if the borrowing user's job analysis shows that the same performance domain is measured by the selection procedure.

d. The conditions under which findings of construct validity may be generalized are described in § 12d(4).

e. If validity evidence from a multiunit or cooperative study satisfies the requirements of subparagraphs b, c or d above, evidence of validity specific to each unit or user usually will not be required unless there are variables in the units not studied which are likely to affect validity significantly.

§ 7 *No assumption of validity.*

a. Under no circumstances will the general reputation of a selection procedure, its author or its publisher, or casual reports of its validity be accepted in lieu of evidence of validity. Specifically ruled out are: assumptions of validity based on a procedure's name or descriptive labels; all forms of promotional literature; data bearing on the frequency of a procedure's usage; testimonial statements and credentials of sellers, users, or consultants; and other nonempirical or anecdotal accounts of selection practices or selection outcomes.

b. Professional supervision of selection activities is encouraged but is not a substitute for documented evidence of validity. The enforcement agencies will take into account the fact that a thorough job analysis and careful development of a selection procedure enhances the probability that the selection procedure is valid for the job.

§ 8 *Employment agencies and employment services.*

a. An employment agency, including private employment agencies and State employment agencies which agrees to a request by an employer or labor organization to devise and utilize a selection procedure should follow the standards for determining adverse impact and, if adverse impact is demonstrated, show validity as set forth in these guidelines. An employment agency is not relieved of its obligation herein because the user did not request such validation or has requested the use of some lesser standard of validation than is provided in these guidelines. The use of an employment agency does not relieve an employer or labor organization of its responsibilities under Federal law to provide equal employment opportunity or its obligations as a user under these guidelines.

b. Where an employment agency or service is requested to administer a select program which has been devised elsewhere and to make referrals pursuant to the results, the employment agency or service should obtain evidence of the absence of adverse impact, or of validity, as described in these guidelines, before it administers the selection program and makes referrals pursuant to the results. The employment agency must furnish on request such evidence of validity. An employment agency or service will be expected to refuse to make refferals based on the selection procedure where the employer or labor organization does not supply satisfactory evidence of validity or lack of adverse impact.

§ 9 *Disparate treatment.*

The principle of disparate or unequal treatment must be distinguished from the concepts of validation. A selection procedure—even though validated against job performance in accordance with the guidelines in this part—cannot be imposed upon members of a racial, sex or ethnic group where other employees, applicants or members have not been subjected to that standard. Disparate treatment, for example, occurs where members of a racial, sex or ethnic group have been denied the same employment, promotion, transfer or membership opportunities as have been made available to other employees or applicants. Those employees or applicants who have been denied equal treatment, because of prior discriminatory practices or policies, must at least be afforded the same opportunities as had existed for other employees or applicants during the period of discrimination. Thus, the persons who were in the class of persons discriminated against and were available in the relevant job market during the period the user followed the discriminatory practices should be allowed the opportunity to qualify under the less stringent selection procedures previously followed, unless the user demonstrates that the increased standards are required for the safety or efficiency of the operation. Nothing in this section is intended to prohibit a user who has not previously followed merit standards from adopting merit standards; nor does it preclude a user who has previously used invalid or unvalidated selection procedures

from developing and using procedures which are validated in accord with these guidelines.

§ 10 *Restesting.*

Users should provide a reasonable opportunity for retesting and reconsideration. The user may however take reasonable steps to preserve the security of its procedures. Where examinations are administered periodically with public notice, such reasonable opportunity exists, unless persons who have previously been tested are precluded from retesting.

§11 *Affirmative action.*

The use of selection procedures which have been validated pursuant to these guidelines does not relieve users of any obligations they may have to undertake affirmative action to assure equal employment opportunity. Nothing in these guidelines is intended to preclude the use of selection procedures (consistent with Federal law—see § 4c) which assist in the achievement of affirmative action objectives.

PART II TECHNICAL STANDARDS

§ 12 *Technical standards for validity studies.*

The following minimum standards, as applicable, should be met in conducting a validity study. Nothing in these guidelines is intended to preclude the development and use of other professionally acceptable techniques with respect to validation of selection procedures.

a. Any validity study should be based upon a review of information about the job for which the selection procedure is to be used. The review should include a job analysis except as provided in § 12b(3) below with respect to criterion related validity. Any method of job analysis may be used if it provides the information required for the specific validation strategy used.

b. *Criterion-Related Validity.*

(1) Users choosing to validate a selection procedure by a criterion-related validity strategy should determine whether it is technically feasible (as defined in Part IV) to conduct such a study in the particular employment context. These guidelines do not require a user to hire or promote persons for the purpose of making it possible to conduct a criterion-related study; and do not require such a study on a sample of less than thirty (30) persons. The determination of the number of persons necessary to permit the conduct of a meaningful criterion-related study should be made by the user on the basis of all relevant information concerning the selection procedure, the potential sample and the employment situation.

(2) There should be a review of job information to determine measures of work behaviors or performance that are relevant to the job in question. These measures or criteria are relevant to the extent that they represent critical or important job duties, work behaviors or work outcomes as developed from the review of job information. The possibility of bias should be considered both in selection of the measures and their application. In view of the possibility of bias in subjective evaluations, supervisory rating techniques should be carefully developed. All criteria need to be examined for freedom from factors which would unfairly alter scores of any group. The relevance of criteria and their freedom from bias are of particular concern when there are significant differences in measures of job performance for different groups.

(3) Proper safeguards should be taken to insure that scores on selection procedures do not enter into any judgments of employee adequacy that are to be used as criterion measures. Criteria may consist of measures other than work proficiency including, but not limited to length of service, regularity of attendance, training time or properly measured success in job relevant training. Measures of training success based upon pencil and paper tests will be closely reviewed for job relevance. Whatever criteria are used should represent important or critical work behaviors or work outcomes. Job behaviors including but not limited to production rate, error rate, tardiness, absenteeism and turnover, may be used as criteria without a full job analysis if the user can show the importance of the criterion to the particular employment context. A standardized rating of overall work performance may be utilized where a study of the job shows that it is an appropriate criterion.

(4) The sample subjects should insofar as feasible be representative of the candidates normally available in the relevant labor market for the job or jobs in question, and should insofar as feasible include the racial ethnic and sex groups normally available in the relevant job market. Where samples are combined or compared, attention should be given to see that such samples are comparable in terms of the actual job they perform, the length of time on the job where time on the job is likely to affect performance and other relevant factors likely to affect validity differences.

(5) The degree of relationship between selection procedure scores and criterion measures should be computed, using professionally acceptable statistical procedures. Generally, a selection procedure is considered related to the criterion, for the purposes of these guidelines, when the relationship between performance on the procedure and performance on the criterion measure is statistically significant at the .05 level of significance, which means that it is sufficiently high as to have a probability of no more than one (1) in twenty (20) to have occurred by chance.

Users should evaluate each selection procedure to assure that it is appropriate for operational use. Generally, if other factors remain the same, the greater the magnitude of the relationship (e.g., correlation coefficient) between performance on a selection procedure and one or more criteria of performance on the job, and the greater the importance or number of aspects of job performance covered by the criteria, the more likely it is that the procedure will be appropriate for use. Reliance upon a selection procedure which is significantly related to a criterion measure, but which is based upon a study involving a large number of subjects and has a low correlation coefficient will be subject to close review if it has a large adverse impact. Sole reliance upon a single selection instrument which is related to only one of many job duties or aspects of job performance will also be subject to close review. The appropriateness of a selection procedure is best evaluated in each particular situation and there are no minimum correlation coefficients applicable to all employment situations. In determining whether a selection procedure is appropriate for operational use the following considerations should also be taken into account: the degree of adverse impact of the procedure, the availability of other selection procedures of greater or substantially equal validity; and the need of an employer, required by law or regulation to follow merit principles, to have an objective system of selection.

(6) Users should avoid reliance upon techniques which tend to inflate validity estimates as a result of capitalization on chance unless an appropriate safeguard is taken. Reliance upon a few selection procedures or criteria of successful job performance, when many selection procedures or criteria of performance have been studied, or the use of optimal statistical weights for selection procedures computed in one sample, are techniques which tend to inflate validity estimates as a result of chance. Use of a large sample is one safeguard; cross-validation is another. A shrinkage formula for multiple correlation is also an appropriate safeguard where optimal statistical weights for selection procedures were computed in one sample.

(7) *Fairness of the Selection Procedure.*

i. When members of one racial, ethnic, or sex group characteristically obtain lower scores on a selection procedure than members of another group, and the differences are not reflected in differences in measures of job performance, use of the selection procedure may unfairly deny opportunities to members of the group that obtains the lower scores.

ii. Where a selection procedure results in an adverse impact on a racial, ethnic or sex group identified in accordance with the classifications set forth in § 4 above and that group is a significant factor in the relevant labor market, the user generally should investigate the possible existence of test unfairness for that group if it is technically feasible to do so.

The greater the severity of the adverse impact on a group, the greater the need to investigate the possible existence of test unfairness. Where the weight of evidence from other studies shows that the selection procedure is a fair predictor for the group in question and for the same or similar jobs, such studies may be relied on in connection with the test at issue; however, where the severity of adverse impact on a group is significantly greater than in the other studies referred to, a user may not rely on such other studies.

iii. Users conducting a study of test fairness should review the APA Standards regarding investigation of possible bias in testing. An investigation of fairness of a selection procedure depends on both evidence of validity and the manner in which the selection procedure is to be used in a particular employment context. Fairness of a selection procedure cannot necessarily be specified in advance without investigating these factors. Investigation of test fairness in samples where the range of scores on selection procedures or criterion measures is severely restricted for any subgroup sample (as compared to other subgroup samples) may produce misleading evidence of test unfairness. That factor should accordingly be taken into account in conducting such studies and before reliance is placed on the results.

iv. If test unfairness is demonstrated through a showing that members of a particular group perform better or poorer on the job than their scores on the selection procedure would indicate through comparison with how members of other groups perform, the user may either revise or replace the selection instrument in accordance with these guidelines, or may continue to use the selection instrument operationally with appropriate revisions in its use to assure compatibility between the probability of sucessful job performance and the probability of being selected.

v. In addition to the general conditions needed for technical feasibility for the conduct of a criterion-related study (see § 14(j), below) an investigation of test fairness requires the following:

(1) a sufficient number of persons in each group for findings of statistical significance. These guidelines do not require a user to hire or promote persons on the basis of group classifications for the purpose of making it possible to conduct a study of test fairness; and do not require a user to conduct a study of test fairness on a sample of less than thirty (30) persons for each group involved in the study.

(2) The samples for each group should be comparable in terms of the actual job they perform, length of time on the job where time on the job is likely to affect performance, and other relevant factor likely to affect validity differences.

vi. If a study of test fairness should otherwise be performed, but is not technically feasible, the use of a selection procedure which has otherwise met the validity standards of these guidelines will be considered in accord with these guidelines, unless the technical infeasibility resulted from discriminatory employment practices which are demonstrated by facts other than past failure to conform with requirements for validation of selection procedures. However, when it becomes technically feasible for the user to perform a study of test fairness and such a study is otherwise called for, the user should conduct the study of test fairness.

c. *Content validity.*

(1) There should be a definition of a performance domain or the performance domains with respect to the job in question. Performance domains may be defined through job analysis, analysis of the work behaviors or activities, or by the pooled judgments of persons having knowledge of the job. Performance domains should be defined on the basis of competent information about job tasks and responsibilities. Performance domains include critical or important work behaviors, work products, work activities, job duties, or the knowledges, skills or abilities shown to be necessary for performance of the duties, behaviors, activities or the production of work. Where a performance domain has been defined as a knowledge, skill or ability, that knowledge, skill or ability must be used in job behavior. A selection procedure based on inferences about psychological processes cannot be supported by content validity alone. Thus content validity by itself is not an appropriate validation strategy for intelligence, aptitude, personality or interest tests. Content validity is also not an appropriate strategy when the selection procedure involves knowledges, skills or abilities which an employee will be expected to learn on the job.

(2) If a higher score on a content valid selection procedure can be expected to result in better job performance the results may be used to rank persons who score above minimum levels. Where a selection procedure supported solely by content validity is used to rank job candidates, the performance domain should include those aspects of performance which differentiate among levels of job performance.

(3) A selection procedure which is a representative sample of a performance domain of the job as defined in accordance with subsection (1) above, is a content valid procedure for that domain. Where the domain or domains measured are critical to the job, or constitute a substantial proportion of the job, the selection procedure will be considered to be content valid for the job. The reliability of selection procedures justified on the basis of content validity should be a matter of concern to the user. Whenever it is feasible to do so, appropriate statistical estimates should be made of the reliability of the selection procedures.

(4) A demonstration of the relationship between the content of the selection procedure and the performance domain of the job is critical to content validity. The closer the content of the selection procedure is to actual work samples, behaviors or activities, the stronger is the basis for showing content validity. Content validity may also be shown if the knowledges, skills or abilities demonstrated in and measured by the selection procedure are the same as or similar to the knowledges, skills or abilities shown to be necessary for job performance. The need for careful documentation of the relationship between the performance domain of the selection procedure and that of the job increases as the content of the selection procedure less resembles that of the job performance domain.

(5) A requirement for specific prior training or for work experience based on content validity, including a specification of level or amount of training or experience, should be justified on the basis of the relationship between the content of the training or experience and the performance domain of the job for which the training or experience is to be required.

(6) If a selection procedure is supported solely on the basis of content validity, it may be used operationally if it represents a critical performance domain or a substantial proportion of the performance domains of the job.

d. *Construct Validity.* Construct validity is a more complex strategy than either criterion-related or content validity. Accordingly, users choosing to validate a selection procedure by use of this strategy should be careful to follow the professionally accepted standards, such as those contained in the APA Standards and the standard text books and journals.

(1) There should be a job analysis. This job analysis should result in a determination of the constructs that underlie successful performance of the important or critical duties of the job.

(2) A selection procedure should be selected or developed which measures the construct(s) identified in accord with subparagraph (1) above.

(3) The selection procedure may be used operationally if the standards of subparagraphs (1) and (2) are met and there is sufficient empirical research evidence showing that the procedure is validly related to performance of critical job duties. Normally, sufficient empirical research evidence would take the form of one or more criterion related validity studies meeting the requirements of § 12b. See also second sentence of § 12.

(4) Where a selection procedure satisfies the standards of subsections (1), (2) and (3) above, it may be used operationally for other jobs which are shown by an appropriate job analysis to include the same construct(s) as an essential element in job performance.

Part III

Documentation of Validity Evidence

§ 13a. For each selection procedure having an adverse impact (as set forth in § 4) the user should maintain and have available the data on which the adverse impact determination was made and one of the following types of documentation evidence:

(1) Documentation evidence showing criterion related validity of the selection procedure (see § 13b. infra).

(2) Documentation evidence showing content validity of the selection procedure (see § 13c. infra).

(3) Documentation evidence showing construct validity of the selection procedure (see § 13d. infra).

(4) Documentation evidence from other studies showing validity of the selection procedure in the user's facility (see § 13e. infra).

(5) Documentation evidence showing what steps were taken to reduce or eliminate adverse impact, why validation is not feasible or not appropriate and why continued use of the procedure is consistent with Federal law.

This evidence should be compiled in a reasonably complete and organized manner to permit direct evaluation of the validity of the selection procedure. Previously written employer or consultant reports of validity are acceptable if they are complete in regard to the following documentation requirements, or if they satisfied requirements of guidelines which were in effect when the study was completed. If they are not complete, the required additional documentation should be appended. If necessary information is not available the report of the validity study may still be used as documentation, but its adequacy will be evaluated in terms of compliance with the requirements of these guidelines.

In the event that evidence of validity is reviewed by an enforcement agency, the reports submitted are expected to use one of the formats set forth below. Evidence denoted by use of the word "(ESSENTIAL)" is considered critical and reports not containing such information will be considered incomplete. Evidence not so denoted is desirable, but its absence will not be a basis for considering a report incomplete.

b. *Criterion-related validity.* Reports of criterion-related validity of selection procedures are to contain the following information:

(1) *Users(s), and Location(s) and Date(s) of Study.* Dates of administration of selection procedures and collection of criterion data and, where appropriate, the time between collection of data on selection procedures and criterion measures should be shown (ESSENTIAL). If the study was conducted at several locations, the address of each location, including city and state, should be shown.

(2) *Problem and Setting.* An explicit definition of the purpose(s) of the study and the circumstances in which the study was conducted should be provided. A description of existing selection procedures and cut-off scores, if any, should be provided.

(3) *Review of Job Information or Job Analysis.* Where a review of job information results in criteria which are measures other than work proficiency (see 12(b)(3)), the basis for the selection of these criteria should be reported (ESSENTIAL). Where a job analysis is required, the report should include either: (a) the important duties performed on the job and the basis on which such duties were determined to be important, such as the proportion of time spent on the respective duties, their level of difficulty, their frequency of performance, the consequences of error, or other appropriate factors; or (b) the knowledges, skills, abilities and/or other worker characteristics and bases on which they were determined to be important for job performance (ESSENTIAL). Published descriptions from industry sources or Volume I of the Dictionary of Occupational Titles Third Edition, United States Government Printing Office, 1965, are satisfactory if they adequately and completely describe the job. If appropriate, a brief supplement to the published description should be provided.

If two or more jobs are grouped for a validity study, a justification for this grouping, as well as a description of each of the jobs, should be provided (ESSENTIAL).

(4) *Job Titles and Codes.* It is desirable to provide the user's job title(s) for the job(s) in question and the corresponding job title(s) and code(s) from United States Employment Service Dictionary of Occupational Titles Volumes I & II. Where standard titles and codes do not exist, a notation to that effect should be made.

(5) *Criteria.* A full description of all criteria on which data were collected, including a rationale for selection of the final criteria, and means by which they were ob-

served, recorded, evaluated and quantified, should be provided (ESSENTIAL). If rating techniques are used as criterion measures the appraisal form(s) and instructions to the rater(s) should be included as part of the validation evidence (ESSENTIAL).

(6) *Sample.* A description of how the research sample was selected should be included (ESSENTIAL). The racial, ethnic and sex composition of the sample should be described, including the size of each subgroup (ESSENTIAL). Racial and ethnic classifications should be those set forth in § 4a above. A description of how the research sample compares with the racial, ethnic and sex composition of the relevant labor market is also desirable. Where data are available, the racial, ethnic and sex composition of current applicants should also be described. Descriptions of educational levels, length of service, and age are also desirable.

(7) *Selection Procedure.* Any measure, combination of measures, or procedures used as a basis for employment decisions should be completely and explicitly described or attached (ESSENTIAL). If commercially available selection procedures are used, they should be described by title, form, and publisher (ESSENTIAL). Reports of reliability estimates and how they were established are desirable. A rationale for choosing the selection procedures investigated in the study should be included.

(8) *Techniques and results.* Methods used in analyzing data should be described (ESSENTIAL). Measures of central tendency (e.g., means) and measures of dispersion (e.g., standard deviations and ranges) for all selection procedures and all criteria should be reported for all relevant racial, ethnic and sex subgroups (ESSENTIAL). Statistical results should be organized and presented in tabular or graphical form, by racial, ethnic and/or sex subgroups (ESSENTIAL). All selection procedure-criterion relationships investigated should be reported, including their magnitudes and directions (ESSENTIAL). Statements regarding the statistical significance of results should be made (ESSENTIAL).

Any statistical adjustments, such as for less than perfect reliability or for restriction of score range in the selection procedure or criterion, or both, should be described; and uncorrected correlation coefficients should also be shown (ESSENTIAL). Where the statistical technique used categorizes continuous data, such as biserial correlation and the phi coefficient, the categories and the bases on which they were determined should be described (ESSENTIAL). Studies of test fairness should be included where called for by the requirements of Section 12b(7) (ESSENTIAL). These studies should include the rationale by which a selection procedure was determined to be fair to the group(s) in question. Where test fairness has been demonstrated on the basis of other studies, a bibliography of the relevant studies should be included (ESSENTIAL). If the bibliography includes unpublished studies, copies of these studies, or adequate abstracts or summaries, should be attached (ESSENTIAL). Where revisions have been made in a selection procedure to assure compatibility between successful job performance and the probability of being selected, the studies underlying such revisions should be included (ESSENTIAL).

(9) *Uses and Applications.* A description of the way in which each selection procedure is to be used (e.g., as a screening device with a cut-off score or combined with other procedures in a battery) and application of the procedure (e.g., selection, transfer, promotion) should be provided (ESSENTIAL). If weights are assigned to different parts of the selection procedure, these weights and the validity of the weighted composite should be reported (ESSENTIAL).

(10) *Cut-off Scores.* Where cut-off scores are to be used, both the cut-off scores and the way in which they were determined should be described (ESSENTIAL).

(11) *Source Data.* Each user should maintain records showing all pertinent information about individual sample members in studies involving the validation of selection procedures. These records (exclusive of names and social security number) should be made available upon request of a compliance agency. These data should include selection procedure scores, criterion scores, age, sex, minority group status, and experienece on the specific job on which the validation study was conducted and may also include such things as education, training, and prior job experience. If the user chooses to include, along with a report on validation, a worksheet showing the pertinent information about the individual sample members, specific identifying information such as name and social security number should not be shown. Inclusion of the work sheet with the validity report is encouraged in order to avoid delays.

(12) *Contact Person.* It is desirable for the user to set forth the name, mailing address, and telephone number of the individual who may be contacted for further information about the validity study.

c. *Content Validity.* Reports of content validity of selection procedures are to contain the following information:

(1) *Definition of Performance Domain.* A full description should be provided for the basis on which a performance domain is defined (ESSENTIAL). A complete and comprehensive definition of the performance domain should also be provided (ESSENTIAL). The domain should be defined on the basis of competent information about job tasks and responsibilities (ESSENTIAL). Where the performance domain is defined in terms of knowledges, skills, or abilities, there should be an operational definition of each knowledge, skill or ability and a complete description of its relationship to job duties, behaviors, activities, or work products (ESSENTIAL).

(2) *Job Title and Code.* It is desirable to provide the test user's job title(s) and the corresponding job title(s) and code(s) from the United States Employment Service Dictionary of Occupational Titles Volumes I & II. Where standard titles and codes do not exist, a notation to that effect should be made.

(3) *Selection Procedures.* Selection procedures including those constructed by or for the test user, specific training requirements, composites of selection procedures, and any other procedure for which content validity is asserted should be completely and explicitly described or attached (ESSENTIAL). If commercially available selection procedures are used, they should be described by title, form, and publisher (ESSENTIAL). Where the performance domain is defined in terms of knowledges, skills or abilities, evidence that the selection procedure measures those knowledges, skills or abilities should be provided (ESSENTIAL).

(4) *Techniques and Results.* The method by which the correspondence between the content of the selection procedure and the job performance domain(s) was established and the relative emphasis given to various aspects of the content of the selection procedure as derived from the performance domain(s) should be described (ESSENTIAL). If any steps were taken to reduce adverse racial, ethnic, or sex impact in the content of the procedure or in its administration, these steps should be described. Establishment of time limits, if any, and how these limits are related to the speed with which duties must be performed on the job, should be explained. The adequacy of the sample coverage of the performance domain should be described as precisely as possible. Measures of central tendency (e.g., means) and measures of dispersion (e.g., standard deviations) should be reported for all selection procedures as appropriate. Such reports should be made for all relevant racial, ethnic, and sex, subgroups, at least on a statistically reliable sample basis.

(5) *Uses and Applications.* A description of the way in which each selection procedure is to be used (e.g., as a screening device with a cut-off score or combined with other procedures in a battery) and the application of the procedure (e.g., selection, transfer, promotion) should be provided (ESSENTIAL).

(6) *Cut-off Scores.* The rationale for minimum scores, if used, should be provided (ESSENTIAL). If the selection procedure is used to rank individuals above minimum levels, or if preference is given to individuals who score significantly above the minimum levels, a rationale for this procedure should be provided (ESSENTIAL).

(7) *Contact person.* It is desirable for the employer to set forth the name, mailing address and telephone number of the individual who may be contacted for further information about the validation study.

d. *Construct Validity.* Reports of construct validity of selection procedures are to contain the following information:

(1) *Construct Definition.* A complete, operational definition of the construct should be provided, including levels of construct performance relevant to the job(s) for which it is to be used as a selection procedure (ESSENTIAL).

(2) *Job Analysis.* The job analysis should show how the constructs underlying successful job performance of important or critical duties were determined (ESSENTIAL). The job analysis should provide evidence of the linkage between the construction and the important duties of the job and how this linkage was determined (ESSENTIAL).

(3) *Job Titles and Codes.* It is desirable to provide the selection procedure user's job title(s) for the job(s) in question and the corresponding job title(s) and code(s) from the United States Employment Service *Dictionary of Occupational Titles*, Volumes I and II. Where standard titles and codes do not exist, a notation to that effect should be made.

(4) *Selection Procedure.* The selection procedure used as a measure of the construct should be completely and explicitly described or attached (ESSENTIAL). If commercially available selection procedures are used, they should be identified by title, form and publisher (ESSENTIAL). The evidence demonstrating that the selection procedure is in fact a proper measure of the construct should be included (ESSENTIAL). Reports of reliability estimates and how they were established are desirable.

(5) *Anchoring.* The empirical evidence showing that performance on the selection procedure is validly related to performance of critical job duties should be included (ESSENTIAL).

(6) *Uses and Applications.* A description of the way in which each selection procedure is to be used (e.g., as a screening device with a cut-off score or combined with other procedures in a battery) and application of the procedure (e.g., selection, transfer, promotion) should be provided (ESSENTIAL). If weights are assigned to different parts of the selection procedure, these weights (and the validity of the weighted composite) should be reported (ESSENTIAL).

(7) *Cut-off Scores.* Where cut-off scores are to be used, both the cut-off scores and the way in which they were determined should be described (ESSENTIAL).

(8) *Source Data.* Each user should maintain records showing all pertinent information about individual sample members in studies involving the validation of selection procedures. These records (exclusive of names and social security number) should be made available upon request of a compliance agency. These data should include selection procedure scores, criterion scores, age, sex, minority group status, and experience on the specific job on which the validation study was conducted and may also include such things as education, training, and prior job experience. If the user chooses to include, along with a report on validation, a worksheet showing the pertinent information about the individual sample members, specific identifying information such as name and social security number should not be shown. Inclusion of the worksheet with the validity report is encouraged in order to avoid delays.

(9) *Contact Person.* It is desirable for the user to set forth the name, mailing address, and telephone number of the individual who may be contacted for further information about the validity study.

e. *Evidence of Validity from other Studies.* When validity of a selection procedure is supported by studies not done by the user, the evidence from the original study or studies should be compiled in a manner similar to that required in the appropriate section of this § 13 above. In addition, the following evidence should be supplied:

(1) *Evidence from Criterion-related Validity Studies.*

(i) *Job Information.* A description of the important duties of the user's job and the basis on which the duties were determined to be important should be provided (ESSENTIAL). A full description of the basis for determining that these important job duties are sufficiently similar to the duties of the job in the original study (or studies) to warrant use of the selection procedure in the new situation should be provided (ESSENTIAL).

(ii) *Relevance of Criteria.* A full description of the basis on which the criteria used in the original studies are determined to be relevant for the user should be provided (ESSENTIAL).

(iii) *Other Variables.* The similarity of important applicant pool/sample characteristics reported in the original studies to those of the user should be described (ESSENTIAL). A description of the comparison between the race and sex composition of the user's relevant labor market and the sample in the original validity studies should be provided (ESSENTIAL).

(iv) *Use of the Selection Procedure.* A full description should be provided showing that the use to be made of the selection procedure is consistent with the findings of the original validity studies (ESSENTIAL).

(v) *Bibliography.* A bibliography of reports of validity of the selection procedure for the job or jobs in question should be provided (ESSENTIAL). Where any of the studies included an investigation of test fairness, the results of this investigation should be provided (ESSENTIAL). Copies of reports published in journals that are not commonly available should be described in detail or attached (ESSENTIAL). Where a user is relying upon unpublished studies, a reasonable effort should be made to obtain these studies. If these unpublished studies are the sole source of validity evidence they should be described in detail or attached (ESSENTIAL). If these studies are not available, the name and address of the source, an adequate abstract or summary of the validity study and data, and a contact person in the source organization should be provided (ESSENTIAL).

(2) *Evidence from Content Validity Studies.*

(i) *Similarity of Performance Domains.* A full description should be provided of the similarity between the performance domain in the user's job and the performance domain measured by a selection procedure developed and shown to the content valid by another user (ESSENTIAL). The basis for determining this similarity should be explicitly described (ESSENTIAL).

(3) *Evidence from Construct Validity Studies.*

(i) *Uniformity of Construct.* A full description should be provided of the basis for determining that the construct identified as underlying successful job performance by the user's job analysis is the same as the construct measured by the selection procedure (ESSENTIAL).

PART IV—DEFINITIONS

§ 14 The following definitions shall apply throughout these guidelines:

(a) Ability: The present observable competence to perform a function.

(b) Adverse Impact: Defined in § 4 of these guidelines.

(c) Employer: Any employer subject to the provisions of the Civil Rights Act of 1964, as amended, including state or local government and any Federal agency subject to the provisions of Sec. 717 of the Civil Rights Act of 1964, as amended, and any Federal contractor or subcontractor or federally assisted construction contractor or subcontractor covered by Executive Order 11246, as amended.

(d) Employment agency: Any employment agency subject to the provisions of the Civil Rights Act of 1964, as amended.

(e) Enforcement Agency: Any agency of the executive branch of the Federal Government which issues these guidelines, or which has responsibility for securing compliance with them.

(f) Labor organization: Any labor organization subject to the provisions of the Civil Rights Act of 1964, as amended, and any committee controlling apprenticeship or other training.

(g) Racial, sex or ethnic group: Any group of persons identifiable on the grounds of race, color, religion, sex or national origin.

(h) Selection procedure: Any measure, combination of measures, or procedure, other than a bona fide seniority system, used as a basis for any employment decision. Selection procedures include the full range of assessment techniques from traditional paper and pencil tests, performance tests, training programs or probationary periods and physical. Educational and work experience requirements through informal or casual interviews and unscored application forms.

(i) Selection rate: The proportion of applicants or candidates who are hired, promoted or otherwise selected.

(j) Technical feasibility: The existence of conditions permitting the conduct of meaningful criterion related validity studies. These conditions include: (a) an adequate sample of persons available for the study to achieve findings of statistical significance; (b) having or being able to obtain a sufficient range of sources on the selection procedure and job performance measures to produce validity results which can be expected to be representative of the results if the ranges normally expected were utilized; and (c) having or being able to devise unbiased, reliable and relevant measures of job performance or other criteria of employee adequacy. See § 12be(1). With respect to investigation of possible unfairness, the same considerations are applicable to each group for which the study is made. See § 12b(7).

(k) Unfairness of Selection Procedure (differential prediction): A condition in which members of one racial, ethnic, or sex group characteristically obtain lower scores on a selection procedure than members of another group, and the differences are not reflected in differences in measures of job performance. See § 12b(6)

(l) User: Any employer, labor organization, employment agency, or licensing or certification board, to the extent it may be covered by Federal equal employment opportunity law which uses a selection procedure as a basis for any employment decision. Whenever an employer, labor organization, or employment agency is required by law to restrict recruitment for any occupation to those applicants who have met licensing or certification requirements, the licensing or certifying authority to the extent it may be covered by Federal equal employment opportunity law will be considered the user with respect to those licensing or certification requirements. Whenever a state employment agency or service does no more than administer or monitor a procedure as permitted by Department of Labor regulations, and does so without making referrals or taking any other action on the basis of the results, the state employment agency will not be deemed to be a user.

[FR Doc.76-20307 Filed 7-13-76;8:45 am]

FEDERAL ENERGY ADMINISTRATION

APPEALS AND APPLICATIONS FOR EXCEPTION OR OTHER RELIEF

Cases Filed

WEEK OF JUNE 25 THROUGH JULY 2, 1976

Notice is hereby given that during the week of June 25 through July 2, 1976 the appeals and applications for exception or other relief listed in the Appendix to this notice were filed with the Federal Energy Administration's Office of Exceptions and Appeals.

Under the FEA's procedural regulations, 10 CFR, Part 205, any person who will be aggrieved by the FEA action sought in such cases may file with the FEA written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of those regulations, the date of service of notice shall be deemed to be the date of publication of this notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first.

MICHAEL F. BUTLER,
General Counsel.

JULY 8, 1976.

APPENDIX.—*List of cases received by the office of exceptions and appeals, week of June 25 through July 2, 1976*

Date	Name and location of applicant	Case No.	Type of submission
June 25, 1976	Cleveland Electric Illuminating Co., Cleveland, Ohio. (If granted: The Cleveland Electric Illuminating Co. would be permitted to burn residual fuel oil rather than coal in its Lake Shore A plant.)	FEE-2695	Exception to pt. 215.
Do	Guam Oil & Refining Co., Inc., Dallas, Tex. (If granted: Guam Oil & Refining Co., Inc., would be permitted to increase its prices for JP-4 and diesel fuel.)	FEE-2696, FES-2696.	Exception to refiner price rule (sec. 212.82—definition of maximum allowable selling price). Stay requested.
Do	Bill L. Hammond, Cassville, Mo. (If granted: Mr. Hammond's service station would be supplied motor gasoline directly by Amoco Oil Co. rather than Horner Oil Co.)	FEE-2694	Exception to change supplier (sec. 211.9).
Do	Mobridge Gas Co., Mobridge, S. Dak. (If granted: Mobridge Gas Co. would receive an increase in its base-period use of propane.)	FEE-2693	Exception to increase base-period use (sec. 211.12).
June 28, 1976	Atlantic Richfield Co., Los Angeles, Calif. (If granted: FEA's May 5, 1976, decision and order would be modified and Atlantic Richfield Co. would not be required to refund the rent collected in excess of the base rent.)	FMR-0059	Modification of FEA region IX's decision and order of May 5, 1976.
Do	Boston Gas Co., Boston, Mass. (If granted: FEA's May 27, 1976, decision and order would be rescinded and the exception relief previously granted Boston Gas Co. by FEA in its Mar. 8, 1974, decision and order would be continued, thereby permitting Boston Gas Co. to use propane for peak shaving.)	FEA-0867, FES-0867	Appeal of FEA's decision and order in Boston Gas Co., 3 FEA par. ------ (May 27, 1976). Stay requested.
Do	Farmgas, Inc., Albertville, Ala. (If granted: Farmgas, Inc., would be assigned a new, lower priced supplier of propane to replace its base-period supplier, NGL Supply Co., Inc.)	FEE-2697	Exception to change supplier (sec. 211.9).
June 29, 1976	A. Hargis & Son's, Somerset, Ky. (If granted: A. Hargis & Son's would be assigned a new, lower priced supplier of motor gasoline, to replace its base-period supplier, Cumberland Lake Shell.)	FEE-2703	Do.
Do	City of Long Beach, Calif., Washington, D.C. (If granted: Crude oil produced from a pilot tertiary recovery project (Micellar-Polymer Flood) would be sold at upper-tier ceiling prices.)	FEE-2701	Price exception (sec. 212.73).
Do	Diamond Shamrock Corp., Amarillo, Tex. (If granted: Diamond Shamrock Corp. would be permitted to recover its total nonproduct cost increases for the period Jan. 1, through Mar. 3, 1976.)	FEA-0873	Appeal of FEA's exception decision and order in Diamond Shamrock Corp., 3 FEA par. ------ (June 7, 1976).
Do	General Crude Oil Co., Houston, Tex. (If granted: General Crude Oil Co. would receive a stay of the requirement that it immediately reduce its selling prices specified in a remedial order issued to the firm on May 21, 1976, pending a final determination of its appeal. The relief requested would be in addition to the relief granted in General Crude Oil Co., 3 FEA par. ------ (June 25, 1976).)	FES-0042	Stay request.
Do	Hercules Petroleum Co., Choudrant, La. (If granted: Hercules Petroleum Co., Inc.'s, transaction with Scott Butane Gas Co., Inc., on Aug. 17, 1973, would be included in determining Hercules' weighted average May 15, 1973, price for propane sold to end-users.)	FEE-2702	Price exception (sec. 212.93).
Do	Kern County Refining, Inc., Bakersfield, Calif. (If granted: Kern County Refining, Inc.'s, purchase obligation for June 1976 would be adjusted to correct for FEA's alleged error in computing old oil receipts.)	FEA-0872, FES-0872.	Appeal of FEA entitlement notice for April 1976. Stay requested.
Do	Macmillan Oil Co., Inc., Des Moines, Iowa. (If granted: Macmillan Oil Co., Inc., would be assigned a new, lower priced supplier of motor gasoline to replace 1 of its base-period suppliers, Larcon Petroleum, Inc.)	FEE-2700	Exception to change supplier (sec. 211.9).
Do	Pryor Oil Co., Griffin, Ga. (If granted: FEA's Jan. 30, 1976, decision and order issued to Pryor Oil Co. would be modified to provide that Marathon Oil Co. would be assigned to supply Pryor with the quantity of product which the firm needs to fulfill its supply obligation to the DFSC location specified in the Jan. 30 order.)	FMR-0060	Modification of FEA's decision and order in Pryor Oil Co., 3 FEA par. 83,089 (Jan. 30, 1976).
Do	R. M. Stephens Plant, Houston, Tex. (If granted: R. M. Stephens Plant would be permitted to increase its prices for natural-gas liquid products to reflect nonproduct cost increases in excess of $0.005/gal.)	FEE-2698	Price exception (sec. 212.165).
Do	Swann & Gottman, Hannibal, Mo. (If granted: Swann & Gottman would be assigned a new, lower priced supplier of motor gasoline to replace its base-period supplier, Able Oil Co.)	FEE-2699	Exception to change supplier (sec. 211.9).
Do	University of Oklahoma, Norman, Okla. (If granted: The University of Oklahoma would receive an increase in its base-period use of aviation fuel based on increased demand at its facilities.)	FEE-2704	Exception to increase base-period use.
June 30, 1976	Standard Oil Co. (SOHIO), Cleveland, Ohio. (If granted: Standard Oil Co. (SOHIO) would receive an exception from the old oil entitlements program which would permit the firm to earn additional entitlements on residual fuel oil sold in the east coast district.)	FEE-2705	Allocation exception (sec. 211.67(d)(4)).
Do	Standard Oil Co. (SOHIO), Cleveland, Ohio. (If granted: Standard Oil Co. (SOHIO) would receive an exception which would permit the firm to reduce its May 15, 1973, cost of crude oil and thereby increase its margin on refined petroleum products produced at its Marcus Hook refinery.)	FEE-2706	Price exception (sec. 212.83).
Do	Tenneco Oil Co., Houston, Tex. (If granted: Tenneco Oil Co. would receive a stay of the requirement specified in a remedial order issued on June 8, 1976, that it recalculate its base production control levels for its crude oil producing properties pending a final determination of an appeal which the firm intends to file.)	FES-0043	Stay request.

Date	Name and location of applicant	Case No.	Type of submission
July 1, 1976	Arizona Fuels Corp., Salt Lake City, Utah. (If granted: Arizona Fuels Corp. would receive an exception from the old oil entitlements program which would relieve the firm of any obligation to purchase entitlements.)	FEE-2708	Allocation exception (sec. 211.67).
Do	Commonwealth Oil Refining Co., Washington, D.C. (If granted: Commonwealth Oil Refining Co. would receive an extension of the exception relief granted in the FEA's May 4, 1976, decision and order and would be permitted to include its naphtha purchases during the months of June, July, and August 1976, in its crude oil runs for purposes of the entitlements program.)	FEE-2707	Extension of exception relief in Commonwealth Oil Refining Co., 3 FEA par. 83,178 (May 4, 1976).
Do	General Crude Oil Co., Houston, Tex. (If granted: FEA's May 21, 1976, remedial order would be rescinded and the production from General Crude's Banning lease would be classified as residual fuel oil.)	FEA-0855	Appeal of FEA's May 21, 1976, remedial order.
Do	Intercoastal Marine Supplies, New Orleans, La. (If granted: Intercoastal Marine Supplies would be temporarily assigned the Tenneco Oil Co. as a new supplier of marine diesel fuel.)	FST-0008	Request for temporary stay.

[FR Doc.76-20234 Filed 7-9-76;10:29 am]

EXECUTIVE SUBCOMMITTEE OF THE STATE REGULATORY ADVISORY COMMITTEE

Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463), 86 Stat. 770), notice is hereby given that the Executive Subcommittee of the State Regulatory Advisory Committee will meet Thursday, July 29, 1976, at 2 p.m., in the French Room, Fairmont Hotel, Atop Nob Hill, San Francisco, California.

The objectives of this Subcommittee are to make recommendations to the parent Committee with respect to matters concerning FEA plans and programs which are related to the responsibilities of state regulatory commissions.

The agenda for the meeting is as follows:

1. Rate Design Study of Electric Power Research Institute and Edison Electric Institute: Report from Alfred Kahn of New York Public Service Commission.
2. A New Electricity Metering System which Converts Kilowatt-Hours to Dollars in the Home.
3. Nuclear Energy in California.
4. FEA's Proposed Study on Load Growth Forecasting.

The meeting is open to the public. The Chairman of the Committee 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 Committee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform Lois Weeks, Director, Advisory Committee Management (202) 961-7022 at last 5 days before the meeting and reasonable provision will be made for their appearance on the agenda.

Further information concerning this meeting may be obtained from the Advisory Committee Management Office.

Minutes of the meeting will be made available for public inspection at the Federal Energy Administration, Reception Room, 12th & Pennsylvania Ave., NW., Washington, D.C.

Issued at Washington, D.C. on July 8, 1976.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.76-20212 Filed 7-9-76;9:20 am]

FEDERAL MARITIME COMMISSION

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 311(p)(1) of the Federal Water Pollution Control Act, and have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

Certificate No.	*Owner/operator and vessels*
01238	A/S Hakedal and A/S Tank: *Bjorgholm.*
01318	Aug. Bolten, Wm. Miller's Nachfoler: *Karen.*
01425	Johnston Warren Lines Ltd.: *Cufic.*
01443	Scotstoun Shipping Co. Ltd.: *Caledonian Forest.*
01641	The Bank Line Ltd.: *Cedar Bank.*
01938	Maersk McKinney Moller: *Maersk Logger.*
02284	Gypsum Transportation Ltd.: *Gypsum Baron.*
02492	Interstate Oil Transport Co.: *Interstate 72.*
02917	Scherkate Sahami Keschtirani Melli Arya: *Arya Marmar, Arya Gohar, Arya Soroosh, Arya Seem.*
03018	Federal Barge Lines Inc.: *J. S. McDermott.*
03053	Ole Man River Towing, Inc.: *STC-2019B, STC-2509, STC-2015.*
03708	Pudget Sound Tug & Barge Co.: *Isla Verde.*
04184	M/G Transport Services, In.: *David T. Sheehy.*
04240	Petroleo Brasileiro S.A.: *Joinville, Japura, Bocaina, BGL-1.*
04601	American Tunaboat Asso.: *Santa Elena.*
04677	Companía Gijonesa De Navegacion, S.A.: *Pola De Siero.*
05036	Companhia Nacional De Navegacao: *Alcoutim.*
05281	Slade Inc.: *S-2021, S-2022.*
05494	Moore Terminal & Barge Co., Inc.: *James W. Moore 100, Jimmy M.*
05537	Empresa Navegacion Mambisa: *Batalla De Yaguajay.*
05578	Baltic Shipping Co.: *Magnitogorsk Nadezhda Krupskaya.*
05633	Empacadora Del Norte S.A.: *Don Alberto.*
05936	Transocean Shipping Co., Ltd.: *Newbreeze.*
06038	Suomen Hoyrylaiva Osakeyhtio Finska Anfartygs Aktiebolaget: *Arcturus, Baltic, Castor, Clio, Corona, Fennia, Hektos, Lapponia, Oihonna, Orion, Tellus.*
60129	Azov Shipping Co.: *Nikolay Morozov.*
06549	Compagnie Marocaine de Navigation: *Ifni, Imilchil.*
06995	Novorossiisk Shipping Co.: *Adygeja, Geroi Sevastopolja.*
07019	Allied Shipping International Corp.: *George B. Sphikas.*
08317	South East Asia Shipping Co. Ltd.: *Mahabir.*
08692	Rita Shipping Co. Inc.: *Rita II.*
09024	Veb Fischkombinat Rostock: *Robert Koch, Walter Dehmel, Peter Nell.*
09122	Gallic Shipping Ltd.: *Mary Anderson.*
09175	Ellis Barge Line, Inc.: *EBL No. 60.*
10025	Hansa Offshore (Sea Pty. Ltd.: *Trifels, Trautenfels.*
10260	Hollywood Marine, Inc.: *Hollywood 1806.*
10273	Namyangsa Co. Ltd.: *Acacia No. 3*
10487	Swire Northern Offshore Corp.: *Pacific Ranger.*
10519	Moore-McCormack Bulk Transport, Inc.: *Mormacsun.*
10931	Hansung Shipping Co., Ltd.: *Blue Andromeda, Blue Ace.*
11039	Golden Marine Transport, Inc.: *Golden Penny.*
11099	Vortex Navigation S.A.: *Vortex Mariner.*
11108	Western Hemisphere Corp. and Oil Shale Corp.: *Lion of California.*
11175	Halifax-Caribbean Shipping Ltd.: *The Lady Scotia.*
11255	Fisser Kg. & Co.: *Rhombus.*
11260	Intercontinental Transportation Services, Ltd.: *Ceiba.*
11275	Barge 20 Co.: *Swann 20.*
11283	Odeco (U.K.) Inc.: *Ocean Ranger.*
11292	Toel Development Sdn. Bhd.: *Mouta Maru.*
11294	Valsky Maritime Ltd.: *Agios Nicolaos V.*
11299	Rioship Co. Ltd.: *Rio Lindo.*
11302	Everhandsome Line S.A.: *Ever Handsome.*
11313	Evros Maritime Corp.: *Evros.*
11314	Oceanic Bulk Transport Corp.: *Antigone.*
11321	Maritime (PTE) Ltd.: *Greenville III.*
11334	Freestone Maritime Compania S.A.: *Egeon.*
11349	Dutch Harbor Seafoods, Ltd.: *Galaxy.*
11350	Matumba Shipping Corp.: *Matumba.*

Certificate No.	Owner/operator and vessels
11352	Holargos Shipping Corp.: *Almond B.*
11353	Nepco Bahamas Corp.: *Nepco Bahamas.*
11354	Vicensi Shipbrokers S.A.: *Kampos.*
11356	Cyngus Bulk Carriers Corp., S.A.: *Cyngus Pioneer.*
11358	Good Hope Maritime Co.: Ltd.: *Good Hope.*
11360	Santo Shipping and Trading S.A.: *Santo Trader.*
11362	Spanbristol Shipping Co.: *King Edmund.*
11363	Spanliberpool Shipping Co.: *King Egbert.*
11364	Nikea Shipping S.A. Panama: Nikot.
11365	E.J. Patterson, Inc.: *Bill Lueck.*
11366	Naviera De Transportes Chrysovalandou S.A.: *Captain Lygnos.*
11368	Charm Steamship Ltd.: *Aqua-Charm.*
11370	Taihei Kaiun K.K.: *Kiku Maru.*
11371	Sancroix Maritime Co. S.A.: *San Croix.*
11373	K/S A/S Teigebris & Co.: *Leikvin.*
11374	Papis Maritime Co. S.A.: *Captain Pappis.*
11375	Gene's Towing Co.: *Offshore No. 2.*
11376	Pavo Shipping Ltd.: *Golden Gate Sun.*
11377	Sealanes Navigation Corp.: *Salamis.*
11378	Pearl Marine Equipment S.A.: *PM 27.*
11379	Getafix Shipping Corp. Monrovia: *Getafix.*
11382	Deep Sea, Inc.: *Deep Sea.*
11383	Red Lion Shipping Co. Liberia: *Polar Lion.*
11385	Sound Shipping Inc.: *Prince William Sound.*
11386	A/S Fjelldrill: *Fjelldrill.*
11387	Melea I Marine Co. S.A.: *Merita.*
11388	Federal Transport Co., Inc.: *Lord Crevecoeur.*
11389	Kong Yang Fisheries Co., Ltd.: *Dong Won No. 12.*
11390	Unimas S.A. Panama: *Ocean Express.*
11392	Okeania S.A.: *Australis.*
11393	Iris Shipping Corp.: *Golden Cape.*
11394	Sedco Maritime, Inc.: *Sedco 706.*
11305	Pacific Ocean Steamship Co., Ltd. Monrovia: *Pacific Ocean.*
11396	Benetnasch Transport Inc., *Benetnasch.*
11397	Darenth Shipping Inc.: *Avon.*
11398	Mallow Line (Shipping) Corp.: *Pageantry.*
11402	Lineas Maritimas Espanolas, S.A.: *Antonio Suardiaz.*
11403	Morfou Shipping Co. S.A.: *Gianis Marios.*
11404	Il Shin Fisheries Co. Ltd.: *Il Shin No. 18.*
11405	Skarhan Shipping Co.: *Inverness.*
11406	Hanskar Shipping Co.: *Dartmouth.*
11407	K.K. Wide Clean Line: *Mount Rainier.*
11408	Pampas Navigation S.A.: *Pampas.*
11410	Salen Offshore Drilling Co.: *Salenergy I.*
11412	Khalidia Marine Ltd.: *Mohamedia.*
11418	Companhia Mocambicana De Navegacao: *Porto Amelia.*
11419	Schareff Inc.: *Concord I.*
11420	Partownership Proctor VII: *Atlantic Proctor.*
11423	Aegean Sunset Inc. Liberia: *Swede Maria.*
11425	Flensburger Ubersee-Schiffahrtsgesellschaft Jacob mbh & Co. Ms Lutz Jacob Beteiligungs-KG: *Lutz Jacob.*
11427	Si. Tr. O.M.-Sicula Transporti Oil Minerali S.P.A.: *Centuripe.*
11428	Kyklamar Inc.: *Anemos.*
11431	Gem Transworld Shipping Ltd.: *Aquagem.*
11433	Takamiya Maru Gyogyo K.K.: *Takamiya Maru No. 15, Takamiya Maru No. 25.*
11436	Productos Quimicos Esso Inc.: *S.O.T. 15.*
11437	Friendship Carrier, Inc.: *Friendship.*

By The Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-20306 Filed 7-13-76;8:45 am]

FARRELL LINES, INC., ET AL.

Agreement Filed

Correction

In FR Doc. 76-19561 appearing at page 27872 in the issue of Wednesday, July 7, 1976, the comment closing date in the 13th line of the second paragraph reading "June 27, 1976" should read "July 27, 1976".

REFRIGERATED EXPRESS LINES (ALASIA) PTY. LTD. ET AL.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before August 3, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

Filing counsel do not concede that any or all of the matters set forth in the agreement are subject to section 15. Accordingly, the Commission will also consider any views received as to this issue.

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.

REFRIGERATED EXPRESS LINES (A/ASIA) PTY. LTD., HAMBURG-SUEDAMERIKANISCHE DAMPFSCHIFFFAHRTS-GESELLSCHAFT EGGERT & AMSINCK, TRADING AS COLUMBUS LINE; FARRELL LINES INCORPORATED, ASSOCIATED CONTAINER TRANSPORTATION (AUSTRALIA) LTD., AUSTRALIA SHIPPING COMMISSION, TRADING AS THE AUSTRALIAN NATIONAL LINE

Notice of agreement filed by:

Edward Aptaker, Esq.,
Morgan, Lewis & Bockius,
1800 M Street, N.W.,
Washington, D.C. 20036.

Agreement No. 10250, among Refrigerated Express Lines (A/Asia) Pty. Ltd., Columbus Line, Farrell Lines Incorporated, Associated Container Transportation (Australia) Ltd., and The Australian National Line, provides that Refrigerated Express Lines (A/Asia) Pty. Ltd., in recognition of its designation by The Australian Meat Board as the carrier responsible for providing breakbulk conventional service to carry meat, other than containerized, from Australian ports to East and Gulf Coast ports of the United States, will withdraw and finally terminate all charges, complaints, lawsuits and claims against Columbus Line, Farrell Lines Incorporated, Associated Container Transportation (Australia) Ltd. and The Australian National Line and The Australian Meat Board in Australia and in the United States of America, subject to the following conditions:

1. Refrigerated Express Lines (A/Asia) Pty. Ltd. will have the right to carry, and The Australian Meat Board will allocate to Refrigerated Express Lines (A/Asia) Pty. Ltd., 15 percent of the total meat to be exported from the East Coast of Australia and Northwestern ports of Australia to the East Coast and Gulf Ports of the United States;

2. Refrigerated Express Lines (A/Asia) Pty. Ltd. will be entitled to receive from The Australian Meat Board payment to defray the additional costs of handling at Northwestern Australian ports, at the rate of $25.00 per metric ton of meat lifted; and

3. Representatives of Refrigerated Express Lines (A/Asia) Pty. Ltd., Columbus Line, Farrell Lines Incorporated, Associated Container Transportation (Australia) Ltd., and The Australian National Line will meet regularly and as requested by The Australian Meat Board, with the Shipping Committee of The Australian Meat Board, in company with representatives of Australian Exporters, to arrange schedules and capacities as best suited to the Australian meat industry shipping requirements from time to time.

By Order of the Federal Maritime Commission.

Dated: July 8, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-20305 Filed 7-13-76; 8:45am]

FEDERAL POWER COMMISSION

[Docket No. RP76-10 (PGA76-2) and RP74-61 (PGA76-2)]

ARKANSAS-LOUISIANA GAS CO.

Withdrawal

JULY 7, 1976.

Take notice that on June 29, 1976, Arkansas Louisiana Gas Company (Arkla) tendered for filing its notice of withdrawal of the tariff sheets originally filed on March 19, 1976, so as to terminate Docket Nos. RP76-10 (PGA76-2) and RP74-61 (PGA76-2). Arkla stated that its filing of May 14, 1976 superseded those tariff sheets filed on March 19, 1976. Arkla stated that the purpose of the instant filing is "to clarify the fact that it is Arkla's understanding that the suspension dockets opened by the Commission's order of April 30, 1976, are now terminated and Arkla's tariff sheets as originally filed March 19, 1976 are considered withdrawn."

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 20, 1976. 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.76-20285 Filed 7-13-76;8:45 am]

[Docket No. CP76-396]

CONSOLIDATED GAS SUPPLY CORP.

Application

JULY 1, 1976.

Take notice that on June 15, 1976, Consolidated Gas Supply Corporation (Applicant), 445 West Main Street, Clarksburg, West Virginia 26301, filed in Docket No. CP76-396 an application pursuant to Section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of approximately 15.3 miles of 20-inch pipeline from its Cornwell compressor station in Kanawha County, near Oka, Calhoun County, West Virginia, and for permission and approval to abandon equivalent lengths of its 12-inch Lines Nos. H-192 and TL-264, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that a Linalog survey has been conducted on the portions of Line Nos. H-192 and TL-264 which are proposed to be abandoned and replaced revealing extensive corrosion therein. Applicant indicates that Lines H-192 and TL-264 have been utilized to transport approximately 235,000 Mcf per day of the 255,000 Mcf per day which Applicant purchases from Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), and that this 235,000 Mcf per day represents a substantial portion of Applicant's total authorized pipeline supply of natural gas. Applicant asserts that in order to avoid the serious interruption of curtailment of service to its customers which would result from a failure of either Line Nos. H-192 or TL-264, Applicant has determined that it is imperative that the above described portions of these lines be immediately replaced through the construction of approximately 15.3 miles of 20-inch pipeline and that the operating pressure of the remaining portions of these lines be reduced.

The application indicates that the estimated cost of the proposed construction is $3,292,959 and that this cost would be financed from funds on hand and from funds to be obtained from Applicant's parent, Consolidated Natural Gas Company.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 27, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 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 for and approval of 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.76-20286 Filed 7-13-76;8:45 am]

[Docket No. ER76-45]

CONSUMERS POWER CO.

Conference

JULY 7, 1976.

Take notice that on July 12, 1976, a conference will be held of all interested persons for the purpose of further discussing the issues in the above-captioned docket with a view toward settling this proceeding in Room 3401 at the offices of the Federal Power Commission, 941 North Capitol Street, NE., Washington, D.C. 20426 at 10 a.m. A prior conference was held on June 30, 1976.

Customers and other interested persons will be permitted to attend, but if such persons have not previously been permitted to intervene by order of the Commission, attendance will not be deemed to authorize intervention as a party in the proceedings.

All parties will be expected to come fully prepared to discuss the merits of all issues concerning the lawfulness of the proposed rate increase and any procedural matters preparatory to a full evidentiary hearing or to make commitments with respect to such issues and any offers of settlement or stipulations discussed at the conference.

Letters concerning this conference are being mailed to all parties to this proceeding, the jurisdictional customers subject to the proposed rate changes, and the interested state commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20276 Filed 7-13-76;8:45 am]

[Docket No. ER76-769]

FLORIDA POWER & LIGHT CO.

New Delivery Point

JULY 8, 1976.

Take notice that on June 28, 1976, Florida Power & Light Company (FP&L) tendered for filing a Substitute Original Sheet No. 22 of Original Volume No. 1 of its FPC Electric Tariff, which provides for the addition of a delivery point between Clay Electric Cooperative and FP&L.

To the extent necessary, FP&L requests that the Commission waive its notice requirements to permit the addition of the new delivery point to become effective as of July 1, 1976.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 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 23, 1976. 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.76-20289 Filed 7-13-76;8:45 am]

[Docket No. RP76-93]

KENTUCKY WEST VIRGINIA GAS CO.

Compliance

JULY 8, 1976.

Take notice that on June 28, 1976, the Kentucky West Virginia Gas Company (Kentucky West) tendered for filing copies of the following, which the company states are in compliance with the Commission's order of October 28, 1976, in this docket:

(a) Pursuant to ordering paragraph (D) of the Commission's Order of May 28, 1976, an amended index of purchasers being Kentucky West's FPC Gas Tariff, First Revised Volume No. 1, First Revised Sheet No. 45, Superseding Original Sheet No. 45, to exclude Equitable as a purchaser under Rate Schedule GSS-1;

(b) Pursuant to ordering paragraph (F) of the Order of May 28, 1976, an amendment dated June 11, 1976, to the pre-existing contract with Equitable Gas Company dated August 15, 1958 filed as a rate schedule and service amendment with the Commission on April 29, 1976. Such amendment restates the rate provided in such pre-existing contract at the level of the average revenue for the base period calendar year 1975.

The company requested that First Revised Sheet No. 45 be accepted to replace Original Sheet No. 45 in Kentucky West's FPC Gas Tariff, First Revised Volume No. 1, suspended in the referenced docket. The company also requested that its preexisting contract with Equitable Gas Company as amended by the supplemental agreement dated June 11, 1976, filed herewith, be accepted as a rate schedule effective May 31, 1976. It states that this is consistent with treatment of the other pre-existing contracts filed by Kentucky West on April 27, 1976.

Kentucky West also filed a new service agreement with Equitable Gas Company dated June 14, 1976, in the form provided in Kentucky West's FPC Gas Tariff, First Revised Volume No. 1, for service under Rate Schedule GSS-1 which is suspended in the referenced docket until October 31, 1976. It is proposed that this service agreement be effective July 31, 1976, and is requested that this service agreement also be suspended to October 31, 1976, to parallel the effectiveness of the applicable rate schedule. The company also filed Second Revised Sheet No. 45 to replace First Revised Sheet No. 45 in Kentucky West's First Revised Volume No. 1 of its FPC Gas Tariff to become effective July 31, 1976, coincident with the new Equitable service agreement.

Kentucky West requested that the Commission waive the requirements of § 154.52, and 154.66, to the extent not previously waived, to permit the filings tendered herewith to become effective as requested.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 19, 1976. 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 tender are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20279 Filed 7-13-76;8:45 am]

[Docket Nos. CI67-1594, et al.]

KERR-McGEE CORP., ET AL.

Informal Conference

JULY 8, 1976.

Take notice that an informal conference of the parties will be held in the above-docketed proceeding at 10 a.m., Tuesday, July 20, 1976, in Room 6200 of the Federal Power Commission. The purpose of the conference is to consider questions which have arisen involving the interpretation of the Commission-approved Settlement Agreement with respect to the dedication to Transcontinental Gas Pipe Line Corporation of gas from properties where escrow funds are used, including the possible contract reservation of volumes by Phillips Petroleum Company for its own use.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20282 Filed 7-13-76;8:45 am]

[Docket No. C176-587]

MINERAL INTEREST OWNERS

Order Maintaining Service Pendent Lite and Granting Protective Order

JULY 6, 1976.

On June 1, 1976 Mineral Interest Owners (MIO)[1] filed a petition for a declaratory order, or in the alternative, for a protective order to be effective pending the ultimate determination of court review, if such be sought, of any Commission order issued in this proceeding, or if no such review be sought, thence pending outcome of final judicial review in the proceeding now pending in the United States Court of Appeals for the Fifth Circuit, "Southland Royalty Co., et al. v. F.P.C.," Nos. 75-3373, et al.

MIO is the lessor of a fifty year fixed term lease due to expire on June 26, 1976. The lessee from MIO, Diamond Shamrock Corporation (Diamond Shamrock) produces gas from the subject acreage and sells it for resale in interstate commerce to Northern Natural Gas Company (Northern) and Panhandle Eastern Pipeline Company (Panhandle). MIO requests that the Commission find that, once the lease term expires and MIO comes into possession, it will be free to dispose of the remaining reserves without being subject to the dedication to interstate commerce made by its lessee Diamond Shamrock.[2]

The matters and issues set forth and raised in the petition filed by MIO are similar if not identical to those which the Commission had before it and considered when it issued Opinion No. 737 on July 11, 1975, —— FPC ——, and Opinion No. 737-A on September 3, 1975, —— FPC ——,[3] Those opinions and accompanying orders, are subject of the pending litigation in *Southland, supra.* Consequently, we will find it appropriate and proper to require MIO not to take any action that will diminish or jeopardize the flow of natural gas from the leases which are the subject of its petition for any reason, including the termination of any lease agreement, pending the ultimate determination of judicial review of the Commission's Opinion Nos. 737 and 737-A, or of this order. Additionally, we shall provide for interim protection of MIO asserted rights and interests.

The Commission orders: (A) MIO are hereby ordered to take the appropriate action not to diminish or jeopardize the flow of natural gas in interstate commerce from the lease that is the subject of its petition for any reason, including the termination of any lease agreement, pending the ultimate determination of judicial review of the Commission's Opinion Nos. 737 and 737-A, or of this order.

(B) Diamond Shamrock, Northern, and Panhandle are each made a respondent in this proceeding (18 CFR 1.1 (15)).

(C) If Mineral Interest Owners should seek review of this order, and upon review in such proceeding or in Southland Royalty Co. v. FPC," 5th Cir., Nos. 75-3373, et al., it is ultimately determined that Mineral Interest Owners may make sales of gas attributable to their reversionary fee simple mineral estate to others than Diamond Shamrock Corporation (Diamond), Northern Natural Gas Company (Northern) or Panhandle

[1] Mineral Interest Owners are Emily Loving Bird; The Fort Worth National Bank, Trustee of the Emily Wilson Bird Trust No. 549, Trustee of the Horace E. Wilson Trust No. 550, and Trustee of the James C. Wilson, Jr. Trust No. 548; Henry Zewifel & the Fort Worth National Bank, Trustees of the Esther English Wilson Trust; and Katherine Kirk Wilson, Independent Executive of the Estate of Horace E. Wilson.

[2] The application filed herein was submitted on behalf of MIO. However, Diamond Shamrock, Northern, and Panhandle are each made a respondent to this proceeding (18 CFR 1.1 (15)).

[3] Opinion No. 737-B issued December 18, 1975, is merely procedural in nature noting that any interim agreements entered into by reason of the parties effectuating the service requirements of Opinion No. 737 need not be filed with the Commission as rate schedule or certificate filings.

Eastern Pipeline Company (Panhandle), without first receiving abandonment authority, then any deliveries pending such judicial review shall not have constituted a dedication of their gas to the interstate market and acceptance of monies paid for gas delivered pending judicial review shall not prejudice the rights of Mineral Interest Owners in the premises; further Diamond, Northern and Panhandle shall be required to repay Mineral Interest Owners in gas for the deliveries made to it pending judicial review. Such repayment is to be made by Diamond, Northern or Panhandle subject to the following conditions: (a) The payback volumes are to be delivered in an equitable manner over a reasonable period of time, subject to further Commission order as to scheduling but not as to entitlement if Diamond, Northern, Panhandle and Mineral Interest Owners cannot agree as to such scheduling, (b) Mineral Interest Owners shall return to Diamond, Northern, or Panhandle the monies paid for deliveries made pending judicial review, such repayment to be made within thirty (30) days following the end of each calendar month during which payback volumes are delivered by Diamond, Northern or Panhandle, and (c) the payback volumes shall not be considered to be jurisdictional gas and acceptance thereof by Mineral Interest Owners or any of their customers, shall not subject any of them to Commission jurisdiction.

By the Commission. Commissioner Watt, dissenting, filed a separate statement appended hereto.[4]

KENNETH F. PLUMB,
Secretary.

[FR Doc. 76-20275 Filed 7-13-76;8:45 p.m.]

[Docket No. E-9534, E-9535]

MINNESOTA POWER & LIGHT COMPANY AND MINNKOTA POWER COOPERATIVE, INC.

Exportation of Electric Energy Export Rate Schedules; Transmission Facilities

Order authorizing transmission of electric energy to Canada, accepting export rate schedules for filing, and releasing permit for electric transmission facilities at United States-Canadian border.

Minnesota Power & Light Company (MP&L) and Minnkota Power Cooperative, Inc. (Minnkota) filed a point application in Docket No. E-9534 on September 22, 1975, as supplemented on various dates, for authorization, pursuant to section 202(e) of the Federal Power Act, to transmit electric energy from the United States to Canada. Furthermore, by separate application filed in Docket No. E-9535 on September 22, 1975, Minnkota seeks permission, pursuant to Executive Order No. 10485, dated September 3, 1953, to construct, operate, maintain and connect at the international border between the United States and Canada certain facilities hereinafter described for the transmission of electric energy between the United States and Canada, which permission is granted by the Permit signed by the Chairman of the Commission on July 6, 1976. In addition to reciting that the Secretaries of State and Defense favorably recommended that it be granted, the Permit contains a finding by the Commission that the issuance of the Permit is consistent with the public interest.

MP&L is incorporated under the laws of the State of Minnesota, operates in that State, and has its principal place of business at Duluth, Minnesota.[1] Minnkota, incorporated under the laws of the State of Minnesota and qualified to do business as a foreign corporation in the State of North Dakota, operates in Minnesota and North Dakota and has its principal place of business at Grand Forks, North Dakota.

The electric energy which MP&L and Minnkota (Applicants) request authorization to export will be delivered to The Manitoba Hydro-Electric Board (Manitoba Hydro), a Canadian crown corporation having its principal place of business at Winnipeg, Province of Manitoba, Canada. Delivery of the energy will be made by means of Minnkota's proposed electric transmission facilities which are covered by its Permit, as referred to above, and which consist of one three-phase, 60 hertz, 230,000 volt overhead transmission line located at a point on the United States-Canadian border, northwest of Warroad, Roseau County, Minnesota, where it will interconnect with a similar transmission line of Manitoba Hydro. Such interconnected transmission lines will be part of the proposed international interconnection known as the Ridgeway-Shannon 230 kv Interconnection (Interconnection), which will connect the electric system of Manitoba Hydro with the electric systems of Applicants. Manitoba Hydro's existing Ridgeway Substation near Winnipeg will be the northern terminus of the Interconnection and MP&L's proposed Shannon Substation near Hibbing, St. Louis County, Minnesota, will be the southern terminus of the Interconnection. Other segments of the Interconnection will include (1) approximately 100.8 miles of 230,000 volt overhead transmission line to be constructed and operated in Manitoba by Manitoba Hydro and to extend from its Ridgeway Substation to the point on the Minnesota-Manitoba border where connection will be made with Minnkota's transmission line, as described above; (2) approximately 105 miles of 230,000 volt overhead transmission line to be constructed and operated in Minnesota by Minnkota and to extend from the above-mentioned point of connection on the Minnesota-Manitoba border to MP&L's proposed International Falls Substation northwest of Littlefork, Koochiching County, and to Minnkota's proposed substation, southwest of Littlefork; and (3) approximately 86.4 miles of 230,000 volt overhead transmission line to be constructed and operated in Minnesota by MP&L and to extend from its International Falls Substation to its Shannon Substation.

Applicants and Manitoba Hydro propose to construct and operate the Interconnection for the transmission, sale and exchange of electric energy, all in accordance with the terms and conditions and at the rates and charges set forth in certain contracts, copies of which were submitted as part of the joint application in Docket No. E-9534. Those contracts include the Interconnection, Facilities and Coordinating Agreement Respecting Ridgeway-Shannon 230 kv Interconnection, dated December 30, 1974, by and between MP&L, Minnkota and Manitoba Hydro (IFC Agreement), and the Transactions Agreement, dated December 30, 1974, between MP&L and Manitoba Hydro. Such contracts are deemed to have been tendered for filing as initial export rate schedules pursuant to Part 35 of the Commission's regulations under the Federal Power Act, particularly §§ 35.12 and 35.20 thereof (18 CFR 35.12 and 35.20). Accordingly, the ICF Agreement is designated in the Commission's files as MP&L's Export Rate Schedule FPC No. 122 and Minnkota's Export Rate Schedule FPC No. 5, respectively. The Transactions Agreement is designated in the Commission's files as Supplement No. 1 to MP&L's Export Rate Schedule FPC No. 122. It is further proposed by Applicants and Manitoba Hydro that the Interconnection be placed in service on November 1, 1976.

The Transactions Agreement provides that in the event of low water flow on Manitoba Hydro's hydroelectric generation system, during the 10 year term beginning with the in-service date of the Interconnection, MP&L shall "undertake to secure and transmit" to Manitoba Hydro up to 500,000,000 Kwh of electric energy during a 12 month period. It is further provided in the Transactions Agreement that the energy will be sold by MP&L to Manitoba Hydro at a rate reflecting the sum of "(a) An amount equal to the lowest cost energy which can be secured by MP&L, after MP&L has first supplied its own energy needs, which it in its sole discretion shall determine. [and] (b) 1.5 mills per kilowat-hour." According to the joint application, such contractual provisions mean that energy supplied by MP&L to Manitoba Hydro will be on a "best efforts basis". By letter filed on January 27, 1976, MP&L's attorney states that the maximum rate of transmission applicable to deliveries of energy to Manitoba Hydro is estimated at 175,000 Kw. The source of the energy furnished by MP&L to Manitoba Hydro will be the resources of MP&L's electric system. Information on file with the Commission and otherwise available to it shows that the water flow and water storage conditions in Manitoba are such that a low water year in that Province is not foreseeable during the next four years and that energy obtainable by MP&L from its electric generating plants, together with energy which may

[1] MP&L has a wholly-owned subsidiary, Superior Water, Light and Power Company, which is incorporated under the laws of the State of Wisconsin and operates in that State.

[4] Filed as part of the original document.

be purchased by MP&L from other electric utilities, is expected to be sufficient by 1980 to enable MP&L not only to render adequate electric service to its customers in the United States but also to supply energy to Manitoba Hydro if its generating plants experience low water flow. Manitoba Hydro will use the energy purchased from MP&L for the purpose of meeting the load requirements of Manitoba Hydro's electric system.[2]

The growth of the taconite mining operations in the Mesabi Iron Range of northern Minnesota is causing a substantial increase in MP&L's electric system load with the result that it has become imperative for MP&L to enlarge its resources for supplying electric energy to that area. Therefore the Transactions Agreement provides that Manitoba Hydro shall sell and transfer to MP&L, by means of the Interconnection 100,000 Kw of peaking power (capacity) during a two year period beginning on the in-service date of the Interconnection at rates and charges specified in Service Schedule H, (Peaking Power Interchange Service) of the IFC Agreement, and 2,000,000,000 Kwh of surplus hydraulic energy[3] during a period of 10 years commencing on such in-service date, at rates and charges determined in accordance with a certain formula set forth in the Transactions Agreement. More specifically, it is provided in the Transactions Agreement that 200,000,000 Kwh of surplus hydraulic energy shall be delivered each delivery year (May 1st through the following April 30th) for the 10 year period. The National Energy Board of Canada (NEB) has issued licenses authorizing Manitoba Hydro to transfer power and energy to MP&L, but upon terms and conditions which differ from the provisions of the Transactions Agreement, as set forth below. MP&L's letter filed on May 4, 1976, together with copies of certain correspondence between Manitoba Hydro and MP&L enclosed therein, represents, in general, that (1) amendment of the Transactions Agreement and the IFC Agreement will not be necessary to assure compliance with the terms and conditions prescribed in the licenses granted by NEB to Manitoba Hydro, although revisions of the various Service Schedules of the IFC Agreement may be appropriate, (2) MP&L's contractual entitlement to peaking power can be accommodated under the terms and conditions of Manitoba Hydro's short-term firm power license, with the power to be sold by Manitoba Hydro at the rates and charges specified in Service Schedule H referred to above, and (3) MP&L's contractual entitlement to surplus hydraulic energy can be accommodated under the terms and conditions of Manitoba Hydro's interruptible energy license, with the energy to be sold by Manitoba Hydro at the rates and charges specified in Service Schedule E (Economy Energy Interchange Service) and/or Service Schedule K (Tertiary Energy Interchange Service) of the IFC Agreement.[4]

NEB on March 4, 1976, issued to Manitoba Hydro (1) a Certificate of Public Convenience and Necessity authorizing the construction and operation of the above-described Canadian segment of the Interconnection upon certain terms and conditions, and (2) a total of four licenses authorizing the transfer and export of several classes of electric energy, including interruptible energy, short-term firm power and energy, storage transfer of firm energy, and instantaneous equichange of firm energy, such as carrier transfers, adjustment transfers, and unscheduled loop flows. In addition, NEB revoked, effective November 1, 1976, Manitoba Hydro's licenses to export electric energy over its interconnection with Northern States Power Company (Northern States), hereinafter described, such licenses having been issued in 1969 or 1970. The total amount of energy exported under all the new licenses during any operating year of Manitoba Hydro (May 1st through the following April 30th) may not exceed 3,000,000,000 Kwh and the maximum rate of transmission of the energy is set at 350,000 Kw. Each new export license is subject to special terms and conditions as well to to general terms and conditions which are applicable to all such licenses. The period of each license is limited to six years, beginning on November 1, 1976. The energy authorized for export under each license is to be transmitted by means of Manitoba Hydro's (1) proposed 230,000 volt transmission line covered by its above-mentioned certificate of March 4, 1976, or (2) existing 230,000 volt transmission line which was certificated by NEB in 1969 or 1970 and which extends from the La Verendrye substation of Manitoba Hydro near Winnipeg to the Manitoba-North Dakota border, where an interconnection is made with a similar transmission line of Northern States.[5]

The licenses authorizing the export of interruptible energy and short-term firm power and energy are conditioned upon such power and energy being sold at rates not less than those set forth in (1) the IFC Agreement or (2) the Coordinating Agreement, dated January 16, 1969, among Manitoba Hydro, Minnkota, Northern States, and Otter Tail Power Company, as amended, which is on file with the Commission as Northern States' Rate Schedule EPC No. 357. The interruptible energy license provides that the quantity of such energy exported, when combined with the amounts of energy exported under the other licenses, may not exceed the above-mentioned limit of 3,000,000,000 Kwh in any operating year. This license is subject to special conditions directing that interruptible energy may not be exported unless it is surplus to firm energy requirements of economically accessible Canadian markets and that delivery of interruptible energy must be interrupted or curtailed whenever it is required to supply any firm load within Canada or supply any Canadian utility willing to buy the energy at the export price. The short-term firm power and energy license is subject to special conditions requiring that the quantity of energy exported thereunder in any operating year may not exceed the lesser of (a) 1,200,000,000 Kwh or (b) 65% of Manitoba Hydro's surplus energy; that power and energy may not be committed for export without first offering it to economically accessible Canadian utilities on terms not less favorable than those under which the export would be made; and that a commitment to export power and energy may not extend beyond six months and may not be consummated without NEB's prior approval. The storage transfer license and the instantaneous equichange license are subject to special conditions directing that exports of energy under those licenses shall be balanced by imports of equivalent quantities of energy.

The environmental impact of the United States portion of the Interconnection, consisting of the above-described segments proposed to be constructed and operated by Applicants, has been anlyzed in detailed statements prepared by the Rural Electrification Administration, U.S. Department of Agriculture (REA), pursuant to Section 102 (2)(C) of the National Environmental Policy Act of 1969 (NEPA) and the implementing Guidelines promulgated by the Council on Environmental Quality

[2] Although Minnkota is not obliged under the Transactions Agreement or the IFC Agreement to supply electric energy to Manitoba Hydro, the proposed 230,000 volt transmission facilities of Minnkota at the Minnesota-Manitoba border will be utilized for delivering to Manitoba Hydro the energy sold to it by MP&L, as described above. Therefore, Minnkota properly joined in MP&L's application in Docket No. E-9534 seeking authorization to transmit energy to Canada since the Commission's regulations require that the transmitter of energy proposed to be transmitted to a foreign country, as well as the owner of the source of supply of energy who contracts to sell it for transmission to a foreign country, must apply for and secure an order authorizing exportation. See Section 32.30(a) of the Regulations under the Federal Power Act (18 CFR 32.30(a)).

[3] Surplus hydraulic energy, as defined in the Transactions Agreement, means energy remaining after Manitoba Hydro has made provisions to supply its system firm energy requirements, and energy requirements for exports containing a capacity commitment.

[4] The rates and interchange services set forth and provided for in the Service Schedules of the IFC Agreement are similar to the rates and services charged and rendered under the agreement among the members of the Mid-Continent Area Power Pool (MAPP), which agreement is on file with the Commission as MP&L's Rate Schedule FPC No. 109.

[5] The 230,000 volt transmission line of Northern States, a Minnesota corporation, is covered by its Permit signed by the Chairman of the Commission on September 19, 1969, Docket No. E-7481. By Commission order issued September 2, 1969, Docket No. E-7482 (42 FPC 687), Northern States, Otter Tail Power Company, and Minnkota were authorized to export electric energy to Manitoba Hydro over Northern States' line for the purpose of effectuating the Winnipeg-Grand Forks 230 Kv Interconnection.

(CEQ)," in connection with the application filed with REA by Minnkota for a loan to finance, among other things, construction of Minnkota's segment of the Interconneciton, which as pointed out above, includes the 230,000 volt transmission line at the Minnesota-Manitoba border covered by Minnkota's Permit, Docket No. E–9535. The loan, which includes $9,375,000 for such construction, has been approved by REA according to its letter of September 25, 1975 to the Commission. A copy of REAs Final Environmental Impact Statement, dated January 1975 (FEIS), was submitted by MP&L and Minnkota as an exhibit to their joint application, Docket No. E–534. Comments of the staff of the Commission's Bureau of Power on REA's Draft Environmental Impact Statement (DEIS) are attached to and made a part of the FEIS. In its letter of October 3, 1974 transmitting comments to REA, the staff, which reviewed the DEIS at REA's request, concludes that the Interconnection will make a "significant contribution" to the reliability and adequacy of the electric energy supply in the service areas of Applicants, will provide the additional energy needed by MP&L to meet the growing demands of the taconite industry, and will strengthen the bulk electric power transmission systems of Applicants.

The DEIS was made available by REA to CEQ and members of the public on August 26, 1974. In addition, notice of the DEIS was given by publication on that date in the FEDERAL REGISTER (39 FR 30850), stating that comments on the DEIS were invited, that copies of the DEIS had been sent to Federal, State and local agencies for comment, and that the DEIS was available for examination at specified places. Comments on the DEIS were received by REA from Federal and regional departments and agencies, including the Department of the Interior, the Environmental Protection Agency, and, as already noted, the Commission's staff. As in the case of the staff's comments, the REA attached the comments of others to the FEIS. Furthermore, the text of the FEIS reflects or responds to those comments which, in REA's view, warranted changes in the DEIS or required replies. Notice of the FEIS was published in the FEDERAL REGISTER on January 29, 1975 (40 FR 4324) and the notice set forth the places where the FEIS was available for examination.

Certain unavoidable adverse environmental effects of the Interconnection are anticipated by REA and they are described in the FEIS. A visual impact on the landscape at road and river crossings and to farm and recreational residents along the right-of-way would be created and presented by the transmission towers and conductors. Wildlife would be disturbed during the construction period and the towers and conductors may pose an obstacle to the flight of birds. Agricultural construction is underway. The area occupied by the towers would be removed from agricultural production for the foreseeable future and would constitute an obstacle to farm machinery. Commercial timber within the right-of-way would be removed from production for the foreseeable future. The soil excavated for tower construction or disturbed during access roads construction would temporarily cause erosion. REA predicts that in considering the relationship between short-term uses and maintenance and enhancement of long-term productivity, the economic productivity of the Interconnection during its service life as a resource for transmitting electric energy will offset the economic loss resulting from the interruption or cessation of farming and forestry within the right-of-way. Several alternatives to the Interconnection as a means of increasing Applicants' supply of energy to meet the expected load growth and improving the adequacy and reliability of their facilities for moving bulk power, such as installing additional generating units and upgrading existing transmission lines, are considered in the FEIS and rejected for the reasons set forth therein.

Several beneficial effects of the construction and operation of the Interconnection, in addition to those pointed out in the Commission staff's comments on the DEIS referred to above, are foreseen by REA as shown by the FEIS. Transfers of the electric energy can be accomplished throughout large areas of Minnesota and North Dakota by means of the 230 Kv transmission network to be created by the Interconnection and the existing Winnipeg-Grand Forks 230 Kv Interconnection which includes the above-described Northern States-Manitoba Hydro tie at the North Dakota-Manitoba border. Energy can be exchanged on a mutually advantageous basis at many points along that 230 Kv loop when it is completed. The opportunity for such exchanges would bring about the conservation of natural and financial resources as well as improve the economics of electric system operations. Other economic advantages would include the payments for right-of-way acquisitions, the growth in the tax base of the affected geographical areas, and the utilization of the services of the engineering, electric utility, and transportation industries. Furthermore, employment would be given to local construction workers, and to the extent that non-local personnel are also employed, they would purchase services and materials while living and working in the construction areas. The transmission line corridor would aid in fighting forest fires since it would serve as a partial fire break and provide access for fire fighters and their equipment. The development of open space in the woodland and the establishment of low-growth plants along the right-of-way would be favorable for the habitat and feed supply of wildlife.

The foregoing review of the environmentally-related actions taken by reason of REA's financing of Minnkota's segment of the Interconnection, including the request for and receipt of the views of the Commission's staff and other concerned Federal agencies on the DEIS and the preparation of the FEIS, clearly demonstrates that REA has complied with the applicable procedural and substantive requirements of NEPA and the CEQ Guidelines. Under these circumstances, REA may be deemed to be the "lead agency" within the meaning of § 1500.7(b) of the CEQ Guidelines (40 CFR 1500.7(b)) for purposes of the preparation by Federal agencies of the detailed statement covering environmental impact and related matters which is required by section 102(2)(C) of NEPA. It would not, therefore, be necessary that such a statement be prepared by the Commission in connection with the issuance of the Permit sought by Minnkota in Docket No. E–9535 for its transmission line at the international border. It is the Commission's conclusion that the environmental impact of the construction and operation of the United States portion of the Interconnection, as shown by REA's comprehensive analysis set forth in the FEIS and the staff's comments attached thereto, would be, on balance, beneficial.

In considering the environmental impact of authorizing the transmission of electric energy to Canada, as requested by Applicants in Docket No. E–9534, it is noted that by reason of the assurances given by Manitoba Hydro to MP&L regarding the availability of electric generating capacity and electric energy under the licenses granted by NEB to Manitoba Hydro, as described above, the quantity of energy imported from Manitoba by MP&L would be expected to exceed its exports of energy to that Province for Manitoba Hydro's use. Thus the proposed international exchange of electric service over the Interconnection would conserve fossil fuels used for the generation of energy in the United States as well as benefit its taconite industry. Accordingly, the Commission determines that the issuance of an export order to Applicants would not be a "major Federal action significantly affecting the quality of the human environment within the meaning of section 102(2)(c) of NEPA and hence an environmental impact statement would not be necessary under NEPA with respect to the proceedings in Docket No. E–9534.

Written notice of the applications filed in Docket Nos. E–9534 and E–9535 has been given to the Public Service Commission of Minnesota, North Dakota and Wisconsin, respectively, and to the Governor of each of those States. Notice of the applications has also been given by publication in the FEDERAL REGISTER on November 7, 1975 (40 FR 52109), stating that any person desiring to be heard or to make any protest with reference to the applications should on or before November 28, 1975 file with the Federal Power Commission, Washington, D.C. 20426 petitions to intervene or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). No petition or protest or request to be heard in opposition to the

[4] Preparation of Environment Impact Statements: Guidelines (40 CFR 1500.1 et seq.).

granting of the applications has been received.

The Commission further finds: (1) The proposed transmission of electric energy from the United States to Canada, as limited herein and as hereinafter authorized, will not impair the sufficiency of electric supply within the United States and will not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Commission.

(2) It is necessary and appropriate for purposes of Part 35 of the Commission's Regulations under the Federal Power Act that MP&L's Export Rate Schedule FPC No. 122, Supplement No. 1 to MP&L's Export Rate Schedule FPC No. 122, and Minnkota's Export Rate Schedule FPC No. 5 be accepted for filing to become effective as of the date Minnkota's proposed 230,000 volt transmission facilities at the United States-Canadian border are placed in service and that Minnkota inform the Commission in writing as to that date, all as hereinafter provided.

(3) The requirements of Executive Order No. 10485 applicable to the issuance of the Permit requested by Minnkota for the construction, operation, maintenance and connection of the 230,000 volt transmission facilities at the United States-Canadian border, as described above, have been complied with, and it is therefore appropriate and in the public interest that such Permit, as signed by the Chairman of the Commission, be released as hereinafter provided.

The Commission orders: (A) Applicants are hereby authorized to transmit electric energy from the United States to Canada in accordance with the terms and conditions set forth in the joint application, Docket No. E-9534, and subject to the provisions of this order.

(B) The electric energy which Applicants are hereby authorized to transmit from the United States to Canada shall be in an amount not to exceed 500,000,000 kwh per year at a rate of transmission not to exceed 175,000 kw. The energy shall be transmitted over the facilities specified in the aforementioned Permit of Minnkota signed by the Chairman of the Commission on July 6, 1976, Docket No. E-9535.

(C) MP&L's Export Rate Schedule FPC No. 122, Supplement No. 1 to MP&L's Export Rate Schedule FPC No. 122, and Minnkota's Export Rate Schedule FPC No. 5 are hereby accepted for filing and shall become effective as of the date Minnkota's proposed 230,000 volt transmission facilities at the United States-Canadian border are placed in service. Minnkota shall inform the Commission in writing as to that date.

(D) Concurrently with the issuance of this order, the Permit signed by the Chairman of the Commission in Docket No. E-9535, referred to in Paragraph (B) above, shall be released and a copy thereof transmitted by the Secretary to Minnkota.

(E) Applicants shall provide for the installation and maintenance of adequate metering equipment to measure the flow of all electric energy transmitted between the United States and Canada over the facilities covered by Minnkota's Permit, as described above; shall make, keep and preserve full and complete records with respect to the movement of such energy; and shall furnish to the Commission, with respect to such transmission of energy, on or before February 15 of each year, a report, in triplicate, showing, for each month of the preceding calendar year, the gross amount of kilowatt-hours of energy received or delivered, the maximum rate of transmission in kilowatts, and the consideration paid or received therefor.

(F) The authorization herein granted may be modified from time to time or terminated by further order of the Commission, but in no event shall such authorization extend beyond the date of termination or expiration of the Permit signed by the Chairman of the Commission, referred to in Paragraph (B) above.

(G) Applicants shall not transmit electric energy from the United States to Canada under the authorization herein granted in the event that Manitoba Hydro at any time hereafter lacks the requisite approval of the National Energy Board of Canada to interconnect with Applicants and sell or exchange energy to or with Applicants.

(H) Applicants shall conduct all operations pursuant to the authorization herein granted in accordance with the provisions of the Federal Power Act and pertinent rules, regulations or orders issued by the Commission.

(I) This authorization to transmit electric energy from the United States to Canada shall not be transferable or assignable, but in the event of the involuntary transfer of the facilities used for such transmission by operation of law (including such transfers to receivers, trustees, or puchasers under foreclosure or judicial sale), said authorization shall continue in effect temporarily for a reasonable time thereafter, pending the making of an application for permanent authorization and decision thereon, provided notice is promptly given in writing to the Commission accompanied by a statement that the physical facts relating to sufficiency of supply, rates, and nature of use remain substantially the same as before the transfer.

(J) This authorization shall be without prejudice to the authority of any State or State regulatory commission for the exercise of any lawful authority vested in the State or State regulatory commission over Applicants.

(K) This authorization is without prejudice to the authority of this Commission, or any other regulatory body, with respect to rates, service, accounts, valuation, estimates or determinations of cost, or any other matter whatsoever now pending or which may come before this Commission, or any other regulatory body, and nothing herein shall be construed as an acquiescence by this Commission in any estimate or determination of cost or any valuation of property claimed or asserted.

(L) Acceptance of the rate schedules and rate schedule supplement as referred to in Paragraph (C) above is without prejudice to any findings or orders which have been or may hereafter be made by this Commission in this or any proceeding now pending or hereafter instituted by or against MP&L or Minnkota.

(M) Nothing contained in this order shall be construed as constituting approval by this Commission of any service, rate, charge, classification or any rule, regulation, contract or practice affecting such service or rate provided for in the rate schedules and rate schedule supplement referred to in Paragraph (C) above, nor shall this order be deemed as recognizing any claimed contractual right or obligation affecting or relating to such service or rate.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20277 Filed 7-13-76;8:45 am]

[Docket Nos. RP74-100 (PGA76-2) and RP76-101]

NATIONAL FUEL GAS SUPPLY CORP.

Filing of Petition for Declaratory Order

JULY 7, 1976.

Take notice that on May 7, 1976, National Fuel Gas Supply Corporation (National Fuel) filed in the above-referenced dockets a petition requesting the Commission to issue a declaratory order finding the small producer rates at issue in Docket No. RP74-100 (PGA76-2) to be just and reasonable and to thereby relieve National Fuel of any refund obligations with respect to such purchases. The small producer rates at issue are those for which National Fuel sought approval as a part of its PGA filing in Docket No. RP74-100 (PGA76-2) on September 17, 1975. By order issued on October 17, 1975, the Commission suspended the proposed PGA increase for one day and initiated a hearing to determine the reasonableness of National Fuel's small producer purchases at rates in excess of those prescribed by order issued on February 19, 1976, pending final Commission orders to be issued in Docket Nos. RM76-5 and R-393.

National Fuel states that under the Commision's orders it is exposed to a substantial and growing risk of loss, and that its exposure is aggravated by the Commission's indefinite deferral of the investigation of the justness and reasonableness of the rates paid by the company to small producers.

Under these circumstances National Fuel argues that fairness and sound regulatory practices require the Commission to grant relief in the form of the declaratory order sought.

Any person desiring to be heard and to make any protest with reference to 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 the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All such

petitions or protests should be filed on or before July 23, 1976. Protests will be considered by the Commission 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 must file a petition to intervene. National Fuel's filing is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 76-20278 Filed 7-13-76; 8:45 am]

[Docket No. ER76-766]

NORTHERN STATES POWER CO. (MINNESOTA)

Filing of Supplement to Interconnection Coordinating Agreement

JULY 8, 1976.

Take notice that Northern States Power Company, on June 25, 1976, tendered for filing Supplement No. 2, dated May 25, 1976, to the Twin Cities-Iowa-Omaha-Kansas City 345 KV Interconnection Coordinating Agreement executed with Interstate Power Company, Iowa Public Service Company, Omaha Public Power District, St. Joseph Light & Power Company and Kansas City Power & Light Company. The company states that Supplement No. 2 provides changes in the Service Schedules for Short Term Power and Excess Energy.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.18, 1.10). All such petitions or protests should be filed on or before July 19, 1976.

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.76-20280 Filed 7-13-76;8:45 am]

[Docket No. ER76-767]

NORTHERN STATES POWER CO. (MINNESOTA)

Filing of Supplement to Interconnection Coordinating Agreement

JULY 8, 1976.

Take notice that Northern States Power Company, on June 25, 1976, tendered for filing Supplement No. 4, dated May 25, 1976, to the Twin Cities-Iowa-St. Louis 345 KV Interconnection Coordinating Agreement between Interstate Power Company, Iowa Electric Light and Power Company, Iowa-Illinois Gas and Electric Company, Iowa Public Service Company, Iowa Southern Utilities Company, Northern States Power Company, and Union Electric Company.

The company states that Supplement No. 4 provides a Fourth Revised Service Schedule A, establishing changes in the rates for Short Term Power and Excess Energy, and a Second Revised Exhibit A.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 19, 1976. 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. 76-20285 Filed 71-13-76;8:45 am]

[Docket No. CP76-408]

NORTHWEST PIPELINE CORP.

Application

JULY 7, 1976.

Take notice that on June 25, 1976, Northwest Pipeline Corporation (Applicant), 315 East Second South Street, Salt Lake City, Utah 84111, filed in Docket No. CP76-408 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of up to 10,000 Mcf of natural gas per day for IGC Production Company (IGC), Thermal Exploration, Inc. (Thermal), and Development Associates, Inc. (Development), producing subsidiaries of three of Applicant's existing distribution customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that IGC, Thermal, and Development, collectively referred to as "the Producers", are wholly-owned subsidiaries of Intermountain Gas Company (Intermountain), Washington Natural Gas Company (Washington Natural), and The Washington Water Power Company (Water Power), respectively, and that Intermountain, Washington Natural, and Water Power, collectively referred to as "Purchasers", are existing customers of Applicant.

It is stated that the Producers, through the utilization of monies advanced by the Purchasers, have developed or otherwise acquired natural gas reserves in the Big Hole Field and the Blue Gravel Field in Moffat County, Colorado. It is said that the Purchasers have entered into gas purchase contracts with the Producers whereby the Producers have agreed to sell their proportional share in such gas as is produced in the Big Hole and the Blue Gravel Fields to their respective parent Purchaser. It is stated that the gas proposed to be transported by Applicant and purchased by Purchasers would be utilized in the Purchasers' distribution systems to supplement their gas supply from Applicant.

The application indicates that the Producers, to effectuate deliveries to the Purchasers, have entered into a gas transportation agreement, dated February 4, 1976, with RMNG Gathering Company (RMNG) and Rocky Mountain Natural Gas Company, Inc. (Rocky Mountain), that would provide for the delivery of Producers' gas to Applicant at an existing point of interconnection among RMNG, Rocky Mountain, and Applicant. Further, it is stated that the Producers and Applicant have executed an agreement, dated February 4, 1976, which provides that Applicant would transport the Producers' gas delivered into Applicant's system by RMNG or Rocky Mountain and redeliver equivalent volumes to the Purchasers at various existing delivery points on Applicant's transmission system where Applicant is presently authorized to sell and deliver natural gas to the Purchasers. Applicant states that it is the only natural gas company currently providing natural gas service to the market area served by the Purchasers and, therefore, has agreed to transport the gas developed by the Purchasers.

Applicant states that it has sufficient capacity on its transmission system to transport the volumes of natural gas to be delivered to it for transportation for the Purchasers since the initial deliveries, estimated to be 1,500 Mcf per day represents less than 1 percent of Applicant's peak day transmission capability of 1,450,000 Mcf. Applicant further states that it is under no obligation to construct and operate any measuring or transmission facilities to transport volumes of natural gas; therefore, no facilities would be required by Applicant.

Applicant proposes to charge the Producers 14.49 cents per Mcf for all gas transported and delivered to the Purchasers less fuel volumes. It is said that the volumes delivered to the Purchasers would be reduced by the fuel used by Applicant in the transportation service and would be deemed to be an amount equal to 20 cubic feet for each Mcf of gas delivered to the Purchasers.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 26, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 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.76-20287 Filed 7-13-76;8:45 am]

[Docket No. ER76-532]

PACIFIC GAS & ELECTRIC CO.

Electric Rates; Order Granting Petition To Intervene

JULY 8, 1976.

On June 2, 1976, a petition to intervene in this proceeding was filed out of time by the Secretary of the Navy and the Administrator of General Services (Petitioners). The petitioners state that the subject wheeling rate increase by Pacific Gas and Electric Company will be passed on to the United States Navy and the Federal Executive Agencies by the United States Bureau of Reclamation. The petitioners further state that their petition was delayed due to the requirement that the Secretary of the Navy obtain a delegation of authority from the Administrator of General Services authorizing this petition and the participation of the Secretary.

Upon review of this petition, the Commission has determined that the participation of the petitioners in this proceeding may further the public interest and should be authorized.

The Commission finds: It is desirable and in the public interest to permit the Petitioners to intervene in this proceeding.

The Commission orders: (A) Petitioners are hereby permitted to intervene in these proceedings subject to the rules and regulations of the Commission; Provided, however, that participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in the petition to intervene; and Provided, further, that the admission of such intervenors shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20281 Filed 7-13-76;8:45 am]

[Project No. 658]

PACIFIC POWER & LIGHT CO.

Issuance of Annual License(s)

JULY 7, 1976.

On May 6, 1974, the Pacific Power and Light Company, Licensee for Project No. 658, filed an application for surrender of its license. The project is located in Yakima and Benton Counties, Washington.

The license for Project No. 658 was issued effective July 9, 1926, for a period ending July 8, 1976. In order to authorize the continued operation and maintenance of the project pursuant to the Federal Power Act, pending completion of Commission action on Licensee's application for surrender, it is appropriate and in the public interest to give notice of issuance of an annual license to the Pacific Power and Light Company.

Take notice that an annual license is issued to the Pacific Power and Light Company for the period July 9, 1976, to July 8, 1977, or until Licensee's application for surrender of the project license is accepted, whichever comes first, for the continued operation and maintenance of Project No. 658, subject to the terms and conditions of its original license. Take further notice that if acceptance of surrender of license does not take place on or before July 8, 1977, a new annual license will be issued each year thereafter, effective July 9 of each year, until such time as Federal takeover takes place or the application for surrender is accepted.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20290 Filed 7-13-76; 8:45am]

[Docket No. ER76-728]

TUCSON GAS & ELECTRIC CO.

Electric Rates; Order Accepting for Filing and Instituting Investigation

JULY 8, 1976.

On June 1, 1976, the Tucson Gas and Electric Company (Tucson) tendered for filing an executed Power Service agreement with the Arizona Electric Power Cooperative (Arizona).[1] This order accepts the submittal for filing to become effective on July 1, 1976, and institutes an investigation of the filing under Section 206(a) of the Federal Power Act.

Notice of this filing was issued on June 11, 1976, with comments, protests, and petitions to intervene due on or before June 22, 1976.

This filing includes four service schedules providing for the interchange of energy, emergency assistance, spinning reserve, and firm power sale. Tucson requests that the proposed rate schedule be permitted to become effective July 1, 1976.

Upon review of the agreement and attached service schedules, the Commission concludes that the rates, terms, and conditions therein have not been shown to be just and reasonable and may therefore be unjust and unreasonable. Therefore, the filing will be accepted for filing to become effective on July 1, 1976, and we shall institute hearing procedures pursuant to Section 206(a) of the Federal Power Act.

The Commission finds: (1) Tucson's filing of June 1, 1976 should be accepted for filing and permitted to become effective on July 1, 1976.

(2) It is necessary and proper, in the public interest, and in aid of the enforcement of the Federal Power Act that an investigation shall be undertaken concerning the lawfulness of the rate schedule proposed herein.

The Commission orders: (A) Tucson's filing of June 1, 1976 is hereby accepted for filing and permitted to become effective on July 1, 1976.

(B) Pursuant to the authority of the Federal Power Act, particularly Section 206 thereof, and the Commission's Rules and Regulations, a public hearing shall be held concerning the justness and reasonableness of the rates, charges, terms, and conditions of service included in the rate schedule proposed by Tucson herein.

(C) Within forty-five days of the issuance of this order, Tucson shall file in support of the proposed rate schedule such testimony and exhibits necessary to serve as its case-in-chief.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose, (see Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding, with authority to establish and change all procedural dates, and to rule on all motions (with the exception of petitions to intervene, motions to consolidate and sever, and motions to dismiss, as provided for in the rules of practice and procedure).

(E) The Presiding Administrative Law Judge shall preside at an initial conference in this proceeding to be held on August 23, 1976, at 9:30 a.m., at the offices of the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

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

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20288 Filed 7-13-76;8:45 am]

[1] Designated as Tucson Gas & Electric Rate Schedule FPC No. 10 and Supplements 1, 2, 3, and 4.

[Docket No. CP76-409]

PANHANDLE EASTERN PIPE LINE CO. AND TRUNKLINE GAS CO.

Application

JULY 7, 1976.

Take notice that on June 28, 1976, Panhandle Eastern Pipe Line Company (Panhandle) and Trunkline Gas Company (Trunkline), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP 76-409 an application pursuant to Section 7(c) of the Natural Gas Act and Section 2.79 of the Commission's Statement of General Policy and Interpretations (18 CFR 2.79) for a certificate of public convenience and necessity authorizing a transportation service for a two-year term for Glass Containers Corporation (Glass), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants propose to transport the gas from the point of receipt at the inlet of Trunkline's measuring station at Exxon's Garden City plant in St. Mary Parish, Louisiana, from which point Trunkline would transport the gas through existing facilities and deliver same to Panhandle at the existing interconnection between Applicants at Panhandle's Tuscola Compressor Station, Douglas County, Illinois. It is stated that from this latter point Panhandle would transport the gas through existing facilities for delivery to Citizens Gas & Coke Utility (Citizens) at an existing point of interconnection in Marion County, Indiana, and from that point Citizens would transport the gas through its distribution facilities for delivery to Glass for high priority end use at Glass's manufacturing plant in Indianapolis, Indiana. It is stated that Applicants have entered into an agreement dated May 6, 1976, providing for the proposed transportation service.

Applicants proposes to transport for Glass on a firm basis up to 660 Mcf of gas per day and on a best efforts basis up to an additional 440 Mcf per day. It is said that the gas to be transported by Applicants would be purchased from Glenda Petroleum Corporation (Glenda) from the Monroe Field in Ouachita, Union, and Morehouse Parishes, Louisiana. Further, it is indicated that the gas would be received by United Gas Pipeline Company (United) in Union Parish and transported by United for delivery to Trunkline at Exxon's Garden City plant.

It is indicated that Glass has purchased such gas in an effort to offset the loss of its gas supply because of curtailed deliveries by Citizens.

The application indicates that Glass would pay Panhandle a monthly charge of $5,761 for the 660 Mcf firm volumes to be transported for Glass, less 6 percent reduction for compressor fuel usage. It is stated that the transportation charge for volumes in excess of the firm volumes is 28.69 cents per Mcf. Further, it is stated that Panhandle would reimburse Trunkline for Trunkline's pro rata share of this service.

The application shows the following information submitted by Applicants:

1. Applicants propose to transport 1,100 Mcf on a peak day and 660 Mcf on an average day. Annual firm volumes are 240,900 Mcf and annual firm and best efforts volumes are 377,300 Mcf.

2. The proposed transportation service would have no effect on Panhandle's and Trunkline's ability to service their Priority 1 requirements.

3. The subject natural gas supply is being sold by Glenda to Glass at a price that precluded Applicants' purchasing the gas.

4. Applicants are presently experiencing substantial curtailment on their respective systems, and both anticipate curtailment to continue throughout the term of the subject transportation agreement with Glass.

The application indicates that Glass would pay Glenda a rate of $1.50 per million Btu's.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 26, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 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 Commisison'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.76-20284 Filed 7-13-76;8:45 am]

[Docket No. RP76-84]

UNITED GAS PIPE LINE CO.

Order Denying Rehearing

JULY 7, 1976.

On June 7, 1976, United Gas Pipe Line Company (United) petitioned for rehearing of the Commission's order issued in this docket on May 7, 1976. United requests rehearing of the Commission's rejection of that portion of United's proposed rates which is based on interest payments for producer loans. The Commission herein denies United's petition for rehearing.

On April 9, 1976, United tendered for filing proposed changes in its FPC Gas Tariff which would increase jurisdictional revenues by $20,955,847, based on the twelve-month period ending December 31, 1975, as adjusted. United requested that the proposed tariff changes be permitted to become effective on May 9, 1976.

On May 7, 1976, the Commission issued an order in which it accepted the proposed tariff sheets for filing, suspended their effectiveness for five months until October 9, 1976, and established procedures. In its order the Commission noted that United's porposed rates were based in part on a $312,918 adjustment to expenses representing interest payments to banks which have provided capital to certain producers for the exploration and development of reserves to be dedicated to United. Such rate treatment of interest payments on producer loans has been previously proposed by United and has been summarily rejected by the Commission in Docket Nos. RP75-109 and RP75-30.[1] Similarly, the Commission found in its May 7, 1976, order that summary rejection of that portion of United's proposed rates based on interest payments on producer loans was again appropriate.

The Commission further noted in its May 7, 1976, order that United has petitioned for review of the Commission's order in Docket Nos. RP75-109 and RP75-30[2] and that the Court of Appeals on November 12, 1975, granted United's motion for stay of the Commission's orders on the condition that United segregate and hold the contested amounts in escrow. Accordingly, pending the outcome of United's appeal, the Commission stayed its rejection of the portion of United's proposed rates based on interest payments on the condition that United agree to segregate and hold the contested amounts in escrow. On June 4, 1976, United filed such an agreement.

On June 7, 1976, United filed a petition for rehearing of the Commission's May 7, 1976, rejection of that portion of the proposed rates which was based on interest payments on producer loans. The issues raised by United in its petition are similar to those previously raised by the Company in Docket Nos. RP75-109 and RP75-30. No grounds have been adduced which indicate that the Commission should dispose of the matter of interest payments as it arises in the instant docket in a manner inconsistent with the Commission's actions in Docket Nos.

[1] United Gas Pipe Line Company, Docket No. RP75-109, order issued July 7, 1975, rehearing denied, order issued September 3, 1975. United Gas Pipe Line Company, Docket No. RP75-30, order issued September 4, 1975, rehearing and stay denied, order issued October 22, 1975.

[2] United Gas Pipe Line Co. v. F.P.C., Case Nos. 75-1943 et al. (D.C. Cir., filed Sept. 24, 1975).

RP75-109 and RP75-30.[2] Accordingly, having reviewed United's June 7, 1976, petition and the related filing of April 9, 1976, the Commission finds that no grounds have been set forth by United to warrant granting of rehearing.

The Commission finds. Good cause exists to deny United's June 7, 1976, petition for rehearing.

The Commission orders. (1) United's June 7, 1976, petition for rehearing is hereby denied.

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

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20274 Filed 7-13-76;8:45 am]

[Docket No. ER76-689]

WEST PENN POWER CO.

Electric Rates; Order Granting Intervention and Denying Request

JULY 8, 1976.

On May 18, 1976, the West Penn Power Company (West Penn) tendered for filing a revised tariff sheet to its FPC Electric Tariff, Original Volume No. 1.[1] The proposed change would increase revenues from Allegheny Electric Cooperative, Inc. (Allegheny) by $499,910 based upon estimated sales for the twelve months ended May 31, 1976.

Public notice of West Penn's tender was issued on May 27, 1976, with protests and petitions to intervene due on or before June 9, 1976.

On June 9, 1976, Allegheny timely filed a Protest And Petition To Intervene in which it requested that it be granted intervention and that West Penn's proposed rate increase be suspended for five months.

Having reviewed the above petition to intervene, the Commission believes that Allegheny has sufficient interest in this proceeding to warrant intervention. By order issued June 17, 1976, we determined that a one month suspension is appropriate in this proceeding based on our review of West Penn's filing. Upon further review, was reaffirm our prior order and conclude that the one month suspension was proper. The period of suspension is a matter within the Commission's discretion. Municipal Light Boards v. F.P.C., 450 F. 2d 1341, 1352 (1971).

The Commission finds: (1) The participation of Allegheny in this proceeding may be in the public interest.

(2) Good cause exists to deny Allegheny's request for a five month suspension.

The Commission orders: (A) Allegheny is hereby permitted to intervene in this proceeding subject to the Rules and Regulations of the Commission; Provided, however, that participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in the petition to intervene; and Provided, further, that the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) Allegheny's request for a five month suspension is denied.

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

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20291 Filed 7-13-76;8:45 am]

ALCAN PIPELINE CO. ET AL.

Applications and Motion for Consolidation and Comparative Hearings

JULY 12, 1976.

Alcan Pipeline Company (Docket Nos. CP76-433 and CP76-434); Northwest Pipeline Corporation (Docket Nos. CP76-435, CP76-436 and CP76-437); El Paso Alaska Company, et al. (Docket No. CP75-96 et al.).

Take notice that on July 9, 1976, Alcan Pipeline Company (Alcan), 315 East Second South, Salt Lake City, Utah 84111, filed in Docket No. CP76-433 an application for a certificate of public convenience and necessity pursuant to Section 7(c) of the Natural Gas Act for authority to construct and operate a 42-inch diameter natural gas pipeline and related compression and other facilities extending from Prudhoe Bay on the North Slope of Alaska to the Alaska-Yukon border, and for authority to transport natural gas for shippers which enter into contracts with Applicant for transportation service; and filed in Docket No. CP76-434 an application for a Presidential Permit pursuant to Executive Order 10485 to construct, operate, connect and maintain facilities on the International Boundary between the United States and Canada, at a point of interconnection between the facilities of Alcan in Alaska and those of Foothills Pipe Lines Ltd. in the Yukon territory. Take further notice that on July 9, 1976, Northwest Pipeline Corporation (Northwest) Post Office Box 1526, Salt Lake City, Utah, 84110 filed in Docket No. CP76-435 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 various pipeline facilities in the states of Oregon and Washington and for the transportation of natural gas through such facilities; filed in Docket No. CP76-436 an application for a Presidential Permit pursuant to Executive Order No. 10485 to construct, connect and maintain facilities on the International Boundary between the United States and Canada, at a point of interconnection near Sumas, Washington, to enable the importation of Alaskan natural gas from certain Canadian facilities; and filed in Docket No. CP76-437 an application pursuant to Section 3 of the Natural Gas Act requesting authorization to export natural gas from Alaska into the Dominion of Canada and to import such Alaska gas from the Dominion of Canada into the United States at a point near Sumas, Washington. These applications are on file with the Commission and open for public inspection.

Alcan Pipeline, a wholly owned subsidiary of Northwest, proposes in Docket No. CP76-433 to construct a 42-inch diameter pipeline and other related facilities which would commence in the Prudhoe Bay field, on the North Slope of Alaska, would parallel the Alyeska oil pipeline system southward for approximately 539 miles to Delta Junction, Alaska, and then follow the Alcan Highway for approximately 192 miles in a southeasterly direction to the Alaska-Yukon Border. Alaskan gas transported by Alcan Pipeline would be delivered to a Canadian company, Foothills Pipe Lines Ltd. (Foothills) or an affiliate thereof for continued transportation through a new 42-inch pipeline for approximately 509 miles along the Alcan Highway to a point on the Yukon-British Columbia Border, near Watson Lake, Yukon. The gas would be delivered to Westcoast Transmission Company Limited (Westcoast), which would then transport the gas to a point of interconnection with its existing pipeline system at Fort Nelson, British Columbia. At Fort Nelson, it is indicated that approximately 30 percent of the gas would be delivered into the existing or expanded transmission system of Westcoast for transportation by Westcoast to a point of interconnection between the existing facilities of Westcoast and the existing facilities of Northwest Pipeline at Sumas, Washington. The remaining portion of the gas (approximately 70 percent) would be transported by Westcoast from Fort Nelson to a point of interconnection with The Alberta Gas Trunk Line (Canada) Limited (AGTL (Canada)) at the Alberta-British Columbia border. Alcan Pipeline states that AGTL (Canada) would then transport the natural gas received from Westcoast to a point of interconnection with the existing facilities of The Alberta Gas Trunk Line Company Limited (AGTL) near Zama Lake, Alberta. At that point, the gas would be further transported by AGTL (Canada) through the existing or expanded natural gas transmission system of AGTL to a point in the vicinity of Caroline Junction, Alberta, where the volumes would be split for delivery to two different points on the Canadian-United States border. According to Alcan Pipeline, one portion of the volumes would be further transported by AGTL (Canada) through the existing or expanded transmission system of AGTL to a point of interconnection between the existing facilities of AGTL and the existing facilities of Alberta Natural Gas Company Limited (ANG) in the vicinity of Coleman, Alberta. These volumes would then be transported by ANG through its existing or expanded transmission system to a

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[2] See: United Gas Pipe Line Company, Docket No. RP75-109, order issued September 3, 1975.

[1] Designated as West Penn Power Company, Second Revised Sheet No. 11 to FPC Electric Tariff, Original Volume No. 1 (supersedes First Revised Sheet No. 11).

point of interconnection between the facilities of ANG and the existing facilities of Pacific Gas Transmission on the Canadian-United States border at Kingsgate, British Columbia. The remaining volumes at Caroline Junction, Alberta, would be transported by AGTL (Canada) through the existing or expanded transmission system of AGTL to the Alberta-Saskatchewan border in the vicinity of Empress, Alberta, where the gas would be delivered to Foothills. Foothills would then transport the gas from the Alberta-Saskatchewan border to the Canadian-United States border at Monchy, Saskatchewan, where the gas would be delivered by Foothills to Northern Border Pipeline Company.[1]

Alcan Pipeline proposes to operate its pipeline system as a contract carrier of Prudhoe Bay gas for individual shippers. It is contended that the facilities for which authorization is sought will have a capacity of 2,400 MMcf per annual average day. Alcan Pipeline states that initial deliveries of Prudhoe Bay gas would commence three years after all final regulatory approvals are received. The application in Docket No. CP76–433 contemplates a period of capacity build-up over two years after initial deliveries, with 1,200 MMcf per average day during the first year of deliveries, 1,600 MMcf per average day during the second year of deliveries, and 2,400 MMcf per average day during the third year of deliveries and thereafter.

Alcan Pipeline proposes to render its transportation service under a cost of service tariff requiring monthly payments "in all events." Alcan Pipeline's financing plan indicates 25 percent of external capital would be received from equity contributions and 75 percent from bonds and bank loans.

The total cost of the Alcan Pipeline facilities is estimated to be $2,328.8 million in 1975 dollars. It is estimated that the total cost of the Alcan project,[2] is approximately $6.4 billion, as escalated to the year of construction at a transportation cost of service approximating $1.43 per MMBtu. It is alleged that total construction would take place in three phases and would require five years.

Alcan Pipeline in Docket No. CP76–434 proposes to operate, connect and maintain at the Alaska-Yukon border a fully enclosed meter building, five 24-inch senior meter tubes and a section of 42-inch diameter pipe.

Northwest in Docket No. CP76–435 seeks authority to construct and operate approximately 359 miles of 30-inch pipeline, the addition of compressor horsepower at one new and nine existing compressor stations totaling 74,335 H.P., one new measuring station in the vicinity of Kent, Oregon, and facilities appurtenant thereto. Exhibit F to the applications shows that with the exception of 5 miles of pipeline and the measuring station located in the State of Oregon, all of the facilities will be located in the State of Washington.

Northwest states that these facilities requested in Docket No. CP76–435 are designed to deliver Alaskan gas received at the Sumas, Washington import point to western United States markets. Northwest seeks authority to transport the volumes of natural gas delivered into its system at Cumas, Washington for the accounts of Pacific Interstate Transmission Company and PGT from Sumas to a proposed point of interconnection between the facilities of PGT and Northwest in the vicinity of Kent, Oregon for further transportation by PGT to ultimate delivery in the State of California.

The cost of the proposed facilities in 1975 dollars is estimated to be $246,390,000. Exhibit L to the application sets forth Applicant's plan for the financing of the proposed facilities. Northwest proposes to include the total cost of service associated with these new facilities in its overall system cost of service and proposes a minimum bill provision equal to 100% of the contract quantity on a monthly basis.

In Docket No. CP76–437, Northwest requests authorization to export from Alaska into the Dominion of Canada (Yukon territory) and to import from Canada into the United States at Sumas, Washington, volumes of natural gas produced from gas reserves in the Prudhoe Bay Field of Alaska. Applicant contemplates that it will purchase natural gas from the Prudhoe Bay Field from Standard Oil Company of California and possibly from the State of Alaska. Initial volumes of gas imported into the United States are estimated at 136 MMcf per day for the first year. Northwest also anticipates that exchange volumes of gas may be delivered to a Canadian distribution for use in serving certain communities in Canada in return for equivalent heating value of gas redelivered at the Canadian-United States Border.

Finally in Docket No. CP76–436 Northwest proposes to construct, operate and maintain four additional 12" orifice type meter runs at its existing measuring station at the International Boundary near Sumas, Washington and six hundred feet of 30-inch pipeline between the measuring station and Northwest's Sumas B–1 Compressor Station.

Along with the filing of these applications, Alcan Pipeline and Northwest filed a motion in Docket No. CP75–96 et al., El Paso Alaska Company, et al. moving that the Commission consolidate the aforementioned applications with the proceedings in Docket No. CP75–96 et al. for purposes of a comparative hearing to determine which Alaska gas transportation system should be certificated by the Commission.[3] In such motion Northwest argues that a comparative hearing is required by the holding of *Ashbacker Radio* v. *FCC* 326 U.S. 327 (1945). It further alleges that common sense, a concern for administrative economy and need for expeditious resolution support consolidation.

It appears reasonable and consistent with the public interest in this proceeding to prescribe a period shorter than 15 days for the filing of protests, petitions to intervene and responses to the subject motion. Therefore, any person desiring to be heard or to make any protest with reference to said applications, and motion should on or before July 19, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10), and the Regulations under the Natural Gas Act (18 CFR 157.10).[4] 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, hearings will be held without further notice before the Commission on these applications 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 certificates 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 formal hearings are required, further notice of such hearings 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 hearings.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–20513 Filed 7–13–76;10:44 am]

[1] Docket No. CP74–290.

[2] Alcan Pipeline, Foothills, Westcoast and AGTL Canada facilities.

[3] Formal hearings began on May 5, 1975, in Docket No. CP75–96 et al and have continued to the present period.

[4] It is noted that the Presiding Administrative Law Judge in Docket No. CP75–96 et al. has scheduled a procedural discussion on July 19, 1976, for the purpose of taking oral responses to the mentioned motion from any interested party.

FEDERAL RESERVE SYSTEM

[H.2, 1976 No. 26]

BOARD OF GOVERNORS

Actions of the Board; Applications and Reports; Week Ending June 26, 1976

Regulation A, the Board proposes to amend Regulation A to provide more flexible conditions under which member banks with well-defined seasonal requirements for loanable funds would be permitted to borrow from Federal Reserve Banks; the Board will receive comment on the proposal through July 23, 1976.

Regulations H and Y, proposal to amend regulations relative to the operations of certain clearing agencies for stock market transactions; the Board will receive comment on its proposal through July 30, 1976.

Response to invitation for comments on the Exposure Draft of proposed Rule G-11, "Sales During The Underwriting Period," the proposed Rule establishes certain terms and conditions for sale of municipal securities during an underwriting period.

Emergency financial assistance to victims of the Teton Dam collapse, to assist the victims of the disaster, the Board gave permission to member banks, and encouraged them to permit, early withdrawal of time deposits without penalty, upon a showing that the depositor has suffered a loss related to the disaster.

Barnett Banks of Florida, Inc., Jacksonville, Florida, extension of time to October 14, 1976, within which it may commence certain permitted insurance agency activities in connection with its nonbanking real estate finance activities.[1]

Omaha National Corporation, Omaha, Nebraska, extension of time to September 29, 1976, within which to commence leasing activities of Leasbanc Financial Corporation, Omaha, Nebraska.[1]

Republic of Texas Corporation, Dallas, Texas, extension of time to September 21, 1976, within which to consummate the acquisition of First Bank & Trust, Lufkin, Texas, and acquire 24.9 per cent of the voting shares of Diboll State Bank, Diboll, Texas.[1]

Texas Commerce Bancshares, Inc., Houston, Texas, extension of time to September 25, 1976, within which to consummate the acquisition by merger of First Texas Bancshares Corporation, Houston, Texas, the parent holding company of Longview National Bank, Longview, Texas.[1]

Arkansas Bank and Trust Company, Hot Springs, Arkansas, to make an additional investment in bank premises.[1]

Elliott State Bank, Jacksonville, Illinois, to make an investment in bank premises.[1]

Beloit State Bank, Beloit, Wisconsin, extension of time to October 6, 1976, within which to establish a branch at 121-23 West Grand Avenue, Beloit, Wisconsin.[1]

FNB National Bank, Elyria, Ohio, proposed merger with First National Bank of Elyria, Elyria, Ohio; report to the Comptroller of the Currency on competitive factors.[1]

TO ESTABLISH A DOMESTIC BRANCH PURSUANT TO SECTION 9 OF THE FEDERAL RESERVE ACT

Approved

The Savings & Trust Company of Pennsylvania, Indiana, Pennsylvania.

[1] Application processed on behalf of the Board of Governors under delegated authority.

NOTE: The H. 2 release is now published in the FEDERAL REGISTER. It will continue to be sent, upon request, to anyone desiring a copy.

Branch to be established at 103 East Union Street, Punxsutawney, Jefferson County.[2]

The Detroit Bank—Troy, Troy, Michigan. Branches to be established at the following locations:

A. At the southeast corner of the intersection of Maple and John R. Roads, Troy.

B. At the southwest corner of the intersection of Crooks Road and Maple Road, Troy.[2]

United California Bank, Los Angeles, California. Branch to be established at the southeast corner of the intersection of Carrillo and Castillo Streets, Santa Barbara, Santa Barbara County.[2]

* * * * *

INTERNATIONAL INVESTMENTS AND OTHER ACTIONS APPROVED PURSUANT TO SECTIONS 25 AND 25(a) OF THE FEDERAL RESERVE ACT AND SECTIONS 4(c)(9) AND 4(c)(13) OF THE BANK HOLDING COMPANY ACT OF 1956, AS AMENDED

Citibank Overseas Investment Corporation, New York, New York: to continue to hold 100 per cent of the shares of Citicorp Credit, Agana, Guam (formerly Guam Finance Company).

State of New York Banking Department, New York, New York: views of the Board for establishment of a branch in New York City by United Bank Limited, Karachi, Pakistan.

Continental International Finance Corporation, Chicago, Illinois: Investment—additional Compania Financiera Ecuatoriana de Desarrollo S. A., Quito, Ecuador, to maintain its current 10.09 per cent interest.

TO FORM A BANK HOLDING COMPANY PURSUANT TO SECTION 3(a)(1) OF THE BANK HOLDING COMPANY ACT OF 1956

Denied

Bankshares of Hawley, Inc., Hawley, Minnesota, for approval to acquire 95.7 per cent of the voting shares of State Bank of Hawley, Hawley, Minnesota.

Suspended

Park Financial Corporation, St. Louis Park, Minnesota, for approval to acquire 80 per cent or more of the voting shares of Park National Bank of St. Louis Park, St. Louis Park, Minnesota.[2]

Withdrawn

Citizens Ban-Corporation, Kansas City, Missouri, for approval to acquire 86.06 per cent or more of the voting shares of The Citizens Bank of Atchinson County, Rock Port, Missouri.

* * * * *

TO EXPAND A BANK HOLDING COMPANY PURSUANT TO SECTION 3(a)(3) OF THE BANK HOLDING COMPANY ACT OF 1956

Approved

National City Corporation, Cleveland, Ohio, for approval to acquire 100 per cent of the voting shares (less directors' qualifying shares) of the successor by consolidation to First National Bank of Elyria, Elyria, Ohio.

Cedar Investment Company, Waverly, Iowa, for approval to acquire 60.5 per cent of the voting shares of State Bank of Waverly, Waverly, Iowa.

* * * * *

TO EXPAND A BANK HOLDING COMPANY PURSUANT TO SECTION 3(a)(5) OF THE BANK HOLDING COMPANY ACT OF 1956

Denied

Bank Shares Incorporated, Minneapolis, Minnesota, for approval to merge with Mid America Bancorporation, Inc., Minneapolis, Minnesota.

TO EXPAND A BANK HOLDING COMPANY PURSUANT TO SECTION 4(c)(8) OF THE BANK HOLDING COMPANY ACT OF 1956

Approved

Republic of Texas Corporation, Dallas, Texas, for approval to retain ownership of the voting shares of Republic Commerce Company, Dallas, Texas, and indirect ownership of the voting shares of Republic Money Orders, Inc., and Republic Money Orders of California, Inc., both of Dallas, Texas.

Security Pacific Corporation, Los Angeles, California, for approval to acquire voting shares of The Bankers Investment Company, Hutchinson, Kansas.

Delayed

The Terrebonne Corporation, Houma, Louisiana, notification of intent to engage in *de novo* activities (acting as insurance agent or broker in offices at which the Terrebonne Corporation or its subsidiaries are otherwise engaged in business or in an office adjacent thereto with respect to the following types of insurance: any insurance for the holding company and its subsidiaries; or any insurance, including life insurance, that is directly related to an extension of credit by Terrebonne Bank & Trust Company, a wholly owned subsidiary corporation of The Terrebonne Corporation; or is directly related to the provision of other financial services by Terrebonne Bank & Trust Company or is otherwise sold as a matter of convenience to the purchaser so long as the premium income from such sales does not constitute a significant portion of the aggregate insurance premium income of the holding company from insurance sold pursuant to this subdivision) at 720 East Main Street, Houma, Louisiana, through a subsidiary, Terre Agency, Inc. (6/22/76)[2]

Merchants National Corporation, Indianapolis, Indiana, notification of intent to engage in *de novo* activities (leasing of capital goods and equipment to industry, and banks, or others, or acting as agent, broker, or adviser in leasing such personal property where at the inception of the initial lease the effect of the transaction will yield a return that will compensate the lessor for not less than the lessor's full investment in the property plus the estimated total cost of financing the property over the term of the lease) at Austin Center, Cypress at West Shore Boulevard, Tampa, Florida,

[2] Application processed by the Reserve Bank on behalf of the Board of Governors under delegated authority.

through a subsidiary of Circle Leasing Corp., to be known as Circle Leasing of Florida Corp. (6/24/76)[3]

Jan-Mar Corp., Coleraine, Minnesota, for permission to retain its general insurance business, d/b/a First National Agency at Coleraine, Minnesota. (selling of fire, auto, casualty, life, accident and health insurance, and also the selling of all types of surety bonds in a community of less than 5,000)

MPS Investment Company, Appleton, Minnesota, for permission to retain the general insurance agency d/b/a Farmers & Merchants Insurance Agency, Appleton, Minnesota. (sale of insurance coverage relative to casualty, fire and windstorm, farm property, crop hail, life and health and accident, surety, motor, propety and liability and all other insurance usual and incidental to a general insurance agency in a town of less than 5,000)

U.S. Bancorp, Portland, Oregon, notification of intent to engage in *de novo* activities (acting as insurance agent with regard to the following: insurance which is sold as a matter of convenience to purchaser) at 309 S.W. Sixth Avenue, Portland, Oregon, through its subsidiary, Mt. Hood Credit Life Insurance Agency, Inc. (6/21/76)[3] This activity will be engaged in throughout the State of Oregon (except for the Portland market)

Permitted

Citicorp, New York, New York, notification of intent to engage in *de novo* activities (consumer personal lending; preauthorized consumer revolving credit; and acting as broker for the sale of consumer credit related life/accident and health insurance and consumer credit related property and casualty insurance; if these proposals are effected, the subsidiary will offer to sell insurance as follows: credit life/accident and health or individual decreasing or level (in the case of single payment loans) life insurance to cover the outstanding balance of consumer credit transactions, single or jointly, with their spouses or cosigners in the case of life coverage, in the event of death, or, to make the contractual monthly payments on the consumer credit transactions in the event of the obligators' disability to the extent permissible under applicable State insurance laws and regulations; individual casualty insurance on personal property subject to security agreements and to include liability coverage, in home or automobile owner "package" policies where such is the general practice; further, in regard to the sale of credit related insurance, the subsidiary will not act as a general insurance agency) at 3525 North Causeway Boulevard, Metaire, Louisiana, through its subsidiary, Nationwide Financial Services Corporation and its subsidiary, Citicorp Person-to-Person Financial Center, Inc. (6/24/76)[3]

Schroders Incorporated, New York, New York, notification of intent to engage in de novo activities (acting as investment and financial adviser to persons with respect to their investments in oil and gas interests and assisting in financing of such investments) in Houston, Texas, through a subsidiary, Schroder Oil Financing & Investment Company, Inc. (6/21/76)[3]

Security New York State Corporation, Rochester, New York, notification of intent to relocate de novo activities (computer services and data processing activities) from Rochester and Auburn, New York to Henrietta, New York, through its subsidiary, Griffin Computer Services, Inc. Direct contact with the public will take place at the offices of Security New York State Corporation: Security Trust Company of Rochester, Rochester, New York; First Trust Union Bank, Wellsville, New York; First Bank and Trust Company of Corning, Corning, New York; The State Bank of Seneca Falls, Seneca Falls, New York; The Citizens Bank, Attica, New York; The Bank of LeRoy, LeRoy, New York; The National Bank of Auburn, Auburn, New York; First National Bank and Trust Company of Ithaca, Ithaca, New York; and Glen National Bank and Trust Company, Watkins Glen, New York (6/2/76)[3]

Pittsburgh National Corporation, Pittsburgh, Pennsylvania, notification of intent to engage in de novo activities (mortgage banking, including the making, acquiring, and servicing for its own account or the accounts of others, loans and other extensions of credit) at Suite 309, 14044 Ventura Boulevard, Sherman Oaks, California, through its wholly-owned subsidiary, The Kissell Company Springfield, Ohio (6/20/76)[3]

BankAmerica Corporation, San Francisco, California, notification of intent to relocate de novo activities (making loans and extending credit and providing of services incident to such loans and extensions of credit such as would be made or provided by a finance company, including the following specific activities: making of consumer installment loans, purchasing installment sales finance contracts, and making of loans to small businesses; acting as agent or broker for the sale of credit related life/accident and disability insurance, and credit related property and casualty insurance in connection with extensions of credit by FinanceAmerica Corporation) from 555 Harrison Avenue, Panama City to 2613 West 23rd Street, Panama City, Florida, through its subsidiary, FinanceAmerica Corporation (Florida) (6/20/76)[3]

Withdrawn

Citizens Ban-Corporation, Kansas City, Missouri, for approval to retain the shares of Rock Port Insurance & Realty Co., Rock Port, Missouri.

Liberty National Corporation, Oklahoma City, Oklahoma, notification of intent to engage in de novo activities (making or acquiring, for its own account or the account of others, loans or extensions of credit, lending and negotiating loans, and servicing loans and other extensions of credit for any person, organization, or authority) at 100 Broadway, Oklahoma City, Oklahoma, through a subsidiary, L N C Financial Corporation (6/21/76)[3]

* * * * *

TO EXPAND A BANK HOLDING COMPANY PURSUANT TO SECTION 4(c)(12) OF THE BANK HOLDING COMPANY ACT OF 1956

Permitted

Berkshire Hathaway Inc., New Bedford, Massachusetts, notification of intent to acquire more than 5 per cent of the outstanding voting stock of American Credit Corp., Charlotte, North Carolina, engage in consumer loans, financing of retail purchases, factoring and commercial financing, automobile leasing, writing of fire and casualty, credit life and accident and health insurance, mainly in connection with finance operations (6/20/76)[3]

TO ESTABLISH A DOMESTIC BRANCH PURSUANT TO SECTION 9 OF THE FEDERAL RESERVE ACT

Barclays Bank of New York, New York, New York. Branch to be established at 3 Park Avenue, New York.

Girard Trust Company, Bala-Cynwyd, Montgomery County, Pennsylvania. Branch to be established at the Montgomery Mall, located at Routes 202 and 309 Montgomery Township, Montgomery County.

Lakeshore Trust Company, Painesville, Ohio. Branch to be established at 29118 Euclid Avenue, Wickliffe, Lake County.

Union Trust Company of Maryland, Baltimore, Maryland. Branch to be established at College Center Building, Towson State College, Towson, Baltimore County.

First Bank and Trust Company of South Bend, South Bend, Indiana. Branch to be established at 1102 Roosevelt (U.S. Highway 6 East), St. Joseph County, Walkerton.

* * * * *

TO BECOME A MEMBER OF THE FEDERAL RESERVE SYSTEM PURSUANT TO SECTION 9 OF THE FEDERAL RESERVE ACT

Seabrook Bank and Trust Company, Seabrook, New Hampshire.

* * * * *

TO FORM A BANK HOLDING COMPANY PURSUANT TO SECTION 3(a)(1) OF THE BANK HOLDING COMPANY ACT OF 1956

Charter Clarendon Bancorporation, Inc., Northfield, Illinois, for approval to acquire 80 per cent or more of the voting shares of Bank of Clarendon Hills, Clarendon Hills, Illinois.

Peninsula Financial, Inc., Sturgeon Bay, Wisconsin, for approval to acquire 98.20 per cent of the voting shares of First State Bank of Algoma, Algoma, Wisconsin.

Peoples Bankshare, Ltd., Waterloo, Iowa, for approval to acquire 56 per cent or more of the voting shares of Peoples Bank and Trust Company, Waterloo, Iowa.

First Wewoka Bancorporation, Wewoka, Oklahoma, for approval to acquire more than 80 per cent of the voting shares of First National Bank in Wewoka, Oklahoma.

[3] 4(c)(8) and 4(c)(12) notifications processed by Reserve Bank on behalf of the Board of Governors under delegated authority.

Lawrence Bancshares, Inc., Lawrence, Kansas, for approval to acquire 80 per cent or more of the voting shares of Lawrence National Bank and Trust Co., Lawrence, Kansas.

* * * * *

TO EXPAND A BANK HOLDING COMPANY PURSUANT TO SECTION 3(a)(5) OF THE BANK HOLDING COMPANY ACT OF 1956

Mercantile Texas Corporation, Dallas, Texas, for approval to acquire the shares of Federated Capital Corporation, Houston, Texas.

* * * * *

TO EXPAND A BANK HOLDING COMPANY PURSUANT TO SECTION 4(c)(8) OF THE BANK HOLDING COMPANY ACT OF 1956

First National Boston Corporation, Boston, Massachusetts, notification of intent to engage in de nova activities (providing bookkeeping or data processing services for the internal operations of First National Boston Corporation and its subsidiaries, storing and processing banking, financial, or related economic data such as performing payroll, accounts receivable or payable, or billing services for others and providing all such other data processing services and engaging in all other activities as are presently permissible as incidental activities) at 875 Elm Street, Manchester, New Hampshire, through a subsidiary, Firstbank Data Services, Inc., Boston, Massachusetts (6/24/76)[2]

Fifth Third Bancorp, Cincinnati, Ohio, notification of intent to engage in de novo activities (leasinig personal property and equipment, or acting as agent, broker, or adviser in leasing of such property where at the inception of the intial lease the expectation is that the effect of the transaction (and with respect to governmental entities only, reasonably anticipated future transactions) will be to compensate the lessor for not less than the lessor's full investment in the property; making or acquiring, for its own account or the account of others, loans and other extensions of credit primarily to finance the acquisition of personal property and equipment, such loans would include, but not be limited to, the financing of time sales contracts, conditional sales agreements, installment purchase loans, and secured term loans) at 38 Fountain Square Plaza, Cincinnati, Ohio, through a subsidiary, The Fifth Third Leasing Company (6/25/76)[2]

Bank of Virginia Company, Richmond, Virginia, notification of intent to engage in de novo activities (making loans or extensions of credit such as would be made by a finance company; and acting as agent for credit life/accident and health insurance and other insurance written to protect collateral during the period of credit extension) at 3416 Jefferson Davis Highway, Richmond, Virginia, through a subsidiary, The Budget Plan Company of Virginia (6/23/76)[2]

Milwaukee Western Corporation, West Palm Beach, Florida, for approval to acquire all of the issued and outstanding shares of capital stock of M & H Financial Corporation, Broadview, Illinois. (leasing personal property and equipment or acting as agent, broker, or adviser in leasing such property)

Milwaukee Western Corporation, West Palm Beach, Florida, for approval to acquire all of the issued and outstanding shares of capital stock of Security Industrial Company, Chicago, Illinois. (making or acquiring, for its own account or for the account of others, loans and other extensions of credit such as would be made by a commercial finance company)

Clayton Bancshares Corporation, St. Louis, Missouri, for permission to retain an interest in Clayton Trust Company, Clayton, Missouri. (perform or carry on the fuuctions and activities that may be performed or carried on by a trust company including activities of a trust, fiduciary, agency or custodian nature, in the manner authorized by the Laws of the State of Missouri but not to accept demand deposits, make commercial loans, or engage in the banking business)

Crestwood Bank Shares Corporation, St. Louis, Missouri, for permission to retain interest in Clayton Trust Company, Clayton, Missouri. (perform or carry on the functions and activities that may be performed or carried on by a trust company including activities of a trust, fiduciary, agency or custodian nature, in the manner authorized by the Laws of the State of Missouri but not to accept demand deposits, make commercial loans, or engage in the banking business)

Hampton Bankshares Corporation, St. Louis, Missouri, for permission to retain an interest in Clayton Trust Company, Clayton, Missouri. (perform or carry on the functions and activities that may be performed or carried on by a trust company including activities of a trust, fiduciary, agency or custodian nature, in the manner authorized by the Laws of the State of Missouri but not to accept demand deposits, make commercial loans, or engage in the banking business)

Lawrence Bancshares, Inc., Lawrence, Kansas, for permission to engage at the offices of Lawrence National Bank and Trust Co., Lawrence, Kansas, in the insurance agency business offering credit life insurance and credit accident and health insurance written in connection with extensions of credit by such bank.

Southwest Bancshares, Inc., Houston, Texas, notification of intent to engage in de novo activities (originating loans as principal, originating loans as agents, servicing loans for nonaffiliated individuals, partnerships, and corporations; servicing loans for subsidiaries of Southwest Bancshares, Inc. and such other activities as may be incident to the business of a mortgage company) at 2901 West Loop South, Houston, Texas, through a subsidiary, Southwest Bancshares Mortgage Company (6/23/76)[2]

BankAmerica Corporation, San Francisco, California, notification of intent to relocate de novo activities (making of consumer installment loans, purchasing installment sales finance contracts, and making of loans to small businesses; acting as agent or broker for the sale of credit related life/accident and disability insurance, and credit related property and casualty insurance in connection with extensions of credit by FinanceAmerica Corporation) from 1717 Main Street, Columbia to 17 Diamond Lane, Columbia, South Carolina, through its subsidiary, FinanceAmerica Corporation (South Carolina) 6/17/76)[2]

Security Pacific Corporation, Los Angeles, California, notification of intent to relocate de novo activities (the origination and acquisition of mortgage loans, including development and construction loans on multi-family and commercial properties for its own account or for the sale to others, and the servicing of such loans for others) from 10933 Valley Boulevard, El Monte to 1520 West Cameron, West Covina, California, through its subsidiary, Security Pacific Mortgage Corporation (6/17/76)[2]

* * * * *

REPORTS RECEIVED

None.

PETITIONS FOR RULEMAKING

None.

Board of Governors of the Federal Reserve System, July 8, 1976.

J. P. GARBARINI,
Assistant Secretary of the Board.

[FR Doc.76-20314 Filed 7-13-76;8:45 am]

FIRST WEWOKA BANCORPORATION, INC.

Formation of Bank Holding Company

First Wewoka Bancorporation, Inc., Wewoka, Oklahoma, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. section 1842(a)(1)) to become a bank holding company through acquisition of 80 percent or more of the voting shares of First National Bank in Wewoka, Wewoka, Washington. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. section 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received no later than August 4, 1976.

Board of Governors of the Federal Reserve System, July 6, 1976.

J. P. GARBARINI,
Assistant Secretary of the Board.

[FR Doc.76-20310 Filed 7-13-76;8:45 am]

FISHBACK INSURANCE AGENCY, INC.

Acquisition of Bank

Fishback Insurance Agency, Inc., Brookings, South Dakota, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. section 1842(a)(3)) to acquire an additional 49.6 per cent of the voting shares of First National Bank in Brookings, Brookings, South Dakota. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. section 1842(c)).

The application may be inspected at the offices of the Board of Governors or

at the Federal Reserve Bank of Minneapolis. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than August 6, 1976.

Board of Governors of the Federal Reserve System, July 8, 1976.

J. P. GARBARINI,
Assistant Secretary of the Board.

[FR Doc.76-20311 Filed 7-13-76;8:45 am]

FROSTBANK CORP.

Proposed Retention of Main Plaza Corporation

FrostBank Corporation, San Antonio, Texas, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. section 1843(c)(8)) and section 225.4(b)(2) of the Board's regulation Y (12 CFR 225.4(b)(2)), for permission to retain all the voting shares of Main Plaza Corporation, San Antonio, Texas. Notice of the application was published on (1) June 12, 1976, in the *San Antonio Express* and *San Antonio Evening News;* and (2) June 15, 1976, in the *Caller-Times*, newspapers circulated in San Antonio and Corpus Christi, Texas respectively.

Applicant states that Main Plaza Corporation engages in the activities of making or acquiring for its own account or for the account of others, loans or extensions of credit. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than August 4, 1976.

Board of Governors of the Federal Reserve System, July 6, 1976.

J. P. GARBARINI,
Assistant Secretary of the Board.

[FR Doc. 76-20308 Filed 7-13-76;8:45 am]

KING RANCH, INC.

Acquisition of Bank

King Ranch, Inc., Kingsville, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act ("Act") (12 U.S.C. section 1842(a)(3)) to retain 1.5 per cent of the voting shares of State Bank of Kingsville, Kingsville, Texas and to acquire 6.7 per cent of the voting shares of Kleberg First National Bank of Kingsville, Kingsville, Texas. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. section 1842(c)).

The applications may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the applications should submit views in writing to the Secretary, Board of Governors of the Federal Reserve Sytsem, Washington, D.C. 20551, to be received not later than August 5, 1976.

Board of Governors of the Federal Reserve System, July 1976.

J. P. GARBARINI,
Assistant Secretary of the Board.

[FR Doc.76-20309 Filed 7-13-76;8:45 am]

SHAW INVESTMENT COMPANY

Acquisition of Bank

Shaw Investment Company, New Hampton, Iowa, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. section 1842(a)(3)) to acquire one-third of the voting shares of First National Bank in New Hampton, New Hampton, Iowa, increasing thereby its ownership of that bank's voting shares from 48 percent to 81⅓ percent. The factors that are considered in acting on the application are set forth in section 3(a) of the Act (12 U.S.C. section 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than August 4, 1976.

Board of Governors of the Federal Reserve System, July 8, 1976.

J. P. GARBARINI,
Assistant Secretary of the Board.

[FR Doc.76-20313 Filed 7-13-76;8:45 am]

TENNESSEE NATIONAL BANCSHARES, INC.

Acquisition of Bank

Tennessee National Bancshares, Inc., Maryville, Tennessee, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(3)) to acquire 100 per cent or more of the voting shares of both Citizens State Bank, McMinnville, Tennessee, and Bank of Cannon County, Woodbury, Tennessee. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. section 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than August 6, 1976.

Board of Governors of the Federal Reserve System, July 8, 1976.

J. B. GARBARINI,
Assistant Secretary of the Board.

[FR Doc.76-20312 Filed 7-13-76;8:45 am]

WORCESTER BANCORP, INC.

Order Approving Management Consulting Activities

Worcester Bancorp, Inc., Worcester, Massachusetts, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under § 4(c)(8) of the Act (12 U.S.C. § 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR § 225.4(b)(2)), to engage *de novo* in the activity of providing management consulting advice to nonaffiliated commercial banks through Applicant's wholly-owned subsidiary, Empire Group, Inc. ("Empire"), Natick, Massachusetts. Such activities have been determined by the Board to be closely related to banking (12 CFR § 225.4(a)(12)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interests factors, has been duly published (41 FEDERAL REGISTER 9936). The time for filing comments and views has expired, and the Board has considered the application and all comments received, including those submitted by the United States Department of Justice, in the light of the public interest factors set forth in § 4(c)(8) of the Act (12 U.S.C. § 1843(c)(8)).

Applicant, the seventh largest commercial banking organization in Massachusetts, controls five banks with aggregate deposits of approximately $531 million, representing 3.7 per cent of the total deposits in commercial banks in the State.[1] Applicant presently engages in a variety of permissible nonbank activities through a number of direct and indirect nonbank subsidiaries. Applicant's nonbank activities include factoring, making loans secured by second mortgages on real property, personal property leasing on a full-payout basis, and selling credit life and credit accident and health insurance which is related to extensions of credit by Applicant's lending subsidiaries.

[1] All banking data are as of June 30, 1975, and reflect holding company formations and acquisitions approved by the Board through April 30, 1976.

Through Empire, Applicant proposes to engage *de novo* in providing management consulting advice to nonaffiliated commercial banks on an explicit fee basis. Such advice would relate principally to the collection of consumer loans, including but not limited to offering advice on bank collection procedures, loan documentation, repossession techniques, disposal of repossessed property, personnel management, and compliance with consumer protection laws. Since Applicant proposes to engage in these activities *de novo*, it does not appear that any meaningful competition would be eliminated or potential competition foreclosed as a result of approval of the application. Rather, it appears that Applicant's *de novo* entry into this industry should have a procompetitive effect by increasing the number of firms offering this specialized consulting advice. Furthermore, by making this service available on an explicit fee basis rather than as a correspondent banking service, clients will be able to more accurately analyze the cost of such services and may be able to more efficiently allocate their funds.

There is no evidence in the record to indicate that Applicant's engaging in the activity of providing management consulting advice would result in any undue concentration of resources, unfair competition, conflicts of interests or unsound banking practices.[2]

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under § 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be made not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Boston.

By order of the Board of Governors,[3] effective July 7, 1976.

J. P. GABARINI,
Assistant Secretary of the Board.

[FR Doc.76-20316 Filed 7-13-76;8:45 am]

[2] In connection with the subject application, the United States Department of Justice submitted a letter expressing concern that possible conflicts of interests could result from approval of this proposal. However, at the time the Board adopted the activity of providing management consulting advice to nonaffiliated banks pursuant to section 4(c)(8) of the Act, the Board considered the potential for conflicts of interests resulting from a bank holding company's engaging in this acivity. In recognition of this potential, the Board incorporated in Regulation Y a number of restrictions upon a bank holding company's performance of this activity, including the stipulation that any bank holding company providing management consulting advice must disclose to each potential client bank the names of all banks which are affiliates of the consulting company and the names of all existing client banks located in the same market area(s) as the potential client. The Board is of the opinion that these restrictions provide ample protection against possible conflicts of interests.

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt and Approval of Proposed Reports

The following request for clearance was received by the Regulatory Reports Review Staff, GAO. See 44 U.S.C. 3512(c) and (d). The purpose of publishing this notice is to inform the public of the action taken by GAO.

FEDERAL ENERGY ADMINISTRATION

The Federal Energy Administration requested clearance of 17 forms to extend the expiration date from June 30, 1976, to December 31, 1976. GAO granted FEA's request so as to allow sufficient time for FEA to prepare and submit adequate paperwork to request renewals of the expiring forms and to allow GAO sufficient time to process each of the renewals. Therefore, the following forms have been extended until December 31, 1976:

FEA form number	*GAO clearance number*
FEA-25	OMB 180-R0034
FEA-101A	B-181254 (R0186)
FEA-P103-M-0	B-181254 (R-0110)
FEA-P105-S-0	B-181254 (R-0171)
FEA-P106-S-0	B-181254 (R-0159)
FEA-P107-S-0	B-181254 (R-0160)
FEA-P108-S-0	B-181254 (R-0169)
FEA-P109-S-0	B-181254 (R-0192)
FEA-P302-M-1	B-181254 (R-0200)
FEA-P304-M-0	B-181254 (R-0097)
FEA-P306-M-0	B-181254 (R-0098)
FEA-P314-M-0	B-181254 (R-0172)
FEA-P315-M-0	B-181254 (R-0199)
FEA-G318-M-0	B-181254 (R-0211)
FEA-U501-S-0	B-181254 (R-0155)
FEA-F701-M-0	B-181254 (R-0104)
FEA-90	B-181254 (R-0225)

NORMAN F. HEYL,
Regulatory Reports Review Officer.

[FR Doc.76-20348 Filed 7-13-76;8:45 am]

REGULATORY REPORTS REVIEW

Receipt of Report Proposal

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO, on July 2, 1976. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this notice in the FEDERAL REGISTER is to inform the public of such receipt.

The notice includes the title of the request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

[3] Voting for this action: Chairman Burns and Governors Gardner, Wallich, Coldwell, Jackson, Partee and Lilly.

Written comments on the proposed FEA form are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed form, comments (in triplicate) must be received on or before August 2, 1976, and should be addressed to Mr. John M. Lovelady, Acting Assistant Director, Regulatory Reports Review, Room 5216, 425 I Street, NW, Washington, D.C. 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-376-5425.

FEDERAL ENERGY ADMINISTRATION

The FEA requests an extension, no change, clearance of FEA Form C-603-S-O, Identification Report—Powerplant in Early Planning Process. For every plant in the early planning process, this report must be filed by the 15th day of the month subsequent to the month in which it entered the early planning process. This is a period which commences 10 years prior to the planned commencement of the sale or echange of electric power by a powerplant and terminates with commencement of the driving of the foundation piling or equivalent foundation structural event in accordance with approved final drawings for the main powerplant boiler. This report is mandatory under 10 Code of Federal Regulations § 307.6, authorized by the Energy Supply and Environmental Coordination Act of 1974 (Pub. L. 93-319), as amended by the Energy Policy and Conservation Act (Pub. L. 94-163). Respondents are expected to number approximately 150 through June 1977. Respondent burden is estimated at one-half hour per response.

NORMAN F. HEYL,
Regulatory Report. Review Officer.

[FR Doc.76-20349 Filed 7-13-76;8:45 am]

LEGAL SERVICES CORPORATION

BOARD OF DIRECTORS

Meeting

The next meeting of the Board of Directors of the Legal Services Corporation will be held on July 23-24, 1976, at the Rustler Lodge in Alta, Utah. The meeting will focus primarily on five long-range issues concerning the Corporation and its activities:

The Purpose of Legal Services;
Future Issues Concerning Legal Services Programs;
The Role of the Board of Directors;
Determining Minimum Needs for Legal Services; and
Resource Allocation for the Future.

A proposed arrangement between the Corporation and the Urban Institute will also be considered. Other items may be added to the agenda. Sessions are scheduled to begin at 9:00 a.m. on both July 23 and 24. All sessions are open to the public.

THOMAS EHRLICH,
President.

[FR Doc.76-20293 Filed 7-13-76;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Humanities

ADVISORY COMMITTEE FELLOWSHIPS PANEL

Meeting

JUNE 21, 1976.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Fellowships Panel will be held at 806 15th Street, N.W., room 314, Washington, D.C. on August 16, 21, 24, and 25, 1976, from 9:00 a.m. to 5:30 p.m.

The purpose of the meeting is to review Independent Fellowship applications submitted to the National Endowment for the Humanities for 1977-78 fellowship grants.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, N.W., Washington, D.C., 20506, or call area code 202-382-2031.

JOHN W. JORDAN,
Advisory Committee Management Officer.

[FR Doc.76-20214 Filed 7-13-76;8:45 am]

ADVISORY COMMITTEE FELLOWSHIPS PANEL

Meeting

JULY 8, 1976.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Fellowships Panel will be held at 806 15th Street, N.W., room 314, Washington, D.C. on August 5, 1976, from 10:00 a.m. to 2:00 p.m.

The purpose of the meeting is to review proposals from prospective seminar directors for the 1977 program of seminars for members of non-academic professions.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, N.W., Washington, D.C., 20506, or call area code 202-382-2031.

JOHN W. JORDAN,
Advisory Committee Management Officer.

[FR Doc.76-20213 Filed 7-13-76;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

BUY AMERICAN ACT

Proposed Guidelines

A number of interested persons have requested additional time for submission of written views to the Administrator for Federal Procurement Policy, Office of Management and Budget, 726 Jackson Place NW., Room 9001, Washington, D.C. 20503 applicable to the proposed guidelines issued in 41 Fed. Reg. 22325 June 2, 1976. Notice is hereby given that OMB/OFPP will accept written views on such guidelines thru July 30, 1976.

HUGH E. WITT,
Administrator for Federal Procurement Policy.

[FR Doc.76-20236 Filed 7-13-76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

BANNAK

Suspension of Trading

JULY 7, 1976.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the securities of Bannak 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 3:00 p.m. (EDT) on July 7, 1976 through July 16, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-20243 Filed 7-13-76;8:45 am]

[File No. 7-4845]

CINCINNATI STOCK EXCHANGE

Application for Unlisted Trading Privileges and of Opportunity for Hearing

JULY 7, 1976.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the security of the company as set forth below, which security is listed and registered on one or more other national securities exchanges:

	File No.
Bankamerica Corp., $3.125 par common	7-4845

Upon receipt of a request on or before July 23, 1976 from any interested person, the Commission will determine whether the application with respect to the company named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C., 20549 not later than the date specified. If no one requests a hearing with respect to the application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-20244 Filed 7-13-76;8:45 am]

[File No. 500-1]

INTERNATIONAL COMMODITY RESOURCES CORP.

Suspension of Trading

JULY 7, 1976.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the securities of International Commodity Resources Corporation 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 1:45 p.m. (EDT) on July 7, 1976 through July 16, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-20242 Filed 7-13-76;8:45 am]

[Rel. No. 19601; 70-5654]

OHIO EDISON CO. AND PENNSYLVANIA POWER CO.

Proposed Issue and Sale of Pollution Control Notes; Request for Exception From Competitive Bidding

JULY 6, 1976.

Notice is hereby given that Ohio Edison Company ("Ohio Edison") (47 North Main Street, Akron, Ohio 44308), an

electric utility company and a registered holding company, and its electric utility subsidiary, Pennsylvania Power Company ("Pennsylvania") (1 East Washington Street, New Castle, Pennsylvania 16103), have filed a post-effective amendment to the application-declaration previously filed with this Commission designating Sections 6, 7 and 12(d) of the Public Utility Holding Company Act of 1935 ("Act") and Rules 44(b)(3) and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, as amended by said post-effective amendment, which is summarized below, for a complete statement of the proposed transactions.

Ohio Edison, Pennsylvania, The Cleveland Electric Illuminating Company, Duquesne Light Company and The Toledo Edison Company (collectively referred to as the "CAPCO companies") are joining in the construction of three coal-fired generating units, Bruce Mansfield Plant Units Nos. 1, 2 and 3 ("units") to be located on the Ohio River near Shippingport, Pennsylvania, which will be owned by them as tenants in common, except that The Toledo Edison Company will not share in the ownership of Unit No. 1. Under present allocations, Ohio Edison will own 60% of Unit No. 1, 39.3% of Unit No. 2 and 35.6% of Unit No. 3 and Pennsylvania will own 4.2% of Unit No. 1, 6.8% of Unit No. 2 and 2.68% of Unit No. 3.

Under the Pennsylvania Industrial and Commercial Development Law, the Beaver County Industrial Development Authority ("Authority") is authorized to enter into agreements providing for the construction and financing by it of industrial development projects and the sale thereof to industrial occupants. The CAPCO companies have entered into such an agreement (the "agreement") with the Authority with respect to the construction and financing of pollution control and waste disposal equipment and facilities for the units.

Under the agreement the CAPCO companies will transfer to the Authority their respective interests in the facilities subject to the liens of their respective first mortgage indentures, and will be reimbursed for their cost of acquiring and constructing the property so transferred. During the course of construction of the facilities, title thereto will be in the Authority. Upon the completion of each such portion, title to that portion will vest in the CAPCO companies.

In order to finance the project, the Authority has heretofore issued and sold three series of its Pollution Control Revenue Bonds with respect to Ohio Edison and Pennsylvania. The Authority is expected to issue a fourth series of bonds ("Series D Bonds") in aggregate principal amounts of up to $40,000,000 and $5,000,000 on behalf of Ohio Edison and Pennsylvania, respectively. The Series D Bonds are to be issued separately with respect to each company and the issuance of either company's Series D Bonds is not dependent on the issuance of the other company's Series D Bonds.

The bonds will be issued pursuant to indentures supplemental to separate trust indentures between the Authority and The Cleveland Trust Company, as Trustee ("Trustee") dated as of June 1, 1973. The bonds will be sold at such time, in such amounts, at such interest rates and for such prices as Ohio Edison and Pennsylvania, respectively, may approve. Although the Authority will be the issuer of the bonds, as required to exempt the interest thereon from federal income taxation, the credit of the Authority will not be pledged to the payment on the bonds.

The Series D Bonds issued with respect to Ohio Edison are to be used in part to refund the $24,825,000 principal amount of 1975 Series C Bonds issued with respect to Ohio Edison in this proceeding (HCAR No. 19003). Proceeds from the sale of the Pennsylvania Series D Bonds are to be used in part to refund the $2,750,000 principal amount of the 1975 Series C Bonds issued with respect to Pennsylvania. The balance of the proceeds of each company's Series D Bonds will be used to finance that company's share of addition costs in connection with the construction of the pollution control facilities at the Bruce Mansfield units.

Except to the extent used to refund Series C Bonds, the proceeds from the Series D Bonds with respect to Ohio Edison and Pennsylvania will be placed in a separate escrow account for use in connection with construction and financing of the facilities. Ohio Edison and Pennsylvania intend to account for transactions related to the notes in conformity with the Uniform System of Accounts.

Concurrently with the issuance and delivery by the Authority of the Series D Bonds, Ohio Edison and Pennsylvania will each execute and deliver its pollution control note ("note") payable directly to the Trustee. Interest on such notes will be at the rates and will be payable at times corresponding to the rates of interest and times of payment on the bonds. The notes provide, among other things, that the amounts due thereunder must be paid whether or not the facilities are completed or perform satisfactorily and whether or not they are damaged or destroyed. The notes will be secured by a second lien on each company's interest in the facility.

The Series D Bonds are expected to be marketed pursuant to arrangements between the Authority and Morgan Stanley & Co., Inc. Ohio Edison and Pennsylvania will not be parties to any agreements evidencing such arrangements. It is stated that the interest rate which may be obtained in connection with the issuance of the Series D Bonds cannot be predicted. Ohio Edison and Pennsylvania state that they have been advised that interest payable on the Series D Bonds will be exempt from certain taxes and that such tax-exempt bonds have historically carried an annual interest rate lower than comparable taxable long-term bonds.

Ohio Edison and Pennsylvania request an exception from the competitive bidding requirements of Rule 50 for the issuance and sale of the pollution control notes pursuant to Rule 50(a)(5).

It is stated that the Public Utilities Commission of Ohio and the Pennsylvania Public Utility Commission have jurisdiction over certain aspects of the proposed transactions and that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions. Fees and expenses to be incurred in connection with the proposed transactions are to be supplied by amendment.

Notice is further given that any interested person may, not later than August 2, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration, as further amended by said post-effective amendment, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail 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 amended by said post-effective amendment, or as it may be further 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 and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-20246 Filed 7-13-76;8:45 am]

PHILADELPHIA STOCK EXCHANGE, INC.

[Release No. 12596; SR-PHLX-76-13]

Order Approving Proposed Rule Change

JULY 6, 1976.

The Philadelphia Stock Exchange, Inc. (17th Street and Stock Exchange Place, Philadelphia, Pennsylvania 19103) submitted on June 1, 1976 a proposed rule change under Rule 19b-4 to provide a procedure for routing combined option-underlying stock orders to the exchange floor.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 12517,

(June 4, 1976)) in the FEDERAL REGISTER (41 FR 23801 (June 11, 1976)).

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of Section 6 and the rules and regulations thereunder.

Further, the Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing thereof. The Commission finds that accelerated approval is in the public interest and will enhance competition among exchanges.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change filed with the Commission on June 1, 1976, be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.76-20245 Filed 7-13-76;8:45 am]

[Release No. 9342; 812-3922]

STANDARD & POOR'S/INTERCAPITAL LIQUID ASSET FUND, INC.

Application for Exemption

JULY 6, 1976.

Notice is hereby given that Standard & Poor's/InterCapital Liquid Asset Fund, Inc. ("Applicant") 1775 Broadway, New York, New York 10019, an open-end, diversified management investment company registered under the Investment Company Act of 1940 ("Act") filed an application on March 5, 1976, and an amendment thereto on May 20, 1976, for an order of the Commission pursuant to Section 6(c) of the Act for exemptions from the provisions of Sections 19(a) and 19(b) of the Act and Rule 19b-1 thereunder.

Applicant is a no-load mutual fund commonly known as a "money market fund." Its investment objective is high current income, preservation of capital and liquidity. It seeks to achieve this objective by investing in the following money market instruments: U.S. Government securities, bank obligations, commercial paper, and corporate obligations maturing in two years or less.

Applicant follows the practice of declaring all net income as dividends on a daily basis. Net income is defined to consist of (1) interest earned or accrued on portfolio securities, (2) plus or minus realized and unrealized gains and losses on portfolio securities, (3) minus estimated expenses relating to the dividend period. Dividends are reinvested daily in the form of additional shares of the Applicant at net asset value. Shareholders who so request may have their dividends paid out monthly in cash. For such shareholders the shares credited to their accounts on reinvestment of dividends will be redeemed and the proceeds paid to them in cash. Applicant believes that many investors often purchase shares of the Applicant as an interim or short-term investment in search of a high income return consistent with the goal of preservation of capital and liquidity over short periods of time, and that it is essential to this medium of investment that stockholders receive daily the exact proportion of accumulated net income accrued on their investments.

In general, Applicant intends to hold securities purchased until maturity, although portfolio securities may be sold prior to maturity because of short-term variations in market or business conditions or because of management's revised evaluation of a portfolio security or to meet redemptions or to take advantage of capital gains opportunities. Since net income of Applicant is defined to include capital gains and losses, the daily declaration of net income could at times include realized profits or losses upon the sale of portfolio securities.

SECTION 19(A)

Section 19(a) of the Act prohibits paying any dividend or making any distribution in the nature of a dividend payment wholly or partly from any source other than accumulated undistributed net income determined in accordance with good accounting practice and not including profits or losses realized upon the sale of securities, unless the payment is accompanied by a statement which adequately discloses the source of such payment.

Applicant asserts that the posting of daily credits to shareholder accounts of accrued income, which may at times include realized securities profits or losses, would appear on its face to be inconsistent with the requirements of Section 19(a), to the extent that any such daily credit is deemed to constitute "a distribution in the nature of a dividend payment", unless a statement is furnished to shareholders disclosing the source of the dividend credit. Applicant represents that it would be an unduly burdensome expense and disruptive of its operations to send a written statement to shareholders of the source of the dividend each time daily net income credited to shareholder accounts includes any realized profits or losses.

Applicant provides individual quarterly account statements to all shareholders and monthly accounts statements to those who receive monthly distributions of net income. It proposes to include with the mailing of such statements a further statement as to the source of the dividends for the period covered if any such dividends include any profits or losses realized upon the sale of portfolio securities.

Subparagraph (g) of Rule 19a-1 states that the purpose of Section 19(a) is to afford security holders adequate disclosure of the sources from which dividend payments are made. Applicant maintains that providing information as to the source of dividend payments is adequate when furnished with regular periodic monthly or quarterly shareholder account statements which show the cumulative amount of dividends credited to shareholder accounts over the period covered.

SECTION 19(B) AND RULE 19B-1

Section 19(b) of the Act and Rule 19b-1 thereunder prohibits distributions of long-term capital gains dividends more frequently than once a year. Applicant represents that it does not generally contemplate the realization and payment of long-term capital gain distributions. If, however, circumstances result in the realization of such gains, Applicant wishes to be in a position to distribute them at approximately the time they are realized together with its other distributions of income. If such gains could not be distributed currently, Applicant's net asset value on each daily valuation day would be increased by the amount of such undistributed gain with no current benefit accruing to shareholders unless they elected to redeem their shares.

Applicant asserts that the following are the principal purposes of Section 19(b): to prevent shareholders from confusing dividends of interest income with distribution of capital gains; to relieve investment company managers from pressure to realize such gains; to mitigate improper sales practices related to the distribution of such gains; and to eliminate the administrative expenses relating to quarterly or semi-annual capital gains distribution. Applicant states that such dangers are not applicable to its operation in light of the following considerations: (a) such distributions are likely to be infrequent in number and limited in dollar amounts; (b) the nature of the Applicant as a vehicle for investing in money market instruments assures the absence of pressure to realize capital gains; (c) the payment of such distributions will not result in any additional expenses since they will be credited to shareholder accounts with daily dividends of income; and (d) the Applicant will delineate the nature of such distributions when mailing monthly and quarterly individual account statements to shareholders.

Section 6(c) authorizes the Commission to exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions from the provisions of the Act and rule promulgated thereunder if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than August 2, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon the Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the matter will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–20247 Filed 7–13–76;8:45 am]

[Release No. 34–12603; File No. SR–MSTC–76–8]

MIDWEST SECURITIES TRUST CO.

Self-Regulatory Organization

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 21, 1976, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE—MIDWEST SECURITIES TRUST COMPANY, ARTICLE V, SECTION 9

TREASURER

The treasurer shall, if required by the Board of Directors, give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Directors shall determine. He shall: (a) be the custodian of, and be responsible for, all monies and securities of the corporation which shall come into his hands; (b) keep full and accurate records and accounts in books belonging to the corporation showing the transactions of the corporation, its assets, liabilities and financial conditions; (c) see that all expenditures are duly authorized and are evidenced by proper receipts or vouchers; (d) deposit in the name of the corporation, in such depositories as are designated by the Board of Directors, all monies that may come into his hands for the corporation's account and endorse for collection or deposit all bills, notes, checks and other negotiable instruments of the corporation, and generally, under the direction and supervision of the president, have charge of the finances of the corporation; (e) keep his books and accounts open at all times during business hours for the inspection of all directors of the corporation; (f) make a full report of the financial condition of the corporation [for the annual meeting of the shareholders] *annually* and make such other reports and statements as may be required of him by the president or by the Board of Directors; and (g) in general perform all the duties incident to the office of treasurer and such other duties as from time-to-time may be assigned to him by the President or by the Board of Directors.

STATEMENT OF BASIS AND PURPOSE

The purpose of the proposed rule change is to allow the Treasurer to make his full report of the financial condition subsequent to the annual meeting of the shareholders.

The proposed rule change represents fair administration of the Trust Company on behalf of its shareholders.

Comments have neither been solicited nor received.

The Midwest Securities Trust Company believes that no burdens have been placed on competition.

The foregoing rule change has become effective, pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934. At any time within sixty days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

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, 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 on or before August 4, 1976.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

JULY 7, 1976.

[FR Doc.76–20240 Filed 7–13–76;8:45 am]

[Release No. 34–12578; File No. SR–PSE–76–24]

PACIFIC STOCK EXCHANGE INC.

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. 94–29, 16 (June 4, 1975), notice is hereby given that on June 24, 1976, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

The proposed rule change amends Rule II of the Pacific Stock Exchange Incorporated ("Exchange") to provide for the trading of securities on a competing specialist basis. The proposed rule change provides for the appointment of multiple competing specialists to act as competing market makers in securities traded on a competing specialist basis. The proposed amendment further provides for the appointment of book brokers who will administer the book of limit orders, and execute odd lot transactions and transactions resulting from orders routed through the COMEX automated order entry system, in securities traded

on a competing specialist basis. The proposed amendment prohibits the book broker from executing transactions for his own account or the account of his firm, but this prohibition is not applicable to transactions effected to fill odd lot orders, transactions effected to offset other transactions that were effected to fill odd lot orders, and transactions effected to correct errors.

The book broker is authorized by the proposed amendment to call upon competing specialists to make bids and/or offers to contribute to maintaining a fair and orderly market. The proposed rules provide that the transactions of a competing specialist should contribute to maintenance of a fair and orderly market, and provide that a competing specialist has a continuous obligation to engage, to a reasonable degree under the circumstances in dealings for his own account when there exists, or it is reasonably anticipated that there will exist, a lack of price continuity, a temporary disparity between supply of and demand for a particular security, or a temporary distortion of the price relationships between the Exchange and other markets.

The proposed rules prohibit a competing specialist from acting as a floor broker and a competing specialist on the same trading day in any security in which he is registered as a competing specialist. The proposed rules further provide that certain rules of the Exchange relating only to the limit order or odd lot functions of specialists do not apply to competing specialists, but do apply to book brokers, while other rules relating only to the market making functions of specialists are made applicable only to competing specialists, but not to book brokers. Rules of the Exchange of general applicability, and rules relating to specialists which apply to persons performing the odd lot and limit order functions as well as to persons performing the market making functions, are made applicable both to book brokers and competing specialists.

STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule changes are as follows:

The proposed rule change is designed to facilitate trading of securities on the Exchange on a competing specialist basis, with the function of administering the book of limit orders and effecting execution of odd lot orders being divorced from the specialist function and performed by a member acting as book broker. The Exchange expects to apply the competing specialist method of trading to selected securities with respect to which it believes it has the opportunity to become the primary market through application of this method of trading.

The proposed rule change, by enabling the Exchange to provide a more competitive marketplace, and by providing greater depth and liquidity to the trading of certain securities contributes to removal of impediments to and perfection of the mechanism of a free and open market and a national market system as well as to the protection of investors and of the public interest.

The proposed rule change was designed by a Special Committee of the Board of Governors, consisting primarily of specialists on both the Los Angeles and San Francisco floors of the Exchange. All of the members of this Special Committee expressed support for this proposed rule change. Except for the comments received from these members, comments were not solicited from members or participants in the Exchange, and no such comments were received.

The proposed rule change does not impose any burden on competition. Rather, the proposed rule change would increase competition between marketplaces and between makers in securities selected for trading on a competing specialist basis.

The Exchange is requesting the Commission to find good cause for granting immediate approval of the proposed rule changes included in this filing. Because the Exchange recognizes that the time for Commission review of these proposed rule changes has been abbreviated, the Exchange commits that within six months of Commission approval of the rule changes contained herein, the Exchange will re-file these proposed rule changes with the Commission, with such changes as the Exchange believes may be appropriate at that time, so that the Commission may have a more extended period to review any issues which may be raised in connection with the proposed rule changes contained herein.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submisions 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 all written submisions will be available for inspection in the Public Reference Room, 1100 L Street, NW., Washington, D.C. Copies of such filing will also be available for inspection 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 on or before sixty days after the date of this publication. For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

JUNE 25, 1976.

[FR Doc.76-20241 Filed 7-13-76;8:45 am]

OFFICE OF TELECOMMUNICATIONS POLICY

FREQUENCY MANAGEMENT ADVISORY COUNCIL

Meeting

Notice is hereby given that the Frequency Management Advisory Council (FMAC) will meet at 9:30 a.m., at the Department of Commerce, Office of Telecommunications facility, 179 Admiral Cockrane Drive, Annapolis, Maryland, on July 30, 1976.

The principal agenda items will be: (1) progress report on ITU Conference preparations; (2) EMC Analyses support facilities; and (3) discussion of EMC Analyses.

The meeting will be open to the public; any member of the public will be permitted to file a written statement with the Council, before or after the meeting.

The names of the members of the Council, a copy of the agenda, a summary of the meeting, and other information pertaining to the meeting may be obtained from Mr. Jack E. Weatherford, Office of Telecommunications Policy, Washington, D.C. 20504 (telephone: 202-395-5623).

Dated: July 9, 1976.

L. D. O'NEILL,
Advisory Committee Management Officer.

[FR Doc.76-20250 Filed 7-13-76;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Amendment No. 1]

WYOMING TRUCKING ASSOCIATION, INC.

Application for Approval

The Commission is in receipt of an application in the above-entitled proceeding for approval of an amendment to the agreement therein approved.

Filed, as amended, May 21, 1976, by: James R. Boyd, P.O. Box 488, Austin, TX 78767, Attorney for Wyoming Trucking Association, Inc.

The amendments involve: Provision for final disposition of proposals within 120 days of the date received by the Association to comply with Ex Parte No. 297, 351 I.C.C. 437.

The complete application may be inspected at the Office of the Commission in Washington, D.C.

Any interested person desiring to protest and participate in this proceeding shall notify the Commission in writing on or before August 13, 1976. As provided by the General Rules of Practice of the Commission, persons other than applicants should fully disclose their interest and the position they intend to take with respect to the application. Otherwise, the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application, without further or formal hearing.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-20334 Filed 7-13-76;8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 9,1976.

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 on or before July 29, 1976.

FSA No. 43190—*Corn, Soybeans and Wheat from Points in South Dakota.* Filed by Chicago and North Western Transportation Company, (No. 108), for interested rail carriers. Rates on corn, soybeans and wheat, in carloads, as described in the application, from points in South Dakota, to Duluth, Minnesota and Superior, Wisconsin. (Domestic and Export).

Grounds for relief—Carrier and market competition.

Tariff—Supplement 14 to Chicago and North Western Transportation Company tariff 17194-A, I.C.C. No. 151. Rates are published to become effective on July 31, 1976.

FSA No. 43191—*Joint Water-Rail Container Rates—American Export Lines, Inc.* Filed by American Export Lines, Inc., (No. 8), for itself and interested rail carriers. Rates on general commodities, from railroad terminals at U.S. Gulf of Mexico ports, to ports and terminals in the United Kingdom, North Europe and Scandinavia.

Grounds for relief—Water competition.

Tariff—American Export Lines, Inc., westbound United Kingdom North Europe joint container tariff I.C.C. No. 5, F.M.C. No. 173. Rates are published to become effective on August 1, 1976.

FSA No. 43192—*Sulphur from Ardmore, Oklahoma.* Filed by Southwestern Freight Bureau, Agent, (No. B-603), for interested rail carriers. Rates on sulphur, in carloads, as described in the application, from Ardmore, Oklahoma, to points in southern territory.

Grounds for relief—Market competition.

Tariff—Supplement 76 to Southwestern Freight Bureau, Agent, tariff 102-A, I.C.C. No. 5077. Rates are published to become effective on August 3, 1976.

FSA No. 43193—*Vinyl Chloride from Geismar, Louisiana.* Filed by Southwestern Freight Bureau, Agent, (No. B-612), for interested rail carriers. Rates on vinyl chloride, in tank-car loads, as described in the application, from Geismar, Louisiana, to Perryville, Maryland and Pottstown, Pennsylvania.

Ground for relief—Market competition.

Tariff—Supplement 8 to Southwestern Freight Bureau, Agent, tariff 12-J, I.C.C. No. 5219. Rates are published to become effective on August 8, 1976.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-20333 Filed 7-13-76;8:45 am]

[Notice No. 91]

ASSIGNMENT OF HEARINGS

JULY 9, 1976.

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 141601, Arrow Driveaway, Inc., now assigned July 19, 1976 (1 week), at New York, N.Y., will be held in the Court Room No. 4, Customs Court, 1 Federal Plaza.

MC 128273 Sub 199, Midwestern Distribution, Inc.; MC 116915 Sub 20, Eck Miller Transportation Corp., and MC 116915 Sub 22, Eck Miller Transportation Corp., now assigned September 27, 1976 at Washington, will be held at the Interstate Commerce Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-20329 Filed 7-13-76;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY ELIMINATION OF GATEWAY LETTER NOTICES

JULY 9, 1976.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before July 24, 1976. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 83539 (Sub-No. E280), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers, between points in Louisiana, on the one hand, and, on the other, points in Utah.

The purpose of this filing is to eliminate the gateways of Wichita, Kans., or points in Texas and points in Colorado.

No. MC 83539 (Sub-No. E281), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, (A) between points in Wyoming, in and west of Campbell, Johnson, Washakie, Hot Springs, Freemont and Sweetwater Counties, on the one hand, and, on the other, points in Virginia, in and east of Rockingham, Albemarle, Buckingham, Appomattox, Charlotte, and Mecklenburg Counties; and (B) between points in Montana, on the one hand, and, on the other, points in Shenandoah, Warren, Frederick,

Clarke, Loudon, Fairfax and Arlington Counties, Va. (Philadelphia, Pa., or points within 50 miles of Nashville, Tenn., Kansas, and Nebraska) * Restriction: The authority granted herein is subject to the condition that carrier shall not engage in the stringing or picking up of pipe along pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 83539 (Sub-No. E282), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Louisiana, on the one hand, and, on the other, points in Oregon and Washington. Restriction: No service shall be performed in the stringing or picking up of any of the above commodities in connection with main or trunk pipelines. The purpose of this filing is to eliminate the gateways of points in Texas, Kansas or Oklahoma.

No. MC 83539 (Sub-No. E283), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and parts, thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; (A) between points in Florida, on the one hand, and, on the other, points in Georgia; and (B) between points in Georgia, on the one hand, and, on the other, points in Nebraska. Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines.

The purpose of this filing is to eliminate the gateways of points in Kansas or points within a 50 mile radius of Nashville, Tennessee and points in Missouri.

No. MC 83539 (Sub-No. E284), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment and parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Montana, on the one hand, and, on the other, points in Florida, Georgia, Mississippi, North Carolina, Louisiana, Oklahoma and Tennessee. Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways of points in Kansas and Nebraska.

No. MC 83539 (Sub-No. E285), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) self-propelled articles, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection there with, restricted in (2) to commodities which are transported on trailers; (A) between points in Indiana, on the one hand, and on the other, points in Montana and North Dakota; and (B) between points in Kentucky, on the one hand, and, on the other, points in North Dakota and Wyoming. Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways of points in Illinois, Iowa and South Dakota.

No. MC 83539 (Sub-No. E286), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, (A) between points in Maryland, on the one hand, and, on the other, points in Massachusetts, and (B) between points in New Jersey, on the one hand, and, on the other, points in Virginia. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC 83539 (Sub-No. E287), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; between points in Texas, on the one hand, and, on the other, points in South Carolina. The purpose of this filing is to eliminate the gateway of points in Georgia.

No. MC 83539 (Sub-No. E288), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Louisiana, on the one hand, and, on the other, points in North Dakota. Restriction: No service shall be performed in the stringing or picking up of any of the above commodities in connection with main or trunk pipelines. The purpose of this filing is to eliminate the gateways of points in Oklahoma.

No. MC 83539 (Sub-No. E289), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; between points in Minnesota, on the one hand, and, on the other, points in Indiana, Kentucky, and Mississippi. Restriction: No service shall be performed in the stringing or picking up of any of the above commodities in connection with main or trunk pipelines. The purpose of this filing is to eliminate the gateway of points in Illinois.

No. MC 83539 (Sub-No. E290), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; (A) between points in South Dakota, on the one hand, and, on the other, points in Georgia and Florida; (B) between points in Nebraska, on the one hand, and, on the other, points in North Carolina, Louisiana, Mississippi, Florida and Tennessee; (C) between points in South Dakota, on the one hand, and, on the other, points in Louisiana and Mississippi; and (D) between points in Iowa, on the one hand, and, on the other, points in Texas. Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateway of points in Kansas.

No. MC 83539 (Sub-No. E291), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Illinois, on the one hand, and, on the other, points in North Dakota. Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways of points in South Dakota.

No. MC 83539 (Sub-No. E292), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; between points in Missouri, on the one hand, and, on the other, points in the Upper Peninsula of Michigan. (Points in Illinois and points in that part of Wisconsin on and south of Wisconsin Highway 33 extending between Port Washington and Portage, Wisconsin and on and east of U.S. Highway 51 extending between Portage and Beloit, Wisconsin.)* Restriction: No services shall be performed in the stringing or picking up of pipe in connection with oil or gas pipelines. The purpose of this filing is to eliminate the gateways indicated by astericks above.

No. MC 83539 (Sub-No. E293), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers, between points in North Carolina, on the one hand, and, on the other, points in North Dakota. (Points in Missouri and South Dakota and points with a 50 mile radius of Nashville, Tennessee.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 83539 (Sub-No. E294), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; between points in Mississippi, on the one hand, and, on the other, points in the Lower Peninsula of Michigan, and points in the Upper Peninsula of Michigan. (Points in Illinois or points in that part of Wisconsin on and south of Wisconsin Highway 33 extending between Port Washington and Portage, Wisconsin and on and east of U.S. Highway 51 extending between Portage and Beloit, Wisconsin.)* Restriction: No service shall be performed in the stringing or picking up of any of the above commodities in connection with main or trunk pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E295), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers, between points in Louisiana, on the one hand, and, on the other, points in Montana. (Points in Kansas and Nebraska.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E296), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Virginia, on the one hand, and, on the other, points in Montana (except those located in Daniels, Roosevelt and Sheridan Counties). (Points within a 50 mile radius of Nashville, Tennessee, and points in Kansas and Nebraska.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or pick-

ing up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E297, filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such self-propelled articles*, each weighing 15,000 pounds or more, which may be included in heavy machinery, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted to commodities which are transported on trailers; (1) between points in Louisiana (except those in and east of West Feliciana, West Baton Rouge, Ascension, Saint James, Saint John the Baptist, Saint Charles, Jefferson and Plaquemines Parishes), on the one hand, and, on the other, points in Iowa (except those located in Jackson and Clinton Counties); (2) between points in Iowa, on the one hand, and, on the other, points in Louisiana (except those located in and east of Union, Quachita, Caldwell, La Salle, Avoyelles, Ponte Coupee, West Baton Rouge, Ascension, Saint James, Saint John the Baptist, Saint Charles, Jefferson and Plaquemines Parishes). (Points in Kansas.)* The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E298), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; between points in Maryland, on the one hand, and, on the other points in Missouri and Minnesota. (Oil City *or* Braddock, Pennsylvania and points in Illinois.)* Restriction: No services shall be performed in the stringing or picking up of pipe in connection with oil or gas pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 83539 (Sub-No. E299), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, except air-craft and missiles, and parts thereof, between points in South Carolina, on the one hand, and, on the other, points in Arkansas, Kansas, Louisiana, Mississippi and Oklahoma. (Points in North Carolina or Georgia)* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 83539 (Sub-No. E300), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes. transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Oregon and Washington, on the one hand, and, on the other, points in Arkansas, Florida, Georgia, Mississippi, North Carolina and Tennessee. (Points in Kansas or Oklahoma.)* Restriction: No service shall be performed in the stringing or picking up of any of the above commodities in connection with main or trunk pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 83539 (Sub-No. E301), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, between points in Nebraska, on the one hand, and, on the other, points in Maryland, New Jersey, New York and Pennsylvania. (Points in Illinois and Oil City *or* Braddock, Pennsylvania.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E302), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, between points in Massachusetts, on the one hand, and, on the other, points in Wisconsin. (Points in Illinois and Philadelphia, Pennsylvania; Oil City or Braddock, Pennsylvania.)* Restriction: No services shall be performed in the stringing or picking up of pipe in connection with oil or gas pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E303), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) Commodities, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) such self-propelled articles each weighing 15,000 pounds or more, which may be included in heavy machinery and related machinery, tools, parts, and supplies moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Idaho, on the one hand, and, on the other, points in South Carolina. (Points in Montana on and west of a line extending north and south through Dupuyer and Butte, Montana, points in Douglas or Sarpy Counties, Nebraska and points within a 50 mile radius of Nashville, Tennessee; or points in Montana on and west of a line extending north and south through Dupuyer and Butte, Montana, points in Nebraska, Kansas and South Carolina.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipelines rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. Restriction: Restricted against the transportation of those commodities named in (2) above to or from points in Franklin, Bear Lake and Caribou Counties, Idaho. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E304), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) such *self-propelled articles* each weighing 15,000 pounds or more, which may be included in heavy machinery and

related machinery, tools, parts, and supplies moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Idaho, on the one hand, and, on the other, points in Kentucky. (Points in Montana on and west of a line extending north and south through Dupuyer and Butte, Montana, and points in Douglas or Sarpy Counties, Nebraska.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E305), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) Commodities, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) such self-propelled articles each weighing 15,000 pounds or more, which are included in heavy machinery and related machinery, tools, parts, and supplies moving in connection therewith, restricted in (2) to commodities which are transported on trailers; (a) between points in Idaho (except those located in Cassia, Oneida, Franklin, Bear Lake, Caribou, Bannock, and Power Counties), on the one hand, and, on the other, points in Missouri in and east of Schuyler, Adair, Macon, Randolph, Howard, Cooper, Pettis, Benton, Hickory, Polk, Greene, Christian and Stone Counties; and (b) between points in Idaho (except those located in Caribou, Bear Lake, Franklin and Oneida Counties), on the one hand, and, on the other, points in Missouri in and east of Marion, Ralls, Pike, Lincoln, Warren, Gasconade, Phelps, Pulaski, Laclede, Wright, Douglas and Ozark Counties; and (c) between points in Missouri, on the one hand, and, on the other, points in Idaho in and north of Lemhi, Custer, Boise, Elmore and Owyhee Counties; and (d) between points in Idaho (except Bear Lake County), on the one hand, and, on the other, points in Missouri in and south and east of Saint Louis, Franklin, Crawford, Phelps, Pulaski, Laclede, Dallas, Greene, Christian and Stone Counties. (Points in Montana on and west of a line extending north and south through Dupuyer and Butte, Montana, and points in South Dakota)*. Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterick above.

No. MC 83539 (Sub-No. E306), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; between points in Massachusetts, on the one hand, and, on the other, points in Idaho, Oregon and Washington. (Philadelphia, Pennsylvania and points in Montana on and west of a line extending north and south through Dupuyer and Butte, Montana)* Restriction: The authority granted herein is subject to the condition that carrier shall not engage in the stringing or picking up of pipe along pipelines. The purpose of this filing is to eliminate the gateways indicated by asterick above.

No. MC 83539 (Sub-No. E307), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in South Dakota, on the one hand, and, on the other, points in Tennessee. (Points in Kansas.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterick above.

No. MC 83539 (Sub-No. E308), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; between points in Connecticut, on the one hand, and, on the other, points in Iowa, and Nebraska; and between points in Massachusetts, on the one hand, and, on the other, points in Nebraska. (Points in Philadelphia, Pennsylvania, Oil City or Braddock, Pennsylvania and points in Illinois)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E309), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, between points in New Jersey, New York and Pennsylvania, on the one hand, and, on the other, points in Iowa, Wisconsin, Minnesota and Missouri. (Points in Oil City *or* Braddock, Pennsylvania and points in Illinois.)* Restriction: No services shall be performed in the stringing or picking up of pipe in connection with oil or gas pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 83539 (Sub-No. E310), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, between points in Massachusetts, on the one hand, and, on the other, points in New Mexico. (Points in Texas and Philadelphia, Pa.)* Restriction: The authority granted herein is subject to the condition that carrier shall not engage in the stringing or picking up of pipe along pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E311), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the

transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Kentucky, on the one hand, and, on the other, points in Louisiana. (Points in Arkansas or Mississippi.)* Restriction: No service shall be performed in the stringing or picking up of any of the above commodities in connection with main or trunk pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 83539 (Sub-No. E312), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; between points in Pennsylvania, on the one hand, and, on the other, points in Mississippi. (Points in Oil City or Braddock, Pennsylvania.)* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC-83539 (Sub-No. E313), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) Commodities, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities: (2) self-propelled articles each weighing 15,000 pounds or more, and supplies moving in connection therewith, restricted in (2) to commodities which are transported on trailers; (a) between points in Iowa, on the one hand, and on the other, points in Tennessee, on and east of Henry, Carroll, Henderson, Chester, and McNairy Counties; and (b) between points in Tennessee (except Tipton and Shelby Counties), on the one hand, and on the other, points in Lyon Osceola, Dickinson, Emmet, Sioux, O'Brien, Clay and Plymouth Counties, Iowa. (Points within a 50 mile radius of Nashville, Tennessee and points in Missouri.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E314), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) Commodities, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) such self-propelled articles each weighing 15,000 pounds or more, which may be included in heavy machinery and related machinery, tools, parts, and supplies moving in connection therewith, restricted in (2) to commodities which are transported on trailers, between points in Idaho (except those located in Caribou, Bear Lake and Franklin Counties), on the one hand, and, on the other, points in Illinois and Indiana. (Points in Montana on and west of a line extending north and south through Dupuyer and Butte, Montana, points in South Dakota and Iowa.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E315), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) such *self-propelled articles* each weighing 15,000 pounds or more, which may be included in heavy machinery and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers, between points in Idaho, on the one hand, and, on the other, points in North Dakota; (b) between points in Idaho, on the one hand, and, on the other, points in South Dakota (except those in Custer, Fall River, Washington, Shannon, Bennett and Todd Counties);

(c) between points in Idaho in and north of Payette, Gem, Boise, Custer, Butte, Jefferson, Madison and Teton Counties, on the one hand, and, on the other, points in South Dakota; (d) between points in North Dakota and South Dakota, on the one hand, and, on the other, points in Oregon and Washington; (e) between points in Washington, on the one hand, and, on the other, points in Wyoming (except those located in Lincoln and Uinta Counties); and (f) between points in Washington (except those located in Pacific, Wahkiakum, Cowlitz, Clark, Skamania, Klickitat, Benton, Franklin, Walla Walla, Columbia, Garfield and Asoton Counties), on the one hand, and, on the other, points in Wyoming. (Points in Montana on and west of a line extending north and south through Dupuyer and Butte, Montana.)* The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E316), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Virginia, on the one hand, and, on the other, points in Washington. (Points within a 50 mile radius of Nashville, Tenn., and points in Kansas.)* Restriction: No service shall be performed in the stringing or picking up of any of the above commodities in connection with main or trunk pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E318), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers, between points in South Carolina, on the one hand, and, on the other, points in South Dakota. (Points within a 50 mile radius of Nashville, Tenn., and any points in the State of Kansas.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the op-

eration, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E318), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) such *self-propelled articles* each weighting 15,000 pounds or more, which may be included in heavy machinery and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers, between points in Nebraska, on the one hand, and, on the other, points in Oregon and Washington. (Points in Montana on and west of the line extending north and south through Dupuyer and Butte, Mont.) * Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E319), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, *parts thereof* when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Florida and Georgia, on the one hand, and, on the other, points in Illinois and Indiana. (Points in Kentucky and Tennessee within a 50 mile radius of Nashville.) * Restriction: No service shall be performed in the stringing or picking up of any of the above commodities in connection with main or trunk pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E320), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *such self-propelled articles* each weighing 15,000 pounds or more, which may be included in heavy machinery and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Michigan, on the one hand, and, on the other, points in Oregon. (Points in Montana on and west of a line extending north and south through Dupuyer and Butte, Mont.) * Restriction: The authority granted herein is subject to the condition that carrier shall not engage in the stringing or picking up of pipe along pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E321), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Illinois, on the one hand, and, on the other, points in North Carolina. (Points in Kentucky and points within a 50-mile radius of Nashville, Tenn.) * Restriction: No service shall be performed in the stringing or picking up of any of the above commodities in connection with main or trunk pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E322), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers, between points in North Carolina, on the one hand, and, on the other, points in South Dakota. (Points within a 50-mile radius of Nashville, Tenn., and points in Missouri.) * Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E323), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, except aircraft and missiles, and parts thereof, between points in Illinois, on the one hand, and, on the other, points in South Carolina. (Points in Kentucky, points within a 50-mile radius of Nashville, Tenn., and points in North Carolina.) * Restriction: No service shall be performed in the stringing or picking up of any of the above commodities in connection with main or trunk pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E324), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Nebraska, on the one hand, and, on the other, points in South Carolina. (Points within a 50-mile radius of Nashville, Tenn., and any point in Kansas.) * Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E325), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222 Applicant's representative: Ken-

neth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, between points in Missouri, on the one hand, and, on the other, points in South Carolina. (Points in a 50-mile radius of Nashville, Tenn., Georgia or North Carolina.)* Restricted against the transportation of aircraft and missiles and parts thereof. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E326), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222 Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, except aircraft and missiles and parts thereof, between points in South Carolina, on the one hand, and, on the other, points in Wisconsin. (Points in North Carolina or Georgia, points within a 50-mile radius of Nashville, Tenn., points in Kentucky and Illinois.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipeline. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E327), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, between points in Maryland, on the one hand, and, on the other, points in New Mexico. (Points in Pennsylvania and Texas.)* Restriction: The authority granted herein is subject to the condition that carrier shall not engage in the stringing or picking up of pipe along pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E328), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box. 5976. Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, part thereof when moving in connection with such commodities, between points in Minnesota, on the one hand, and, on the other, points in North Carolina. (Points in Illinois, Kentucky and points within a 50-mile radius of Nashville, Tenn.)* Restriction: No service shall be performed in the stringing or picking up of any of the above commodities in connection with main or trunk pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No E329), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, restricted in (2) to commodities which are transported on trailers, between points in Kentucky, on the one hand, and, on the other, points in Montana. (Points in Illinois and Nebraska.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E330), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers, from points in New Mexico, on the one hand, and, on the other, to points in Ohio. (Points in Wichita, Kans., and Douglas or Sarpy Counties, Nebr.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E331), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers, between points in North Carolina, on the one hand, and, on the other, points in North Dakota. (Points within a 50-mile radius of Nashville, Tennessee; Missouri and South Dakota.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E332), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers, between points in Illinois, on the one hand, and, on the other, points in South Dakota. (Points in Iowa.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is

to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E333), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, between points in Mississippi, on the one hand, and, on the other, points in New Jersey. (Points in Tennessee within a 50 miles radius of Nashville, Tennessee, Virginia and Philadelphia, Pennsylvania.)* The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E334), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) such *self-propelled articles* each weighing 15,000 pounds or more, which may be included in heavy machinery and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers; between points in Kentucky, on the one hand, and, on the other, points in Oregon and Washington. (Points in Illinois, Iowa, South Dakota and points in Montana on and west of a line extending north and south through Dupuyer and Butte, Mont., *or* points in Illinois, Nebraska and points in Montana on and west of a line extending north and south through Dupuyer and Butte, Mont.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E335), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, (A) between points in Tennessee, on the one hand, and, on the other, points in Wisconsin (except those located in and east of Door, Kewaunee, Brown, Outagamie, Winnebago, Fond Du Lac, Dodge, Dane, Iowa and Lafayette Counties); and (B) between points in Wisconsin, on the one hand, and, on the other, points in Tennessee (except those located in and east of Pickett, Scott, Campbell, Union, Grainger, Jefferson, and Cocke Counties). (Points within a 50 mile radius of Nashville, Tennessee, points in Kentucky and Illinois.)* Restriction: No services shall be performed in the stringing or picking up of pipe in connection with oil or gas pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E336), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representatives: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities between points in Kansas, on the one hand, and, on the other, points in Kentucky. (Points in Missouri and Illinois.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossings of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purposes of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E337), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers, between points in Iowa, on the one hand, and, on the other, points in North Carolina. (Points in Missouri and points with a 50 mile radius of Nashville, Tennessee.)* Restriction: The authority granted herein is subject to the condition that the carrier shall not engage in the stringing or picking up of pipe along main or trunk pipeline rights of way, other than in the transportation, stringing or picking up of pipe (1) in connection with river crossing of pipelines and (2) in connection with the operation, repair, and maintenance of pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E338), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, between points in Wyoming in and west of Campbell, Johnson, Washakie, Hot Springs, Freemont and Sweetwater Counties, on the one hand, and, on the other, points in Virginia in and east of Rockingham, Albemarle, Nelson, Appomattox, Charlotte and Halifax Counties. (Philadelphia, Pa.)* The authority granted herein is subject to the condition that carriers shall not engage in the stringing or picking up of pipe along pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E339), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts threof when moving in connection with such commodities, (A) between points in Maryland, on the one hand, and, on the other, points in Montana, North Dakota, South Dakota, Texas and Wyoming; (B) between points in New Jersey and New York, on the one hand, and, on the other, points in Montana, North Dakota, South Dakota and Wyoming. (Points in Pennsylvania.)* Restriction: The authority granted herein is subject to the condition that carrier shall not engage in the stringing or picking up of pipe along pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E340), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* mov-

ing in connection therewith, restricted in (2) to commodities which are transported on trailers, between points in New Mexico, on the one hand, and, on the other, points in New York, New Jersey and Pennsylvania. (Points in Texas.)* Restriction: The authority granted herein is subject to the condition that carrier shall not engage in the stringing or picking up of pipe along pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisk above.

No. MC 83539 (Sub-No. E341), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 W. Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities; (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted in (2) to commodities which are transported on trailers, between points in New Mexico, on the one hand, and, on the other, points in Florida, Georgia, North Carolina and Tennessee. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC 83539 (Sub-No. E342), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, between points in Idaho, Oregon and Washington, on the one hand, and, on the other, points in Maryland, New Jersey and New York. Restriction: The authority granted herein is subject to the condition that carrier shall not engage in the stringing or picking up of pipe along pipelines.

The purpose of this filing is to eliminate the gateways of points in Montana on and west of a line extending north and south through Dupuyer and Butte, Montana and points in Pennsylvania.

No. MC 83539 (Sub-No. E434), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, between points in Massachusetts, on the one hand, and, on the other, points in North Dakota, Montana, South Dakota, Texas and Wyoming. Restriction: The authority granted herein is subject to the condition that carrier shall not engage in the stringing or picking up of pipe along pipelines. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC 83539 (Sub-No. E344), filed May 14, 1974. Applicant: C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the tansportation of which, because of their size or weight, require the use of special equipment, and, parts thereof when moving in connection with such commodities, between points in Kentucky, on the one hand, and, on the other, points in Wisconsin. Restriction: No service shall be performed in the stringing or picking up of any of the above commodities in connection with main or trunk or gas or oil pipelines. The purpose of this filing is to eliminate the gateways of points in Illinois.

No. MC 92983 (Sub-No. E60) (Correction) filed June 4, 1974, published in the FEDERAL REGISTER May 5, 1976, and republished, as corrected, this issue. Applicant: AMERICAN BULK TRANSPORT CO., P.O. Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (Q) *Vegetable oils*, in bulk, in tank vehicles, (4) from San Francisco and Los Angeles, Calif., to points in the Lower Peninsula of Michigan and the Upper Peninsula Counties of Luce, Mackinac, and Chippewa Counties and that portion of Schoolcraft County on and east of Michigan Highway 94; and * * * The purpose of this filing is to eliminate the gateways of: (Q) Colorado and Memphis, Tenn., and * * * The purpose of this correction is to correct the territorial description and to correct (R)(4) to read as (Q)(4). The remainder of the letter-notice remains as previously published.

No. MC 92983 (Sub-No. E70) (correction), filed June 4, 1974, published in the FEDERAL REGISTER June 3, 1976, republished, as corrected, this issue. Applicant: AMERICAN BULK TRANSPORT, CO., 818 Grand Ave., P.O. Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) Feed, (except tankage), in bulk: (1) from Omaha, Nebr., to points in Minnesota located in and east of Lake of the Woods, Beltrami, Hubbard, Cass and Morrison Counties and points on and east of a line extending from the northern border of Sterns County along Minnesota Highway 238 to the junction of an unnumbered highway at Albany, thence along unnumbered highway to the junction of Minnesota Highway 22 at Richmond, thence along Minnesota Highway 22 to the junction of U.S. Highway 169, thence along U.S. Highway 169 to the Minnestota-Iowa State line and to points in Wisconsin; * * * The purpose of this filing is to eliminate the gateways of: (A)(1) Mason City, Iowa; The purpose of this correction is to correct the territorial description. The remainder of the letter-notice remains as previously published.

No. MC 92983 (Sub-No. E71) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER June 3, 1976, and republished, as corrected, this issue. Applicant: AMERICAN BULK TRANSPORT CO., P.O. Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (G) *Chemicals*, (except petroleum chemicals, liquid hydrogen, liquid oxygen, liquid nitrogen to missile storage, launching sites, test facilities or manufacturing plants producing liquid oxygen, liquid hydrogen and liquid nitrogen and except petroleum chemicals) in bulk: (5) from points in Nebraska located in, west and south of Boyd, Holt, Antelope, Madison, Platte, Colfax, Dodge and Washington Counties to points in Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Virginia, and West Virginia * * * (8) from points in Nebraska located on and east of U.S. Highway 77 except those points in Nebraska described in (7) above, to points in California located in and south of Santa Cruz, Santa Clara, San Benito and Fresno Counties and points in Inyo County extending from the western border along unnamed trail and unnumbered highway to the junction of U.S. Highway 395 at Independence, thence along U.S. Highway 395 to the junction of California Highway 136, thence along California Highway 136 to the junction of California Highway 190, thence along California Highway 190 to the junction of California Highway 127, thence along California Highway 127 to the California-Nevada State line and Las Vegas, Nevada; * * * (13) from points in Nebraska located in and east of Knox, Pierce, Madison, Stanton, Colfax, Butler, Lancaster and Gage Counties to points in New Mexico located on and south of a line extending from the New Mexico-Texas State line along U.S. Highway 85 to the junction of U.S. Highway 70, thence along U.S. Highway 70 to the New Mexico-Arizona State line and Carlsbad; * * * The purpose of this filing is to eliminate the gateways of: (G)(1)-(17) Kansas City, Mo.-Kansas City, Kans., commercial zone. The purpose of this correction is to correct the territorial description. The remainder of the letter-notice remains as previously published.

No. MC-92983 (Sub-No. E73) (correction), filed June 4, 1974, published in the FEDERAL REGISTER June 9, 1976, and republished, as corrected, this issue. Applicant: AMERICAN BULK TRANSPORT CO., 818 Grand Ave., P.O. Box 2508, Kansas City, Mo. 64142. Applicant's

representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Fish oil*, in bulk in tank vehicles: from points in Massachusetts to points in Kansas and Nebraska; (B) *Such fish oil*, as is embraced within liquid mixtures of animal feed ingredients, in bulk, in tank vehicles: from points in Massachusetts, to points in Colorado (except Henderson); (C) *Fish oil*, in bulk, in tank vehicles: from points in Massachuetts to points in Nevada: (D) *Fish oil*, in bulk, in tank vehicles: from points in Massachusetts to points in Idaho, Oregon, Washington, and Wyoming. The purpose of this filing is to eliminate the gateways of: (A) Frytown, Iowa; (B) Frytown, Iowa and Crete, Nebr.; (C) Frytown, Iowa and Nebraska; (D) Frytown, Iowa and Kansas. The purpose of this correction is to correct the origin state to read as Massachusetts instead of Maine.

No. MC 92983 (Sub-No. E78), filed June 4, 1974. Applicant: AMERICAN BULK TRANSPORT CO., P.O. Box 2508, Kansas City Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Acids and chemicals* (in dry or liquid form), in bulk, in tank vehicles: from Parlin, Burlington and Gibbstown, N.J., to points in North Dakota; (B) *Acids and chemicals*, in bulk: from Parlin, Burlington and Gibbstown, N.J., to points in Illinois located in and west of Jo Davies, Carroll, Whiteside, Henry, Stark, Peoria, Tazewell, Mason, Menard, Morgan, Scott and Pike Counties and points in Missouri located in and north and west of Pike, Montgomery, Gasconade, Phelps, Texas, and Howell Counties; (C) *Chemicals*, in bulk: from Parlin, Burlington and Gibbstown, N.J., to Dallas, Tex.; (D) *Liquid chemicals*, in bulk: from Parlin, Burlington, and Gibbstown, N.J., to points in Texas located in and west of Calhoun, Jackson, Wharton, Austin, Waller, Grimes, Walker, Trinity, Houston, Cherokee, Smith, Upshur, Morris and Red River Counties; (E) *Acids and chemicals* (except petroleum products), in bulk: from Parlin, Burlington and Gibbstown, N.J., to points in South Dakota.

(F) *Acids and chemicals*, in bulk, in tank or hopper vehicles: from Parlin, Burlington and Gibbstown, N.J., to points in Minnesota and to points in Wisconsin located in and west of Green, Dane, Columbia, Green Lake, Waushara, Waupaca, Shawano, Menominee, Langlade, Oneida and Vilas Counties, (G) *Liquid chemicals*, in bulk: from Parlin, Burlington, and Gibbstown, N.J., to points in Michigan located on and south and east of a line extending from Escanaba on Lake Michigan along U.S. Highway 2 to the junction of unnumbered highway 2 miles east of Bark River, Mich., thence along unnumbered highways through Schaffer, Felch, and Ralph, Mich., to the junction of Michigan Highway 95 at Channing, Mich., thence along Michigan Highway 95 to the junction of U.S. Highway 41, thence along U.S. Highway 41 to the eastern border of Baraga County and points in Iron, Baraga, Gogebic, Ontonagon, Houghton and Keweenaw Counties, points in Minnesota and points in Wisconsin (except Ozaukee, Milwaukee, Racine, and Kenosha Counties); (H) *Acids and chemicals*, in bulk: from Parlin, Burlington and Gibbstown, N.J., to points in South Dakota, Idaho and Wyoming; (I) *Acids and chemicals*, in bulk, in tank vehicles: from Parlin, Burlington and Gibbstown, N.J., to points in Arizona, California, Nevada and Utah; (J) *Liquid chemicals*, in bulk, in tank or hopper vehicles: from Parlin, Burlington and Gibbstown, N.J., to points in Arkansas located in Boone County on and west of Arkansas Highway 7, including the Harrison, Arkansas Commercial zone and points in Carroll, Benton, Washington, Madison, Crawford and Sebastian Counties, to points in Colorado, Kansas, Nebraska and points in Oklahoma (except McCurtain County).

(K) *Acids and chemicals*, in bulk: from Parlin, Burlington and Gibbstown, N.J., to points in Washington; (L) *Chemicals*, in bulk; from Parlin, Burlington and Gibbstown, N.J., to points in Oregon, Montana and New Mexico; (M) *Petroleum chemicals*, in bulk, in tank vehicles: from points in New Jersey (except Parlin, Burlington and Gibbstown) to points in Wisconsin located in La Crosse, Monroe, Juneau and Sauk Counties on and south of a line extending from La Crosse along U.S. Highway 53 to Onalaska thence along Wisconsin Highway 157 to junction with U.S. Highway 16, thence along U.S. Highway 16 to the eastern border of Sauk County and points located in Vernon, Crawford, Richland, Grant, Iowa and Lafayette Counties; (N) *Such chemicals*, as are embraced within contractors materials and supplies in bulk: from points in New Jersey (except Parlin, Burlington, and Gibbstown) to points in Minnesota and points in Missouri located in and north and west of McDonald, Newton, Lawrence, Greene, Dallas, Camden, Miller, Cole, Callaway, Audrain and Pike Counties and points in Illinois located in and west of Pike, Brown, Schuyler, Fulton, Knox, Henry, Whiteside, Carroll, and Jo Daviess Counties and points in Nebraska.

(O) *Inedible fats and greases as are embraced within chemicals* in bulk, in tank vehicles: from points in New Jersey (except Gibbstown, Parlin and Burlington) to Faribault, St. Paul and Minneapolis, Minn.; (P) *Chemicals* (except petroleum and petroleum products) in bulk; (1) from points in New Jersey (except Parlin, Burlington, and Gibbstown) to points in Iowa, Minnesota, South Dakota and points in Missouri located in and north and west of McDonald, Newton, Lawrence, Greene, Dallas, Camden, Miller, Cole, Callaway, Audrain, and Pike Counties and points in Illinois located in and west of Pike, Brown, Schuyler, Fulton, Knox, Henry, Whiteside, Carroll and Jo Daviess Counties and points in Wisconsin located in and west of Lafayette, Iowa, Sauk, Adams, Wood, Clark, Taylor, Price and Iron Counties and points in Nebraska; (2) from points in New Jersey (except Gibbstown, Parlin, and Burlington) to points in North Dakota; (Q) *Liquid chemicals* (except petroleum and petroleum products) in bulk; (1) from points in New Jersey except Sussex, Morris, Essex, Hudson, Bergen and Passaic Counties and except Parlin, Burlington and Gibbstown to points in Texas located in and west of Lamar, Hopkins, Rains, Van Zandt, Henderson, Navarro, Limestone, Falls, Milam, Williamson, Bastrop, Caldwell, Guadalupe, Wilson, Atascosa, Live Oak, Jim Wells, Brooks, Hidalgo, Willacy and Cameron Counties; (2) from points in New Jersey located in Sussex, Morris, Essex, Hudson, Bergen and Passaic Counties to points in Texas located in and west of Red River, Morris, Upshur, Smith, Sherokee, Houston, Walker, Grimes, Waller, Austin, Wharton and Matagorda Counties; (R) *Acids and chemicals*, in bulk: from points in New Jersey (except Gibbstown, Parlin, and Burlington) to Dallas, Tex.

(S) *Polyvinyl acetate, linseed oil, linseed oil blends, and linseed oil products*, in bulk, in tank vehicles: from points in New Jersey except Parlin, Burlington and Gibbstown located in and north of Warren, Morris, Essex and Bergen Counties to Houston, Tex.; (T) *Such paint materials as are embraced within acids and chemicals* in bulk, in tank vehicles: from points in New Jersey (except Parlin, Burlington and Gibbstown) located in and north of Warren, Morris, Essex and Bergen Counties to Houston, Tex.; (U) *Acids and chemicals*, in bulk: (1) from points in New Jersey (except Parlin, Burlington and Gibbstown), to points in Idaho, Montana, points in North Dakota located on and west of U.S. Highway 85, including the Williston Commercial zone, in Williams and Divide Counties to points in McKenzie, Billings, Golden Valley, Slope and Bowman Counties and points in South Dakota located in and west of Perkins, Ziebach, Stanley, Lyman and Gregory Counties and points in Wyoming; (2) from points in New Jersey (except Parlin, Burlington and Gibbstown) to points in Oregon, California, Nevada, Arizona, Utah and New Mexico; (V) *Acids and chemicals*, in bulk, in tank or hopper vehicles: (1) from points in New Jersey (except Parlin, Burlington and Gibbstown) to points in Kansas and Colorado; (2) from points in New Jersey (except Parlin, Burlington, and Gibbstown) to points in Nebraska located in and west and south of Cherry, Blaine, Loup, Garfield, Wheeler, Boone, Platte, Colfax, Saunders and Douglas Counties and to points in Iowa located in Mills, Montgomery, Fremont and Page Counties and to points in Missouri located in and west of Nodaway, Gentry, De Kalb, Caldwell, Ray, Lafayette, Johnson, Henry, St. Clair, Cedar, Dade, Lawrence and Barry Counties and to points in Arkansas located in Benton, Washington, Crawford and Sebastian Counties to points in Oklahoma (except McCurtain County).

(W) *Liquid chemicals*, in bulk, in tank or hopper vehicles: (1) from points in New Jersey (except Sussex, Morris, Essex, Hudson, Bergen and Passaic Coun-

ties and except Parlin, Burlington and Gibbstown) to points in Texas located in and west of Wichita, Archer, Throckmorton, Shackelford, Callahan, Coleman, Menard, Kimble, Edwards, Kinney and Maverick Counties; (2) from points in New Jersey located in Sussex, Morris, Essex, Hudson, Bergen and Passaic Counties to points in Texas located in and west of Grayson, Collin, Dallas, Ellis, Hill, McLennan, Bell, Williamson, Travis, Caldwell, Guadalupe, Wilson, Atascosa, Live Oak, Jim Wells, Brooks and Hidalgo Counties and points in McCulloch County located on and west of a line extending from the northern border along U.S. Highway 377 to the junction of U.S. Highway 87, including the Brady Commercial Zone, thence along U.S. Highway 87 to the southern border; (X) *Acids and chemicals*, in bulk: from points in New Jersey (except Parlin, Burlington and Gibbstown) to points in Washington; (Y) *Cottonseed oil, soybean oil, and blends and products thereof* (except soap products and paint) in bulk, in tank vehicles: from points in New Jersey to Jackson, Miss. and Dallas, Tex.; (Z) *Vegetable oils and vegetable oil products* (except soap products and paint) in bulk, in tank vehicles: (1) from points in New Jersey to points in Louisiana and Mississippi; (2) from points in New Jersey located in Sussex, Morris, Essex, Hudson, Bergen and Passaic Counties to points in Mobile County, Ala.; (AA) *Such acetic acid and vinegar and blends thereof* as are embraced with fats and oils and blends thereof, in bulk, in tank vehicles: from points in New Jersey to points in Arkansas except petroleum products and except acetic acid on and east of a line extending from the Arkansas-Louisiana State line along U.S. Highway 167 to U.S. Highway 65, thence along U.S. Highway 65 to the Arkansas-Missouri State line.

(BB) *Such fats and oils and products* thereof as are embraced within chemicals (except those derived from petroleum, soap products and paints), in bulk, in tank vehicles: from points in New Jersey to points in Arizona, California, Nevada, New Mexico, Oregon and Utah; and (CC) *Fats and oils* when intended for use as animal and poultry feed or feed ingredients, in bulk, in tank vehicles: from points in New Jersey to points in Arkansas; The purpose of this filing is to eliminate the gateways of: (A) Muscatine, Iowa; (B) Burlington, Iowa; (C), (D) Burlington, Iowa and Springfield, Mo.; (E) Windham, Iowa, and points within 15 miles thereof; (F) Plant site of Iowa-Guttenberg Terminal, Inc. located approximately two miles south of Guttenberg, Iowa; (G) The plantsite of the Hawkeye Chemical Co., at or near Clinton, Iowa; (H) Iowa and Kansas City, Kans.; (I) Iowa and Kansas City, Mo.-Kansas City, Kans., commercial zone; (J) Iowa and the Olathe, Kans., and Kansas City, Kans., commercial zones; (K) Iowa and Kansas City, Kans.-Kansas City, Mo., commercial zone; (L) Des Moines, Iowa; (M) Iowa City, Iowa, a point within five miles of Coralville, Iowa; (N), (O) Iowa City, Iowa; (P), (1) Iowa City, Iowa, a point within 15 miles of Windham, Iowa; (P) (2) Iowa City, Iowa, point within 15 miles of Windham, Iowa, and Des Moines, Iowa; (Q) Iowa City, Iowa, a point within 15 miles of Windham, Iowa, and Springfield, Mo.

(R) Iowa and Kansas City, Mo.-Kansas City, Kan., commercial zone; (S) (T) Iowa City, Iowa, and Kansas City, Mo.-Kansas City, Kans., commercial zone; (U) Iowa City, Iowa, and Kansas City, Mo.-Kansas City, Kans., commercial zone; (V) Iowa City, Iowa, and the Olathe, Kans., and Kansas City, Kans. commercial zones; (W) Iowa City, Iowa, the Olathe, Kans., and Kansas City, Kans., commercial zones, and Springfield, Mo.; (X) Iowa City, Iowa, and Kansas City, Mo.-Kansas City, Kans., commercial zones; (Y), (Z) (AA) Memphis, Tenn.; (BB) points in Mississippi that are within the Memphis, Tenn., commercial zone, and Kansas City, Mo.-Kansas City, Kans., commercial zone (Turner, Kans.); and (CC) points in Arkansas that are within the Memphis, Tenn., commercial zone.

No. MC 92983 (Sub-No. E80), filed June 4, 1974. Applicant: AMERICAN BULK TRANSPORT CO., P.O. Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Acids and chemicals* in bulk, in tank vehicles: from points in Washington to points in Dallas, Tex.; (B) *Such polyvinyl acetate, linseed oils, blends and products* thereof, *paint materials*, as are embraced within acids and chemicals, in bulk, in tank vehicles: from points in Washington, to Houston, Tex.; (C) *Acids and chemicals*, in bulk: from points in Washington to points in Kentucky, North Carolina, Ohio and South Carolina; (D) *Trichloromonofluoromethane, Dichlorofluoromethane, monochlorodifluoromethane, trichlorotrifluoroethane, dichlorotetrafluoroethane and mixtures thereof*, in bulk, in tank vehicles: from points in Washington to points in Alabama (except Fox); (E) *Acids and chemicals*, in bulk: from points in Washington to points in Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Virginia and West Virginia; (F) *Anhydrous ammonia*, in bulk, in tank vehicles; from points in Washington to points in Alabama within 400 miles of Woodstock, Tenn.; (G) *Phosphoric acid*, in bulk, in tank vehicles: points in Washington to points in Alabama; (H) *Acetic acid*, in bulk, in tank vehicles: points in Washington to points in Alabama.

(I) *Chemicals*, in bulk, in tank or hopper vehicles: from points in Washington to points in Oklahoma located in and east of Cotton, Comanche, Caddo, Canadian, Kingfisher, Garfield, and Grant Counties and points in Kansas located in and east of Sumner, Sedgwick, Harvey Marion, Dickinson, Geary, Riley, Pottawatomie and Nemaha Counties; (J) *Cryogenic liquids*, in bulk, in tank or hopper vehicles: (1) from points in Washington located in and east of Okanogan, Chelan, Douglas, Grant and Benton Counties to points in Iowa located in and south of Ringgold, Decatur, Wayne, Monroe, Wapello, Jefferson, Henry and Des Moines Counties; (2) from points in Washington located in and west of Whatcom, Skagit, Snohomis, King, Kittitas, Yakima and Klickitat Counties to points in Iowa located in and south and east of Pottamattamie, Cass, Guthrie, Dallas, Polk, Story, Marshall, Tama, Black Hawk, Buchanan and Clayton Counties: (K) *Liquid chemicals* (except petroleum chemicals) in bulk, in tank vehicles: from points in Washington to points in Texas located in and east of Wilbarger, Baylor, Throckmorton, Stephens, Eastland, Brown, San Saba, Llano, Blanco, Kendall, Bexar, Atascosa, Live Oak, Jim Wells, Brooks and Hidalgo Counties except Harris, Jefferson and Orange Counties; (L) *Caustic soda*, in bulk, in tank vehicles: from points in Washington to Houston, Tex.; (M) *Liquid chemicals*, in bulk, in tank vehicles: from points in Washington to points in Rhode Island; (N) *Such oils and greases* as are embraced within chemicals, in bulk, in tank vehicles; from points in Washington to points in Maine, New Hampshire, and Vermont.

(O) *Such fats, oils, blends and products thereof* as are embraced within chemicals (except those derived from petroleum, soap products and paints), in bulk, in tank vehicles: from points in Washington to points in Florida; (P) *Acids and chemicals*, in bulk, in tank or hopper vehicles: from points in Washington to points in Michigan located in and south of Manistee, Wexford, Missaukee, Rascommon, Ogemaw and Iosco Counties; (Q) *Acids and chemicals*, in bulk, in tank or hopper vehicles: from points in Washington to points in Massachusetts; (R) *Arsenic acid*, in bulk, in tank vehicles and agricultural insecticides, in bulk, in tank vehicles: from points in Washington to points in Alabama (except Bay Minette); (S) *Acids and chemicals*, in bulk, in tank or hopper vehicles: from points in Washington to points in Mississippi and Tennessee; (T) *Liquid chemicals*, in bulk, in tank or hopper vehicles: from points in Washington to points in Texas located in and east of Clay, Jack, Palo Pinto, Erath, Hamilton, Coryell, Bell, Williamson, Travis, Caldwell, Gonzales, De Witt, Goliad and Refugio Counties (except Brazoria, Chambers, Ft. Bend, Galveston, Harris, Liberty and Montgomery Counties); (U) *Acids and chemicals*, in bulk: from points in Washington to points in Louisiana; (V) *Acids and chemicals*, in bulk, from points in Washington to points in Connecticut, Georgia (except liquid hydrogen, liquid oxygen and liquid nitrogen to Georgia) and Indiana; (W) *Molasses*, in bulk, in tank vehicles: (1) from points in Washington to Muscatine, Louisiana; (2) from points in Washington to points in Illinois; (3) from points in Washington to points in Wisconsin located in and south of Grant, Iowa, Sauk, Columbia, Greenlake, Winnebago, Calumet and Brown Counties; (4) from points in Washington located in and west of Whatcom, Skagit, Snohomish, King, Kittitas, Yakima and

Klickitat Counties to points in Wisconsin located in Crawford, Richland, Vernon, La Crosse, Menominee Counties and that portion of Oconto and Marquette Counties on and south of Wisconsin Highway 64 including Marinette; (X) *Fats and oils* (except petroleum, petroleum products and molasses) in bulk, in tank vehicles: from points in Washington to points in Iowa and Wisconsin.

(Y) *Crude Soybean oils and inedible fats*, in bulk, in tank vehicles: (1) from points in Washington to Sherman, Texas; (2) from points in Washington to Chicago, Chicago Heights, East St. Louis, Decatur and Rockford, Ill., Port Ivory and New York City, N.Y., Cincinnati and Ivorydale, Ohio; and (Z) *Soybean oil, corn oil and salad oils*, in bulk, in tank vehicles: from points in Washington to points in New York (except Crude soybean oil to New York City and Port Ivory, N.Y.). The purpose of this filing is to eliminate the gateways of: (A), (B), (C) Kansas City, Mo.-Kansas City, Kans., commercial zone (Turner, Kans.); (D) Kansas City, Mo.-Kansas City, Kans., commercial zone (Turner, Kans.), and Marshall County, Ky.; (E) Kansas City, Mo.-Kansas City, Kans., commercial zone (Turner, Kans.) (F) Kansas City, Mo.-Kansas City, Kans., commercial zone (Turner, Kans.) Saginaw, Mo., and points within 15 miles thereof, and Woodstock, Tenn.; (G) Kansas City, Mo.-Kansas City, Kans., commercial zone (Turner, Kans.) Saginaw, Mo., and points within 15 miles thereof, and Columbia, Tenn.; (H) Kansas City, Mo.-Kansas City, Kans., commercial zones (Turner, Kans.), Saginaw, Mo., and points within 15 miles thereof, and Memphis, Tenn.; (I), (J) Olathe, Kans., and Kansas City, Kans., commercial zones (Turner, Kans.); (K) Olathe, Kans., and Kansas City, Kans.:, commercial zones (Turner, Kans.), and Lawrence, Kans.; (L) Olathe, Kans., and Kansas City, Kans., commercial zones (Turner, Kans.), and Tulsa, Okla.

(M) Olathe, Kans., and Kansas City, Kans., commercial zones (Turner, Kans.), and Muscatine, Iowa; (N) Olathe, Kans., and Kansas City, Kans., commercial zones (Turner, Kans.) and Dubuque, Iowa; (O) Olathe, Kans., and Kansas City, Kans., commercial zones (Turner, Kans.), and points in Arkansas within the Memphis, Tenn., Commercial zone; (P) Olathe, Kans., and Kansas City, Kans., commercial zones (Turner, Kans.), and the plantsite of Blockson Chemical Co., at or near Joliet, Ill.; (Q) Olathe, Kans., and Kansas City, Kans., commercial Zones (Turner, Kans.) and Tulsa, Okla.; (R) Olathe, Kans., and Kansas City, Kans., commercial zones (Turner, Kans.), and points in Arkansas within the Memphis, Tenn., Commercial zone; (S) Olathe, Kans., and Kansas City, Kans., commercial zones (Turner, Kans.) and Saginaw, Mo., and points within 15 miles thereof; (T) Olathe, Kans., and Kansas City, Kans., commercial zones (Turner, Kans.), and Verona, Mo.; (U), (V) Kansas City, Mo.-Kansas City, Kans., commercial zone (Turner, Kans.); (W) (1) Fargo, N. Dak.; (W) (2) Fargo, N. Dak., and Muscatine, Iowa; (W) (3)-(4) Fargo, N. Dak., Muscatine, Iowa, and points in Illinois within the Dubuque, Iowa commercial zone; (X) Nebraska; (Y) Nebraska and Iowa; and (Z) Nebraska and Clinton, Iowa.

No. MC 92983 (Sub-No. E81), filed June 4, 1974. Applicant: AMERICAN BULK TRANSPORT CO., P.O. Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregulator routes, transporting: (A) *Crude soybean oil*, in bulk, in tank vehicles: from points in Washington to points in Illinois (except Chicago, Chicago Heights, Decatur, East St. Louis and Rockford) and points in Ohio (except Cincinnati and Ivorydale); (B) *Soybean oil*, in bulk, in tank vehicles: (1) from points in Washington to points in Indiana; (2) from points in Washington to points in Michigan located in the Lower Peninsula and points in the Upper Peninsula located in Delta, Schoolcraft, Mackinac and Chippewa Counties located on and south and east of a line extending from the western border of Delta County along U.S. Highway 2 to junction with Interstate Highway 75, thence along Interstate Highway 75 to the northern border of Chippewa County including the cities thereon; (C) *Animal fats and oils*, in bulk, in tank vehicles: (1) from points in Washington to points in Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois except Chicago, Chicago Heights, East St. Louis, Decatur and Rockford, Indiana, Kentucky, Maine, Massachusetts, Maryland, New Hampshire, New Jersey, New York except New York City and Port Ivory, N.C., Ohio, except Cincinnati and Ivorydale, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia and West Virginia; (2) from points in Washington to points in Michigan except Iron, Baraga, Keweenaw, Houghton, Ontonagon and Gogebic Counties; (3) from points in Washington located in and west of Whatcom, Skagit, Snohomish, King Pierce, Lewis, Cowlitz and Clark Counties to points in Michigan located in Iron, Baraga, Houghton, and Keweenaw Counties and that portion of Ontanagon and Gogebic Counties located on and east of U.S. Highway 45.

(D) *Soybean oil foots*, in bulk, in tank vehicles: from points in Washington to points in Illinois on and north of Illinois Highway 17 except Bradley, Ill.; (E) *Acids*, in bulk, in tank vehicles: from points in Washington to Lecox, Okla.; (F) *Acids and chemicals* (except cryogenic liquids) in bulk, in tank or hopper vehicles: (1) from points in Washington to points in Iowa and points in South Dakota located in Minnehaha, Turner, Lincoln, Union, Clay and Yankton Counties and points in Minnesota located in and south of Rock, Murray, Cottonwood, Brown, Nicollet, Le Sueur, Scott, Dakota, Ramsey and Washington Counties; (2) from points in Washington to points in Kansas located in and east of Phillips, Rooks, Ellis, Ness, Hodgeman, Ford and Meade Counties and in and west of Marshall, Washington, Clay, Ottawa, Saline, McPherson, Reno, Kingman and Harper Counties; (G) *Vegetable oils*, in bulk, in tank vehicles: from points in Washington to points in New York and Pennsylvania; (H) *Polyvinyl acetate, linseed oil, linseed oil blends and products*, in bulk, in tank vehicles: from points in Washington to Houston, Tex.; (I) *Fats, oils, blends and products thereof* (except those derived from petroleum, soap products and patins) in bulk, in tank vehicles: from points in Washington to Memphis, Tenn.; (J) *Cottonseed oil, soybean oil, blends and products thereof* (except soap products and paints), in bulk, in tank vehicles: from points in Washington to Macon, Ga., and Jackson, Miss.; (K) *Vegetable oils and vegetable oil products*, in bulk, in tank vehicles: from points in Washington to points in Alabama, Georgia except Macon, Ga., and Louisiana; (L) *Vegetable oil products*, in bulk, in tank vehicles: from points in Washington to points in Mississippi (except Jackson).

(M) *Vegetable oil products*, in bulk, in tank vehicles: (1) from points in Washington located in and east of Okanogan, Chelan, Douglas, Grant and Benton Counties to points in Pennsylvania located in and south of Greene, Fayette, Somerset, Bedford, Fulton, Franklin, Perry, Dauphin, Schuylkill, Lehigh and Northampton Counties and points in New York located in and south and east of Orange and Dutchess Counties; (2) from points in Washington located in and west of Watcom, Skagit, Snohomish, King, Kittitas, Yamikima and Klickitat Counties to points in Pennsylvania located in and south and west of Washington, Allegheny, West Moreland, Indiana, Cambria, Centre, Clinton, Lycoming and Bradford Counties and points in New York located in and east of Chemung, Tompkins, Cortland, Onondaga and Oswego Counties; (N) *Vegetable and animal fats and oils*, in bulk, in tank vehicles: from points in Washington to points in Louisiana, Mississippi and Tennessee.

(O) *Vegetable and animal fats, and oils, in bulk, in tank vehicles:* (1) from points in Washington to points in Arkansas except Benton, Carroll, Madison, Washington and Crawford Counties; (2) from points in Washington to points in Texas located in and east of Lamar, Delta, Hopkins, Wood, Smith, Cherokee, Angelina, Trinity, San Jacinto, Liberty, Chambers and Galveston Counties; (3) from points in Washington located in and north of Gray's Harbor, Thurston, Pierce, Kittitas, Douglas, Okanogan, Lincoln and Spokane Counties to Houston, Tex.; (4) from points in Washington to points in Delaware, Florida, Kentucky, Maryland, North Carolina, New Jersey, South Carolina, Virginia and points in West Virginia except Pleasants, Tyler, Wetzel, Marshall, Ohio, Brooke and Hancock Counties; (5) from points in West Virginia located in Pleasants, Tyler, Wetzel, Marshall, Ohio, Brooke and Hancock Counties; (6) from points in Washington located in and east of Okanogan,

Chelan, Douglas, Grant and Benton Counties to points in Illinois located in and south of Randolph, Washington, Jefferson, Wayne, Richland and Crawford Counties and points in Indiana located in and south of Sullivan, Greene, Owen, Morgan, Johnson, Bartholomew, Decatur, and Franklin Counties and points in Ohio located in and south of Butler, Warren, Clinton, Highland, Ross, Hocking, Athens and Washington Counties; (7) from points in Washington located in and west of Whatcom, Skagit, Snohomish, King, Kittitas, Yakima and Klickitat Counties to points in Illinois located on and south of U.S. Highway 40 including the cities on U.S. Highway 40 and points in Indiana located on and south of U.S. Highway 40 including the cities of U.S. Highway 40 and points in Ohio located in and south of Preble, Montgomery, Clark, Madison, Franklin, Licking, Muskingum, Guernsey, Harrison and Jefferson Counties.

(P) *Fats and oils*, in bulk, in tank vehicles: from points in Washington to points in Arkansas; (Q) *Fats and oils* (except those used as feed ingredients) in bulk, in tank vehicles: from points in Washington to points in Ohio; and (R) *Fats and oils* (except those derived from Petroleum) in bulk, in tank vehicles: (1) from points in Washington to points in Illinois except Carroll, Ogle, Boone, Winnegabo, Stephenson and Jo Davies Counties and except Champaign and Jacksonville; and (2) from points in Washington located in and west of Whatcom, Skagit, Snohomish, King, Pierce, Lewis, and Skamania Counties to points in Illinois located in Carroll, Ogle, Boone, Winnebago and Stephenson Counties. The purpose of this filing is to eliminate the gateways of: (A) Nebraska and Manly, Iowa; (B) Nebraska and Muscatine, Iowa; (C) Nebraska and Dubuque, Iowa; (D) Nebraska and Iowa; (E) Nebraska; (F) Fremont, Nebr.; (G) St. Louis, Mo.; (H) Kansas City, Mo.; (I) Kansas; (J) Missouri and Memphis, Tenn.; (K), (L) Springfield, Mo., and Memphis, Tenn.; (M) Missouri and Memphis, Tenn.; (N) Kansas City, Kans.; (O) Kansas City, Kans., and Memphis, Tenn., and (P), (Q), (R) points in Missouri within the Dupo, Ill., commercial zone.

No. MC 113843 (Sub-No. E643) (Correction), filed May 17, 1974, published in the FEDERAL REGISTER June 19, 1975, and republished, as corrected, this issue. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits*, (3) From those points in Delaware and Maryland east of the Chesapeake Bay and south of the Chesapeake and Delaware Canal and on and north of a line beginning at the Delaware River and extending along Delaware Highway 8 to junction Delaware Highway 44, thence along Delaware Highway 44 to junction Delaware-Maryland Highway 300, thence along Delaware-Maryland Highway 300 to junction Delaware Highway 213, thence along Delaware Highway 213 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Chesapeake Bay, to those points in Texas on, south, and west of a line beginning at the Gulf of Mexico and extending along Texas Highway 44 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction Alternate U.S. Highway 77, thence along Alternate U.S. Highway 77 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction Interstate Highway 35E, thence along Interstate Highway 35E to Dallas, thence along U.S. Highway 75 to the Texas-Oklahoma State line; and (4) from those points in Delaware and Maryland (except Pocomoke City, Cambridge, and Crisfield) east of the Chesapeake Bay and south of a line beginning at the Delaware River and extending along Delaware Highway 8 to junction Delaware Highway 44, thence along Delaware Highway 44 to junction Delaware-Maryland Highway 300, thence along Delaware-Maryland Highway 300 to junction Delaware Highway 213, thence along Delaware Highway 213 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Chesapeake Bay, to those points in Texas on and west of a line beginning at the United States-Mexico International Boundary line and extending along U.S. Highway 57 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction Texas Highway 79, thence along Texas Highway 79 to the Texas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of Dundee, N.Y. The purpose of this correction is to correct the origin description. The remainder of the letter-notice remains as previously published.

No. MC 113855 (Sub-No. E94) (Correction), filed May 30, 1974, published in the FEDERAL REGISTER November 26, 1975, and May 19, 1976, and republished, as corrected, this issue. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. S.E., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *commodities* which because of their size or weight, require the use of special equipment, and related machinery, parts, and related contractors' materials and supplies when their transportation is incidental to the transportation of the above-specified commodities, and * * * (B) (v) between points in Carter, Fallon, Custer, Powder River, Rosebud, Treasure, Big Horn, Carbon, Stillwater, Sweetgrass, Wheatland, Golden Valley, Musselshell, and Yellowstone Counties, Montana, on the one hand, and, on the other, points in Nebraska on and east of U.S. Highway 281; (vi) between points in Montana, on the one hand, and, on the other, points in Kansas on and east of Kansas Highway 25; (points in South Dakota east of the Missouri River).* The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this correction is to correct Part (B) (v), (vi) which was incorrectly republished on May 19, 1976. The remainder of the letter-notice remains as previously published in November 26, 1975 FEDERAL REGISTER.

No. MC 114019 (Sub-No. E445), filed May 25, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise*, as is dealt in by wholesale and retail grocery business houses, from Cincinnati, Ohio, to points in that part of Illinois on, south, and west of a line beginning at the Illinois-Indiana State line, thence along Illinois Highway 33 to junction Illinois Highway 128, thence along Illinois Highway 128 to junction Illinois Highway 16, thence along Illinois Highway 16 to junction Illinois Highway 29, thence along Illinois Highway 29 to junction Illinois Highway 125, thence along Illinois Highway 125 to junction U.S. Highway 67, thence along U.S. Highway 67 to the Illinois-Iowa State line, and points in that part of Wisconsin on, west, and north of a line beginning at the Illinois-Wisconsin State line, thence along U.S. Highway 51 to junction Wisconsin Highway 73, thence along Wisconsin Highway 73 to junction U.S. Highway 151, thence along U.S. Highway 151 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction Wisconsin Highway 60, thence along Wisconsin Highway 60 to Lake Michigan. Restriction: The authority described above is restricted to shipments moving from, to, or between warehouses or other facilities of wholesale food business houses. The purpose of this filing is to eliminate the gateway of the warehouses and other storage facilities of the Colgate-Palmolive Company at Jeffersonville, Ind.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-20330 Filed 7-13-76;8:45 am]

[Notice No. 85]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 8, 1976.

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 on or before July 29, 1976. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must

identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 35807 (Sub-No. 58TA), filed June 30, 1976. Applicant: WELLS FARGO ARMORED SERVICE CORPORATION, P.O. Box 4313, Atlanta, Ga. 30302. Applicant's representative: H. E. Miller, Jr. (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, written instruments, and accounting media*, between De Funiak Springs, Fla., on the one hand, and, on the other, Dothan, Ala., prior and subsequent to intrastate movements by air, under a continuing contract with First National Bank of Birmingham, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: First National Bank of Birmingham, P.O. Box 11007, Birmingham, Ala. 35288. Send protests to: Sara K. Davis, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 1252 W. Peachtree St., N.W., Room 546, Atlanta, Ga. 30309.

No. MC 50069 (Sub-No. 514TA), filed June 30, 1976. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Ave., Oregon, Ohio 43616. Applicant's representative: Jack A. Gollan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refuse derived fuel (RDF) and other materials* recovered from municipal solid waste, in bulk, in tank vehicles, from Cockeysville, Md., to Spring Grove, Pa., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Teledyne National, 117 Church La., Cockeysville, Md. 21030. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Bldg., 234 Summit St., Toledo, Ohio 43604.

No. MC 64048 (Sub-No. 5TA), filed June 30, 1976. Applicant: CAPITAL CITY TRANSFER CO., P.O. Box 7168, Salem, Oreg. 97303. Applicant's representative: Daniel A. Ritter, 200 Pacific Bldg., Salem, Oreg. 97308. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New cans and can ends*, from Vancouver, Wash., to points in Marion and Multnomah Counties, and the cities of Hood River, Eugene, and Junction City, Oreg., for 180 days. Supporting shippers: National Can Corporation, 1657 Rollins Road, P.O. Box 1669, Burlingame, Calif. 94010; Truitt Bros. Inc., 1105 Front St. NE., Salem, Oreg. 97301; Agripac, Inc., 325 Patterson NW., Salem, Oreg. 97304; Diamond Fruit Growers, Inc., Hood River, Oreg.; Stayton Canning Co., P.O. Box 458, Stayton, Oreg. 97383. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 555 SW. Yamhill St., Portland, Oreg. 97204.

No. MC 64048 (Sub-No. 6TA) filed June 30, 1976. Applicant: CAPITAL CITY TRANSFER CO., P.O. Box 7168, Salem, Oreg. 97303. Applicant's representative: Daniel A. Ritter, 200 Pacific Bldg., Salem, Oreg. 97308. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New cans and can ends*, from Salem, Oreg., to the Washington cities of Sunnyside, Moses Lake, Yakima, Dayton, Waitsburg, Seattle, Tuckwilla, Tacoma, Olympia, Aberdeen, Standwood, Everson, Burlington, LaConner, Ferndale, Prosser, and Spokane, for 180 days. Supporting shipper: American Can Company, 355 Gellert Blvd., Daly City, Calif. 94015. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, 555 SW. Yamhill St., Portland, Oreg. 97204.

No. MC 111397 (Sub-No. 116TA), filed June 30, 1976. Applicant: DAVIS TRANSPORT, INC., 1345 South 4th St., P.O. Box 1139, Paducah, Ky. 42001. Applicant's representative: H. S. Melton, Jr., P.O. Box 1407, Paducah, Ky. 42001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ganulated slag*, in bulk and in bags, between Memphis, Tenn., on the one hand, and, on the other, Grenada and West Point, Miss.; Mobile, Ala.; Paducah and Mayfield, Ky.; St. Louis, Mo.; and West Memphis, Ark., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: David M. Steffen, Assistant Traffic Manager, H. B. Reed & Company, Inc., 8149 Kennedy Ave., Highland, Ind. 46322. Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite 2006, 100 North Main St., Memphis, Tenn. 38103.

No. MC 111611 (Sub-No. 27TA), filed June 25, 1976. Applicant: NOERR MOTOR FREIGHT, INC., 205 Washington Ave., Lewistown, Pa. 17044. Applicant's representative: William D. Taylor, 100 Pine St., Suite 2550, San Francisco, Calif. 94111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Brass rods or brass unfinished shapes* in straight or mixed loads, from Bellefonte, Pa., to Chickasha, Okla.; and (b) Brass Scrap, from Chickasha, Okla., to Bellefonte, Pa., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Cerro Metal Products, Division of Cerro-Marmon Corporation, P.O. Box 388, Bellefonte, Pa. 16823. Send protests to: Robert P. Ameine, District Supervisor, Interstate Commerce Commission, 278 Federal Bldg., P.O. Box 869, Harrisburg, Pa. 71708.

No. MC 128988 (Sub-No. 82TA), filed June 30, 1976. Applicant: JO/KEL, INC., 159 South Seventh Ave., P.O. Box 1249, City of Industry, Calif. 91749. Applicant's representative: Patrick E. Quinn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those which because of size or weight require the use of special equipment), from the facilities of Westinghouse Electric Corporation located at or near Masury, Ohio, to points in the United States on and west of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary Line between the United States and Canada, under a continuing contract with Westinghouse Electric Corporation of Pittsburgh, Pa., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Westinghouse Electric Corporation, 290 Leger Road, North Huntingdon, Pa. Send protests to: Walter W. Strakosch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 135384 (Sub-No. 20TA), filed June 30, 1976. Applicant: SPECIALIZED TRUCK SERVICE, INC., Highway 81 & I-75, Route 3, McDonough, Ga. 30253. Applicant's representative: Frank D. Hall, Suite 713, 3384 Peachtree Road, N.E., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, empty malt beverage containers, and related advertising material*, between San Antonio, Tex., on the one hand, and, on the other, points in California, Missouri, Maryland, and North Carolina. Applicant intends to tack its existing authority with MC 135384, MC 135384 (Sub-No. 5) and (Sub-No. 14), for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Lone Star Brewing Company, 600 Lone Star

Blvd., San Antonio, Tex. 78206. Send protests to: Sara K. Davis, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 1252 W. Peachtree St., N.W., Room 546, Atlanta, Ga. 30309.

No. MC 135616 (Sub-No. 7TA), filed June 29, 1976. Applicant: PERRYSBURG TRUCKING CO., INC., 24928 Thompson Road,, Perrysburg, Ohio 43551. Applicant's representative: Herbert Alan Dubin, 1819 H St., N.W., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Flat glass*, from the facilities of ASG Industries, Inc., located at or near Kingsport and Greenland, Tenn., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, West Virginia, Wisconsin, and the District of Columbia, under a continuing contract with ASG Industries, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: ASG Industries, Inc., P.O. Box 929, Kingsport, Tenn. 37662. Send protests to: Keith D. Warner, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 313 Federal Office Bldg., 234 Summit St., Toledo, Ohio 43604.

No. MC 135733 (Sub-No. 4TA), filed June 29, 1976. Applicant: LETCO BULK CARRIERS, INC., 1751 Fuhrman Blvd., Buffalo, N.Y. 14203. Applicant's representative: Robert D. Gunderman, Suite 710, Statler Hilton, Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Buffalo, N.Y., to the port of entry on the International Boundary between the United States and Canada located at Buffalo, N.Y., restricted to the transportation of traffic destined to points in the province of Ontario, Canada, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Huron Cement, Division National Gypsum Company, Honeywell Center, 17515 West Nine Mile Road, Southfield, Mich. 48075. Send protests to: George M. Parker, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 910 Federal Bldg., 111 West Huron St., Buffalo, N.Y. 14202.

No. MC 138258 (Sub-No. 2TA), filed June 30, 1976. Applicant: JAMES D. WILCOX, 210 Depot St., Boone, N.C. 28607. Applicant's representative: Douglas W. Green, 100 E. King St., P.O. Box 629, Boone, N.C. 28607. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hand-saw blades, finished and unfinished; and electrical parts and components*, between Lansing, N.C., and Johnson City, Kingsport, and Bristol, Tenn., and their commercial zones. Applicant intends to tack its existing authority with MC 138258 (Sub-No. 1), applicant also intends to interline at East Tennessee and Western North Carolina Motor Lines, Terminal, Johnson City, Tenn., for 180 days. Supporting shippers: Vermont American Corp. Boone Division, State Farm Rd., Boone, N.C. 28607. IRC, Boone Division of TRW, Inc., Greenway Rd., Boone, N.C. 28607. Sprague Electric Co., Lansing, N.C. 28643. Send protests to: Terrell Price, District Supervisor, 800 Briar Creek Rd., Room CC516, Mart Office Bldg., Charlotte, N.C. 28205.

No. MC 139658 (Sub-No. 11TA), filed June 30, 1976. Applicant: HARRY POOLE, INC., 2322 Kinsington Road, Macon, Ga. 31201. Applicant's representative: William Addams, Suite 212, 5299 Roswell Road, NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal and coke*, in bulk, in dump trucks, from points in Jefferson, Walker, Blount, Cullman, Winston, Tuscaloosa, Fayette, Lamar, and Marion Counties, Ala., to points in Mississippi, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting Shipper: Birmingham Coal and Coke Company, Inc., 4363 1st Ave., North, Birmingham, Ala. 35222. Send protests to: Sara K. Davis, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 1252 W. Peachtree St., N.W., Room 546, Atlanta, Ga. 30309.

No. MC 142200TA, filed June 30, 1976. Applicant: DERALD J. McGLAUCHLEN, P.O. Box 127, Milton, Ill. 62352. Applicant's representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Crushed stone*, in bulk, from points in Lewis, Marion, Pike, and Ralls Counties, Mo., to Quincy, Ill., and the Commercial Zone of Quincy, Ill., and points in Morgan and Scott Counties, Ill.; (2) *Sand*, in bulk, from points in Lewis, Marion, and Pike Counties, Mo., to Quincy, Ill., and the Commerical Zone of Quincy, Ill., and points in Morgan and Scott Counties, Ill., and (3) *Gravel*, in bulk, from points in Lewis County, Mo., to Quincy, Ill., and the Commercial Zone of Quincy, Ill., and points in Morgan and Scott Counties, Ill., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Francis E. Gregory, Vice-President, Illinois Valley Paving Co., P.O. Box 333, Bluffs, Ill. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 142201TA, filed June 30, 1976. Applicant: BELGIUM STANDARD WASTE MANAGEMENT LIMITED, 69 Maplecrete Road, Concord, Ontario, Canada L4K 1B1. Applicant's representative: Michael Belilewech, Jr., 20 Cathedral Park, Buffalo, N.Y. 14202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Food waste material*, in specially designed fully enclosed containers, mounted on truck or trailer chassis and *empty containers* on return, restricted to transportation under a continuing contract or contracts with Bakery Salvage Corp., Foot of Fisher St., West Seneca, N.Y., between ports of entry on the International Boundary between the United States and Canada, on the Niagara River, on the one hand, and, on the other, the Town of West Seneca, N.Y. Applicant intends to tack, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Bakery Salvage Corp., Foot of Fisher Road, West Seneca, N.Y. Send protests to: George M. Parker, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 910 Federal Bldg., 111 West Huron St., Buffalo, N.Y. 14202.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-20331 Filed 7-13-76;8:45 am]

[Notice No. 86]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 9, 1976.

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 and/or before July 29, 1976. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 2135 (Sub-No. 13TA), filed July 2, 1976. Applicant: D. J. McNICHOL CO., 6951 Norwotch Drive, Philadelphia, Pa. 19153. Applicant's representative:

Hugh M. Dever (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foods, commodities and equipment* as are used in connection with the operation of cafeterias, between Philadelphia, Pa., and points in Maine, New Hampshire, and Vermont, under a continuing contract with ARA Services, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: ARA Services, Inc., 11451 Roosevelt Blvd., Philadelphia, Pa. 19154. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 51146 (Sub-No. 469TA), filed July 1, 1976. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, P.O. Box 2298, Green Bay, Wis. 54304. Applicant's representative: Neil A. DuJardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, and return of empty pallets, dunnage materials, and returned, refused, and rejected merchandise* in the reverse direction, from Richmond, Va., to points in Minnesota, Iowa, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, West Virgina, Virginia, Maryland, Delaware, Pennsylvania, New York, New Jersey, Maine, Vermont, New Hampshire, Connecticut, Rhode Island, Massachusetts, and the District of Columbia, for 180 days. Supporting shipper: Reynolds Metals Company, P.O. Box 27003. Richmond, Va. 23261. Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 56409 (Sub-No. 9TA), filed July 2, 1976. Applicant: MAJOR TRANSPORT, INC., Box 204, Highway 135 and Airport Rd., Palmyra, Wis. 53156. Applicant's representative: David V. Purcell, 111 E. Wisconsin Ave., Milwaukee, Wis. 53202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass pellets*, from the plantsite and facilities of Warren's Turn Nursery, Inc., in Jefferson County, Wis., to Toledo, Ohio and points in Alabama, Arkansas, Georgia, Illinois, Maryland, Massachusetts and Pennsylvania; and (2) *Shipper owned trailers and equipment, materials and supplies* used in the growing, harvesting, processing or distribution of the commodities described in (1) above, or ingredients thereof, between Suisun City, Calif.; Denver, Colo.; Boise, Idaho; Anderson, Ind.; Burlington and Des Moines, Iowa; Goodland and Wichita, Kans.; Bangor, Maine; Marlette, Mich.; Anoka, Minneapolis and St. Paul, Minn.; Centerville, Md.; Kansas City, Mo.; Omaha and Ord, Nebr.; Hightstown, N.J.; Plymouth, Ohio; Pittsburgh, Pa.; West Kingston, R.I.; Rapid City, S. Dak.; Oshkosh, Wis.; and points in Jefferson County, Wis., Illinois and New York, restricted to traffic originating at or destined for the plantsites, facilities or associate growers of Warren's Turf Nursery, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Warren's Turf Nursery, Inc., 8400 West 111th St., Palos Park, Ill. 60464. Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 59583 (Sub-No. 156TA), filed July 2, 1976. Applicant: THE MASON & DIXON LINES, INC., Eastman Road, P.O. Box 969, Kingsport, Tenn. 37664. Applicant's representative: Kim D. Mann, 918 Sixteenth St., NW., Suite 702, Washington, D.C. 20006. 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, commodities in bulk and those requiring special equipment), serving the plantsite and facilities of Tennessee Valley Authority Hartsville Nuclear Plant, located at or near Hartsville, Trousdale County, Tenn., as off-route points in connection with carrier's other regular-route operations. Applicant intends to tack its existing authority with MC 59583, applicant also intends to interline at points authorized in existing authority, MC 59583 and subsnumbers thereunder, for 180 days. Supporting shipper: Tennessee Valley Authority, Chattanooga, Tenn. 37401. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, Tenn. 37203.

No. MC 64932 (Sub-No. 562TA), filed July 1, 1976. Applicant: ROGERS CARTAGE CO., 10735 South Cicero Ave., Oak Lawn, Ill. 60453. Applicant's representative: William F. Farrell (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, from the plantsite of E. I. DuPont DeNemours & Co., Montague, Mich., to Boulder, Colo., for 180 days. Supporting shipper: E. I. DuPont DeNemours & Co., Inc., Charles W. Verna, Jr., Coordinator, Bulk Transportation, Transportation & Distribution Dept., Wilmington, Del. 19898. Send protests to: Patricia A. Roscoe, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Bldg., Room 1386, 219 S. Dearborn St., Chicago, Ill. 60604.

No. MC 95876 (Sub-No. 186TA), filed July 2, 1976. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave., North, P.O. Box 1377, St. Cloud, Minn. 56301. Applicant's representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay pipe, pipe fittings, pipe joints, and accessories, and materials and supplies* used in the installation thereof, from the plantsite and warehouse facilities of Clow Corporation, at or near Carol Stream, Ill., to points in Minnesota, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Clow Corporation, 1211 West 22nd St., Oak Brook, Ill. 60521. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 414 Federal Bldg., & U.S. Courthouse, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 100666 (Sub-No. 325TA), filed July 1, 1976. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 N.W. 58th St., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particleboard*, from the plantsite and warehouse facilities of Vanply, Inc., at or near Many, La., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee and Texas, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Vanply, Inc., P.O. Box 8289, Charlotte, N.C. 28208. Send protests to: Ray C. Armstrong, Jr., District Supervisor, 701 Loyola Ave., 9038 Federal Bldg., New Orleans, La. 70113.

No. MC 100666 (Sub-No. 326TA), filed July 1, 1976. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul L. Caplinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum board paper*, from Anniston, Ala., to Rotan, Tex., and Medicine Lodge, Kans., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Gold Bond Building Products Division National Gypsum Company, General Distribution Manager, Southern Region, 325 Delaware Ave., Buffalo, N.Y. 14202. Send protests to: Ray C. Armstrong, Jr., District Supervisor, 701 Loyola Ave., 9038 U.S. Postal Service Bldg., New Orleans, La. 70113.

No. MC 110525 (Sub-No. 1160TA), filed June 30, 1976. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Ave., 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: *Terephthalic acid*, in dry bulk tank vehicles, from DuPont Cape Fear plant near Phoenix, N.C., to the DuPont Old Hickory, Tenn., Plant, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: E. I. DuPont De Nemours & Co., 1007 Market St., Wilmington, Del. 19898. Send protests to:

Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 113325 (Sub-No. 144TA), filed July 1, 1976. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South 7th St., St. Louis, Mo. 63104. Applicant's representative: T. M. Tahan (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, from the facilities of suppliers of Chemical Interchange Co., at or near Blytheville, Ark., Depue, Marseilles and Wood River, Ill., Flint, Grand Rapids, Kalamazoo, Mt. Clemens, Port Huron and Warren, Mich., Louisiana, Mo., to points in Arkansas, Illinois, Indiana, Kentucky, Michigan, Missouri, Tennessee and Wisconsin, for 180 days. Supporting shipper: Chemical Interchange Company, 11 South Meramec, Suite 1104, St. Louis, Mo. 63105. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 N. 12th St., St. Louis, Mo. 63101.

No. MC 120257 (Sub-No. 29TA), filed July 2, 1976. Applicant: K. L. BREEDEN & SONS, INC., 401 Alamo St., Terrell, Tex. 75160. Applicant's representative: Bernard H. English, 6270 Firth Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum board paper*, from Anniston, Ala., to Rotan, Tex., and Medicine Lodge, Kans., for 180 days. Supporting shipper: Gold Bond Building Products Division, National Gypsum Company, 325 Delaware Ave., Buffalo, N.Y. 14202. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commission, 1100 Commerce St., Room 13C12, Dallas, Tex. 75242.

No. MC 120527 (Sub-No. 28TA), filed July 2, 1976. Applicant: K. L. BREEDEN & SONS, INC., 401 Alamo St., Terrell, Tex. 75160. Applicant's representative: Bernard H. English, 6270 Firth Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particleboard*, from the plantsite and warehouse facilities of Vanply, Inc., at or near Many, La., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee and Texas, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Vanply, Inc., Box 8289, Charlotte, N.C. 28208. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commisison, 1100 Commerce St., Room 13C12, Dallas, Tex. 75242.

No. MC 123111 (Sub-No. 9TA), filed July 1, 1976. Applicant: QUEENSWAY TANK LINES, LIMITED, Queensway Road, Chesterville, Ontaria, Canada. Applicant's representative: S. Harrison Kahn, Suite 733 Investment Bldg., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic liquid detergents*, in bulk, in tank vehicles, from Hoboken, N.J., to ports of entry on the United States-Canada boundary line in the state of New York, restricted to international commerce; deliveries to be accomplished in Ottawa and Toronto, Canada, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: G. B. Andre de la Porte, Asst. Marketing Manager, Henkel Chemical Canada, Ltd., 9550 Ray Lawson Blvd., Montreal, Quebec, Canada. Send protests to: Morris H. Gross, District Supervisor, Interstate Commerce Commission, Room 104, 301 Erie Blvd., West, Syracuse, N.Y. 13202.

No. MC 124027 (Sub-No. 12TA), filed July 2, 1976. Applicant: MIDWEST BULK, INC., 901 Lyndale Ave., P.O. Box 726, Neenah, Wis. 54956. Applicant's representative: Frank M. Coyne, 25 W. Main St., Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cinders*, in bulk, from Kaukauna, Wis., to West Chicago, Ill., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Thilmany, Pulp & Paper Co., Thilmany Road, Kaukauna, Wis. 54130. Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 124078 (Sub. No. 692TA), filed July 1, 1976. Applicant: SCHWERMAN TRUCKING COMPANY, 611 South 28 St., Milwaukee, Wis: 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as *a common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, detergents, emulsions, floor finishes, liquid cleaners and latex*, in bulk, in tank vehicles, from Merton, Wis., to points in Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin, for 180 days. Supporting shipper: Essential Chemicals Corp., 28391 Essential Road, Merton, Wis. 53056. Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 124964 (Sub-No. 26TA), filed July 1, 1976. Applicant: JOSEPH M. BOOTH, doing business as J. M. BOOTH TRUCKING, P.O. Box 907, Eustis, Fla. 32726. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products*, from Hialeah, Fla., to Bridgeport, Conn., under a continuing contract with The Grand Union Company, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: The Grand Union Company, 535 E. Crescent Ave., Ramsey, N.J. 07446. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West May St., Jacksonville, Fla. 32202.

No. MC 125533 (Sub-No. 13TA), filed July 1, 1976. Applicant: GEORGE W. KUGLER, INC., 2800 East Waterloo Road, P.O. Box 6064, Akron, Ohio 44312. Applicant's representative: John P. McMahon, 100 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products and refractories and materials and supplies* used in the installation of clay products and refractories, from the facilities of Clow Corporation, at Carol Stream, Ill., to points in Minnesota, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Clow Corporation, 10002 Executive Plaza East, 1211 West 22nd St., Oak Brook, Ill. 60521. Send protests to: James Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Bldg., 1240 East Ninth St., Cleveland, Ohio 44199.

No. MC 127012 (Sub-No. 2TA), filed June 30, 1976. Applicant: WILLIAM B. HUFF, Rt. 1 Box 136, Spanish Fork, Utah 84660. Applicant's representative: William B. Huff (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in packages, from Solar, Utah, to points in Arizona, for 180 days. Supporting shipper: American Salt Company, 3142 Broadway, Kansas City, Mo. 64111. Send protests to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Bldg., 125 South State St., Salt Lake City, Utah 84138.

No. MC 128356 (Sub-No. 12TA), filed July 2, 1976. Applicant: DOWNINGTOWN TRAILER CARRIERS, INC., 640 W. Boot Road, West Chester, Pa. 19380. Applicant's representative: Byron R. LaVan, Suite 400, 117 S. 17th St., Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New trailers* (except for house trailers and trailers designed to be drawn by passenger autos) *and parts thereof* in truckaway service in initial movement, from the plantsites of the Budd Company, in Downingtown and Honeybrook, Pa., and Florence, N.J., to points in Alabama, Arkansas, California, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Oregon, South Carolina, Tennessee, Texas, Washington, and Wisconsin in initial movement, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Budd

Company, Route 100, Downingtown, Pa. 19335. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 129290 (Sub-No. 1TA), filed July 2, 1976. Applicant: MACKINAW COMPANY, 1500 Pine St., Essexville, Mich. 48732. Applicant's representative: John W. Bryant, 900 Guardian Bldg., Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in tank vehicles, from the plantsite of Martin-Marietta Corporation (Martin-Maretta Cement, Northern Division), at Essexville, Mich., to the International Boundary between the United States and Canada, at Detroit, Mich., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: Lake Ontario Cement Ltd., P.O. Box 620, Picton, Ontario, Canada. Martin-Marietta Corporation, Martin-Marietta Cement, Northern Division, 606A Davenport Bank Bldg., Davenport, Iowa 52808. Send protests to: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 225 Federal Bldg., Lansing, Mich. 48910.

No. MC 129480 (Sub-No. 24TA), filed July 1, 1976. Applicant: TRI-LINE EXPRESSWAYS, LTD., 550 71st Ave., S.E., P.O. Box 5245, Calgary, Alberta, Canada T2H 086. Applicant's representative: Leslie R. Kehl, Suite 1600 Lincoln Center Bldg., 1660 Lincoln St., Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural chemicals* (except in bulk), from Des Moines, Iowa and the plantsite and warehouse facilities of Monsanto Co., at or near Muscatine, Iowa, to points of entry located on the International Boundary line between the United States and Canada, in Montana, North Dakota and Minnesota, restricted to transportation of shipments destined to points in Alberta, Saskatchewan and Manitobe Provinces, Canada, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Richard E. Schrick, Agricultural Transportation Supervisor, Monsanto Company, 800 North Lindbergh Blvd., St. Louis, Mo. 63166. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, 2602 First Ave., North, Billings, Mont. 59101.

No. MC 136228 (Sub-No. 21TA), filed July 1, 1976. Applicant: LUISI TRUCK LINES, INC., New Walla Walla, P.O. Box 606, Milton-Freewater, Oreg. 97862. Applicant's representative: Philip G. Skofstad, 18448 S.E. Pine St., Portland, Oreg. 97220. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh hanging, fresh and frozen boxed meat*, from Wallula, Wash., to Reno, Nev., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Columbia Foods, Inc., P.O. Box 926, Pasco, Wash. 99301. Send protests to: W. J. Huetig, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 138575 (Sub-No. 5TA), filed July 2, 1976. Applicant: GWINNER OIL CO., INC., Gwinner, N. Dak. 58040. Applicant's representative: James B. Hovland, 425 Gate City Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements and parts and accessories* for agricultural implements, from the facilities of Clark Equipment Co., Melroe Division at or near Cooperstown, N. Dak., to the ports of entry on the International Boundary Line between the United States and Canada, located at or near Westhope, Pembina, Portal and San Haven, N. Dak., and Sweetgrass and Raymond, Mont., restricted to a transportation service to be performed under a continuing contract or contracts with Clark Equipment Co., Melroe Division, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Clark Equipment Co., Melroe Division, Gwinner, N. Dak. 58040. Send protests to: Ronald R. Mau, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 138991 (Sub-No. 13TA), filed July 2, 1976. Applicant: K. J. TRANSPORTATION, INC., P.O. Box 9764, 1000 Jefferson Road, Rochester, N.Y. 14623. Applicant's representative: S. Michael Richards, 44 North Ave., Webster, N.Y. 14580. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wooden kitchen cabinets, bathroom vanities, shower enclosures and disposals*, from Rochester, N.Y., to Orlando, Miami and Tampa, Fla.; Rome, Ga.; Alsip, Addison and Chicago, Ill.; Kansas City, Kans.; Louisville, Ky.; Frederick, Md.; Boston and Chelsea, Mass.; Detroit and Grand Rapids, Mich.; Minneapolis, Minn.; St. Louis, Mo.; Omaha, Nebr.; Hicksville, N.Y.; Cleveland and Fairfield, Ohio; Philadelphia, Pittsburgh and Wayne (Delaware Co.), Pa.; Memphis, Tenn., and New Berlin, Wis., under a continuing contract with Villa Manufacturing, Inc. (Div. of G. J. Industries), for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Merrill Chaffin, Vice-President, Villa Manufacturing, Inc. (Div. of G. J. Industries), 1 Curlew St., Rochester, N.Y. 14606. Send protests to: Morris H. Gross, District Supervisor, Interstate Commerce Commission, Room 104, 301 Erie Blvd., West, Syracuse, N.Y. 13202.

No. MC 139312 (Sub-No. 4TA) filed July 1, 1976. Applicant: JOE H. TIDWELL, doing business as NORTHEAST TRUCK BROKERS, P.O. Box 826, Pharr, Tex. 78577. Applicant's representative: Thomas R. Kingsley, 1819 H St., N.W., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used clothing, used rags and used burlap*, from points in Indiana and Mississippi, to Nogales, Ariz.; McAllen, Tex.; and ports of entry on the United States-Mexico boundary line in Texas, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Johnson Waste Materials, Inc., 2809 Boca Chica Blvd., Brownsville, Tex. 78520. Send protests to: Richard H. Dawkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room B-400 Federal Bldg., 727 East Duranego Blvd., San Antonio, Tex. 78206.

No. MC139686 (Sub-No. 2TA), filed July 2, 1976. Applicant: ABC TRANSIT CO., INC., 11440 West Center Road, Omaha, Nebr. 68144. Applicant's representative: Patrick E. Quinn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated shipping containers*, from the plantsite of the Weyerhaeuser Company, at Omaha, Nebr., to Valmeyer, Ill., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: E. A. Coxhead, Manager, Transportation, Weyerhaeuser Company, 110 S. Wacker Drive, Chicago, Ill. 60606. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 N. 14th St., Omaha, Nebr. 68102.

No. MC 140709 (Sub-No. 3TA) filed July 2, 1976. Applicant: FRANKHAUSER BROTHERS, INC., 139 Hillside, El Dorado, Kans. 67042. Applicant's representative: Clyde N. Christey, 514 Capitol Federal Bldg., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road oils and asphalt*, from the Apco Refinery, at or near Arkansas City, Kans., to points in Missouri south of U.S. Interstate Highway 70 and west of Missouri state Highway 19, for 180 days. Applicants has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Hydrocarbon Specialties, Inc., P.O. Box 6, Joplin, Mo. 64801. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 501 Petroleum Bldg., Wichita, Kans. 67202.

No. MC 141990 (Sub-No. 1TA) (Correction), filed May 27, 1976, published in the FEDERAL REGISTER issues of June 14, 1976, and June 30, 1976, and republished as corrected this issue. Applicant: G & L TRUCKING AND LEASING CO., Gibson Road, SE., Camden, Ark. 71701. Applicant's representative: Julian D. Streett, 139 Jackson St., Camden, Ark. 71701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rock, clay, dirt, gravel, wash gravel and sand*, in bulk, from points in Calhoun, Ouachita and

Columbia Counties, Ark., to East Carroll, West Carroll, Morehouse, Union, Clairborne, Webster, Bossier, Caddo, De Soto, Red River, Bienville, Lincoln, Ouachita, Richland and Madison Parishes, La., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Triangle Gravel Co., Inc., P.O. Box 4430, Monroe, La. 71201. Send protests to: William H. Land, Jr., District Supervisor, Interstate Commerce Commission, 3108 Federal Office Bldg., 700 West Capitol, Little Rock, Ark 72201. The purpose of this republication is to correct the territorial description in this proceeding.

PASSENGER APPLICATION

No. MC 140113 (Sub-No. 5TA), filed July 2, 1976. Applicant: MAPLEWOOD EQUIPMENT COMPANY, 419 Anderson Ave., Fairview, N.J. 07022. Applicant's representative: Edward F. Bowes, P.O. Box 1409, 167 Fairfield Road, Fairfield, N.J. 07006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, between the Port Authority of New York and New Jersey Bus Terminal, 40th St., and 8th Ave., New York, N.Y., and the office and warehouse site of Walter Kane & Son, Inc., 90 Triangle Blvd., Carlstadt, N.J., under a continuing contract with Walter Kane & Son, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Walter Kane & Son, Inc., 90 Triangle Blvd., Carlstadt, N.J. 07072. Send protests to: Joel Morrows, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 9 Clinton St., Newark, N.J. 07102.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-20332 Filed 7-13-76;8:45 am]

federal register

WEDNESDAY, JULY 14, 1976

PART II:

FEDERAL ELECTION COMMISSION

■

ADVISORY OPINIONS

List of Requests

FEDERAL ELECTION COMMISSION

[Notice 1976–35, AOR 1976–27 through 1976–42]

ADVISORY OPINIONS

List of Requests

Pursuant to 2 U.S.C. 437f(c) and the procedures reflected in Part 112 of the Commission's Notice of Proposed Rulemaking, published on May 26, 1976 (41 FR 21590), advisory opinion requests 1976–27 through 1976–42 have been made public at the Commission. A copy of the original request is 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 descriptive listing of each of the requests recently made public as well as the identification of the requesting party follows hereafter:

AOR 1976–27: Fundraising events of American Bakers Association Bread PAC; method of obtaining authorization to solicit attending representatives. Requested by Robert J. Wager, Treasurer, Bread PAC, Washington, D.C.

AOR 1976–28: Sale by GOP Feminist Caucus of "Betty's Husband for President in '76" buttons the cost of which is expected to be less than $1,000. Requested by Bonny Miller, State Coordinator, GOP Feminist Caucus, Minneapolis, Minnesota.

AOR 1976–29: Whether news publications or broadcasts regarding a candidate's activities by a newspaper or radio station owned in part by the candidate are "expenditures". Requested by Congressman William L. Armstrong, U.S. House of Representatives.

AOR 1976–30: Whether a theater corporation may provide its facilities to a candidate's committee at its usual reduced group rate. Requested by John Papini, Treasurer, Pete Stark Re-election Committee, Oakland, California.

AOR 1976–31: Whether a church membership list to be used for a candidate's direct mailing campaign is a contribution in kind. Requested by Robert J. Billings, Highland, Indiana.

AOR 1976–32: Solicitation of campaign contributions through the use of a constituent mailing list compiled prior to and during a Member's term. Requested by Congressman Edwin B. Forsythe, U.S. House of Representatives.

AOR 1976–33: Whether the interest earned on bingo game receipts not raised in compliance with the Federal election laws may be deposited in a Federal campaign account and used for Federal campaign purposes. Requested by Henry L. Greenwood, Treasurer, 8th Congressional District Democratic Party of Michigan, Saginaw, Michigan.

AOR 1976–34: Whether the occasional furnishing of materials by the Republican Conference, the Policy Committee, or the Research Committee to non-incumbent candidates must be reported. Requested by Congressman John B. Anderson, U.S. House of Representatives.

AOR 1976–35: Sufficiency of notice which is to appear on all solicitations or advertisements of an unauthorized political action committee. Requested by Mark Weimer, Chairman, Citizens for Carter, New York, New York.

AOR 1976–36: Whether the Republican Congressional Boosters Club may advance up to $100,000 to a Republican National Convention Gala bank account which advance will be guaranteed and returned by the National Republican Senatorial Committee. Requested by Senator Ted Stevens, National Republican Senatorial Committee, Washington, D.C.

AOR 1976–37: Whether the various levels of the Minnesota Democratic Farmer Labor Party are a single committee or person with a single contribution limit and whether the Party's Federal account is a multicandidate committee. Requested by Rick Scott, DFL State Chair, Minnesota Democratic Farmer Labor Party, Minneapolis, Minnesota.

AOR 1976–38: Whether the provision of courtesy audio and video feeds by the national networks to the Democratic National Convention Committee is a corporate contribution Requested by Ralph J. Gerson, Counsel, Democratic National Committee, Washington, D.C.

AOR 1976–39: Notice required on an individual's personal letter soliciting contributions; sufficiency of notice appearing on the stationery of a candidate's authorized committee if used by the candidate, the committee, or any individual. Requested by Joseph E. Windmeyer, Chairman, Moreau Congressional Campaign Committee, Ungar, Dulitz, Jacobs and Manuel, New Orleans, Louisiana.

AOR 1976–40: Whether the Boeing Company's Civil Pledge Program which involves the solicitation and forwarding of political contributions of management employees requires the registration and reporting of a political committee. Requested by Congressman Joel Pritchard, U.S. House of Representatives.

AOR 1976–41: Whether a defeated Senatorial primary candidate may transfer $15,000 from his political committee to the National Republican Senatorial Committee. Requested by Senator Ted Stevens, National Republican Senatorial Committee, Washington, D.C.

AOR 1976–42: Whether Metropolitan Life Insurance Company may solicit contributions from the officers of its home office and other executive and administrative personnel. Requested by John J. Creedon for Metropolitan Employees' Political Participation Fund A, New York, New York.

Dated: July 8, 1976.

VERNON W. THOMSON,
Chairman for the
Federal Election Commission.

[FR Doc.76–20154 Filed 7–13–76;8:45 am]

federal register

WEDNESDAY, JULY 14, 1976

PART III:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Consumer Affairs and Regulatory Functions

■

MOBILE HOME CONSUMER MANUAL REQUIREMENTS

Proposed Rule

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Consumer Affairs and Regulatory Functions

[24 CFR Part 3283]

[Docket No. R-76-390]

MOBILE HOME CONSUMER MANUAL REQUIREMENTS

Proposed Rule

Under the National Mobile Home Construction and Safety Standards Act of 1974, 42 USC 5401, (hereinafter, the "Act") the Department of Housing and Urban Development has issued Federal mobile home construction and safety standards, 24 CFR Part 280, at 40 FR 58752 and regulations through which those standards will be enforced, 24 CFR Part 3282, at 41 FR 19846, May 13, 1976. Section 617 of the Act, 42 USC 5416, requires the Secretary to develop guidelines for a consumer manual which is to be provided with each mobile home that is manufactured under the Federal standards. The Secretary is now proposing regulations to establish those guidelines and to assure proper distribution of the manuals.

On October 14, 1975, the Department sought comment on the required consumer manual through an advance notice of proposed rulemaking published at 40 FR 48141. That notice also requested comments on the provisions of section 614(g) of the Act with respect to performance and technical data related to performance and safety which should be provided by manufacturers to prospective purchasers of mobile homes. This proposed rulemaking does not deal with that type of data and relates only to the consumer manual requirement.

The Department received 26 comments as a result of the Advance Notice. Included in the comments were copies of manuals currently in use and of proposed manuals. The comments covered various subjects, but they focused most strongly on the operation and maintenance of the mobile home, and they included statistics indicating that mobile home consumers will be better able to deal with operation and maintenance of their homes and problems that may arise if they are provided with certain information. Comments suggested that diagrams of systems in the mobile home be required and that information concerning warranties, insurance, safety, installation, and relocation be required. Others spoke to the question of how best the Department can assure that all mobile home consumers receive manuals. The Department considered all comments in developing these proposed regulations.

These proposed regulations are divided into three subparts that establish the requirement that a manual be provided with each mobile home manufactured to the Federal standards, set out guidelines that manufacturers shall follow in developing the manuals, and set out procedures for assuring that manuals are properly distributed and are adequate under the regulations.

Subpart A. This subpart sets out the scope of the Part, the definitions that are applicable to the Part, and the requirement that a consumer manual that meets the requirements of the Part be provided with each mobile home labeled as meeting the Federal standards under Part 3282.

Subpart B. This subpart sets out the guidelines that manufacturers shall follow in developing their consumer manuals. It does not require that any particular format be followed, and it requires a minimum of specific statements. Other than those statements, which concern explanations of the mobile home enforcement program and its protections, the manual need only provide the required information in a clear and understandable manner.

The manual must describe in detail any warranties that are given by the mobile home manufacturer. This description must include all information needed by the consumer to allow the consumer to maintain warranty protection and to obtain services, if necessary. The manual must also state what appliances, components, or systems of the mobile home are not warranted by the mobile home manufacturer. Compliance with this requirement may or may not constitute compliance with any requirements with respect to warranty established by the Federal Trade Commission.

The manual shall include a list of the State Administrative Agencies that have been approved by the Department of Housing and Urban Development as of the date the manual is prepared for printing. These approved agencies will, as a part of their duties, assist consumers in resolving complaints with respect to the homes they have purchased.

The manual shall also inform the purchaser of the location of the data plate required by 24 CFR 280.5 to be placed in each mobile home and shall explain the significance of the information provided thereon.

Additionally, the manual shall state the location of the various safety features required by the Federal standards and how they operate, shall explain in detail the care of the mobile home, and shall explain in detail how the mobile home should be set up and anchored.

The information must inform the consumer of how the consumer should act with respect to the mobile home and of the possible consequences of any failure to treat the home properly.

Subpart C. This subpart sets out how manuals are to be distributed, how manufacturers are to assure that they are distributed properly, and what manufacturers must do if manuals are inadequate. Each mobile home that enters the first stage of production on or after October 15, 1976, shall contain a manual when it is shipped from the factory, and the manufacturer shall provide a consumer manual for each mobile home manufactured to the Federal standards before that date by providing the manual to the dealer or distributor to which the home was transferred, mailing the manual to the purchaser directly, or otherwise acting to provide the manual to each purchaser. The manufacturer must also establish a procedure for distributing the manuals, and the manufacturer must provide a manual to any purchaser who did not receive one. Dealers and distributors may not interfere with the distribution of the manuals, and they may be required to act to assure that purchasers receive the manuals.

The manufacturer is required to certify that it has a system for assuring proper distribution of the manuals and that the manuals meet the requirements of the regulations. Finally, the manufacturer is required to cease distribution of manuals that do not meet the requirements of the subpart and to provide corrected copies to purchasers who had received the inadequate or incorrect copies. The subpart sets out steps the Secretary will take if she finds that a manual does not meet the requirements of these regulations.

The Department has determined that an Environmental Impact Statement is not required with respect to this rule. A copy of the Finding of Inapplicability is available for inspection and copying according to Department rules and regulations during regular business hours at the address below.

It is hereby certified that the economic and inflationary impacts of the proposed rule have been carefully evaluated in acordance with OMB circular A-107.

HUD invites comment or other communication at any time from any member of the public or any organization regarding this proposal.

Interested persons may participate in this rulemaking by submitting written data, views, or arguments to the Rules Docket Clerk, Office of the Secretary, Room 10141, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C. 20410. Comments received on or before August 17, 1976, will be considered before final action is taken on these proposed amendments.

All written comments except those determined to be exempt by the Department under 24 CFR Part 15 under the Freedom of Information Act and the Privacy Act or the National Mobile Home Construction and Safety Standards Act of 1974 shall be available for examination by the public at the above address.

Accordingly, it is proposed to amend Chapter XX of 24 CFR by adding a new Part 3283 that reads as follows:

PART 3283—CONSUMER MANUAL REQUIREMENTS

Subpart A—General

Sec.

3283.1 Scope.
3283.2 Definitions.
3283.3 Manual requirement.

Subpart B—Guidelines

3283.51 Scope and purpose.
3283.52 Required statements.
3283.53 Written warranties.
3283.54 Setting up and anchoring the mobile home.
3283.55 Safety.
3283.56 Operation, maintenance, and repair.
3283.57 Insurance.

Subpart C—Manual Distribution and Enforcement

Sec.
3283.101 Scope.
3283.102 Manual distribution.
3283.103 Manufacturer certification.
3283.104 Inadequate consumer manuals.

AUTHORITY: Section 7(d), Department of HUD Act, 42 U.S.C. 3535(d).

Subpart A—General

§ 3283.1 Scope.

This part sets out the requirements that shall be met by mobile home manufacturers and dealers in order to assure that consumer manuals providing appropriate information are provided to mobile home purchasers as required by section 617 of the National Mobile Home Construction and Safety Standards Act of 1974, 42 USC 5416. Subpart A sets out the definitions applicable to the Part and the requirement that a consumer manual meeting the requirements of the Part be provided with each mobile home certified to be in conformance with the Federal mobile home construction and safety standards. Subpart B sets out the requirements that manufacturers shall meet in preparing the manuals, and subpart C sets out procedures for assuring the adequacy of the manuals, for resolving disputes concerning the manuals, and for assuring proper distribution of the manuals.

§ 3283.2 Definitions.

(a) "Anchored" means secured to the ground by straps, cables, turnbuckles, chains, ties, or other devices designed to prevent the mobile home from being unstable in high winds or other conditions that might cause an unsecured home to overturn or otherwise suffer damage because it is not adequately secured to the ground.

(b) "Component" means any part, material or appliance which is built in as an integral part of the mobile home during the manufacturing process.

(c) "Condensation" means the process of reducing a gas or vapor to a liquid form which is evidenced in a mobile home by the accumulation of moisture on windows and other surfaces.

(d) "Consumer manual" means one or more documents that comply with these regulations and identify and explain the mobile home purchasers' responsibilities for operation, maintenance and repair of their mobile homes.

(e) "Dealer" means any person engaged in the sale, leasing or distribution of new mobile homes primarily to persons who in good faith purchase or lease a mobile home for purposes other than resale.

(f) "Diagram" means a drawing or plan that outlines and explains the parts and operation of a major system in the mobile home, such as the plumbing, electrical, heating, cooling, and ventilating systems.

(g) "Distributor" means any person engaged in the sale and distribution of mobile homes for resale.

(h) "Federal Mobile Home Construction and Safety Standard" means a reasonable standard for the construction, design and performance of a mobile home which meets the needs of the public, including the need for quality, durability and safety.

(i) "Major systems" means those functional units that are supplied with the mobile home during the manufacturing process and includes the structural, electrical, plumbing and heating and cooling systems of the mobile home.

(j) "Manufacturer" means any person engaged in manufacturing or assembling mobile homes, including any person engaged in importing mobile homes for resale.

(k) "Mobile home" means a structure transportable in one or more sections which when erected on site measures eight body feet or more in width and thirty-two body feet or more in length, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

(l) "Purchaser" means the first person purchasing a mobile home in good faith for purposes other than resale.

(m) "Written warranty" means (1) any written affirmation of fact or written promise made in connection with the sale of a consumer product by a supplier to a buyer which relates to the nature of the material or workmanship and affirms or promises that such material or workmanship is defect free or will meet a specified level of performance over a specified period of time; or (2) any undertaking in writing in connection with the sale by a supplier of a consumer product to refund, repair, replace, or take other remedial action with respect to such product in the event that such product fails to meet the specifications set for in the undertaking, which written affirmation, promise or undertaking becomes part of the basis of the bargain between a supplier and a buyer for purposes other than resale of such product.

§ 3283.3 Manual requirement.

Each manufacturer shall provide a consumer manual meeting the requirements of this Part with each mobile home to which the manufacturer affixes either the label described in § 3282.362(c) of this chapter or the label described in § 3282.207 of this chapter. The manual shall be provided as set out in subpart C of this Part.

Subpart B—Guidelines

§ 3283.51 Scope and purpose.

(a) This subpart sets out the requirements that manufacturers shall meet in preparing the consumer manual required by § 3283.3. The subpart requires the manufacturers to make or paraphrase three statements, to provide certain information, and to discuss several aspects of the mobile home and of mobile home ownership. It does not require that the manual be in any particular form so long as the required information is presented in a clearly understandable fashion.

(b) The purpose of this subpart is to assure that mobile home consumers are given enough information to allow them to maintain their homes properly, to avoid potential safety hazards, and to know what remedies may be available to them and how those remedies can be obtained.

(c) With the exception of the requirements of § 3283.52, the manual need not be in any particular form or contain any particular language. It shall contain all of the information required by this subpart, and that information shall be presented in a clear and understandable manner.

§ 3283.52 Required statements.

(a) The manual shall contain a statement that it has been provided pursuant to the requirements of the National Mobile Home Construction and Safety Standards Act of 1974 and the regulations of the Department of Housing and Urban Development and that it conforms to those regulations.

(b) The manual shall include an explanation of the National Mobile Home Construction and Safety Standards Act of 1974 and of the Federal mobile home construction and safety standards. The explanation shall discuss the protections offered by the standards, the limitations of the standards, and the remedies available to the consumer under the Act. The explanation shall use the following language or its equivalent:

The National Mobile Home Construction and Safety Standards Act of 1974 was enacted to improve the quality and durability of mobile homes and to reduce the number of injuries and deaths caused by mobile home accidents. The Federal mobile home construction and safety standards issued under the Act govern how mobile homes must be constructed, and your mobile home was manufactured to the standards. The standards cover the planning and construction of your home, and they were developed so that you would have a safe, durable home. The standards themselves do not cover several aspects of the mobile home such as furniture, carpeting, certain appliances, cosmetic features of the home, and additional rooms or sections of the home that you bought separately from the home itself.

The Act also provides that if for some reason your mobile home is found not to meet the standards or to contain safety hazards, the manufacturer of the mobile home must notify you of that fact, and in some cases where there is a safety hazard involved the Act requires the manufacturer to correct the mobile home at no cost to you or to replace the home or refund all or a percentage of the purchase price. If you believe you have a problem for which the Act provides a remedy, you should contact the manufacturer, the mobile home agency in your state (see the list on page —— of this manual), or the Secretary of Housing and Urban Development. We recommend that you contact the manufacturer first, because that will allow us to provide any necessary services to you more quickly than if you wrote first to your state or to the Secretary. Our address is _____

(c) The manual shall state the location of the data plate and shall explain the significance of all the informa-

tion printed on it, including in particular the significance of the zone information and the wind and snow maps.

(d) The manual shall include a list of the State Administrative Agencies (SAAs) that have been approved under § 3282.305 of this Chapter. The list shall include all SAAs that have been approved as of the date the manual is prepared for printing, except that in any case it shall include all SAAs that have been approved as of the effective date of these regulations. Any revision of the manual shall include a list that is accurate as of the date the revision is prepared for printing.

§ 3283.53 Written warranties.

(a) The manual shall state whether or not the manufacturer provides a written warranty covering the mobile home. If the manufacturer provides a written warranty, the manual shall explain in clear and understandable language what protections the warranty provides and how the consumer can obtain service under the warranty. These explanations shall be complete so that the consumer understands: (1) What problems the manufacturer will pay for and what problems, if any, the manufacturer will not pay for; (2) how long the warranty protection lasts; (3) what the consumer must do to maintain warranty protections, including any services that the consumer must obtain or provide at the consumer's expense; (4) what actions or conditions could void the warranty; and (5) exactly what steps the consumer should take to obtain warranty service, including any informal dispute settlement procedures offered by the manufacturer prior to pursuit of legal remedies.

(b) The manual shall state which appliances, components, or other aspects of the mobile home are not covered by the manufacturer's written warranty, and it shall state whether any warranty certificates have been provided for any of those items and shall identify the items in question.

(c) Compliance with this section may not constitute compliance with any regulations issued by the Federal Trade Commission under the Magnuson-Moss Warranty Act, 15 USC 2399, 2310, or otherwise.

§ 3283.54 Setting up and anchoring the mobile home.

(a) The manual shall include an explanation of procedures recommended to be followed in setting up the mobile home. This explanation shall include: (1) Site preparation procedures; (2) the types of foundations for which the home was designed; (3) procedures for leveling the home; (4) procedures for connecting the utilities; and (5) suggested anchoring procedures. If practicable, the manual shall include a listing of sources the consumer may contact to obtain set-up and anchoring services.

(b) The manual shall include a recommendation that the home be inspected after it is set up to assure that it is in good condition and properly set-up.

§ 3283.55 Safety.

(a) *Fire safety.* The manual shall state the location of the following safety features required by the standards and explain how they are operated: (1) Smoke detectors; (2) exit doors, and bedroom egress windows; and (3) any other emergency escape systems.

(b) *Wind safety.* The manual shall state that in order for the mobile home to be secure against high winds, it should be anchored to the ground. It shall also state that no mobile home, anchored or otherwise, is safe in extremely high wind conditions that occur during hurricanes and tornados.

(c) *Safety systems.* The manual shall explain how the electrical, plumbing, and heating systems of the mobile home may be rendered unsafe through improper use or treatment and what hazards may result. The manual shall state the location and purpose of utility shut-off valves and switches and how they should be used to prevent hazards.

§ 3283.56 Operation, maintenance, and repair.

(a) The manual shall contain a detailed explanation of how the consumer should care for the mobile home, including a simple maintenance and inspection chart that can be used as a checklist by the consumer. The explanation shall describe any aspects of operation and maintenance that are unique to mobile homes, and it shall emphasize that the consumer is responsible for adequate maintenance. The explanation shall include a list of components, appliances, or major systems for which an operational manual or instructions were provided by the manufacturer of the item and a statement that the consumer should make sure those manuals or instructions were provided with the mobile home.

(b) The manual shall discuss the possible consequences of inadequate maintenance or faulty operation. In particular, the manual shall discuss problems which may arise from condensation or from inadequate insulation of the piping in the mobile home and how those problems can be avoided.

(c) The manual shall state the maintenance and repair procedures or types of procedures for which specialized knowledge or skills are required.

(d) The manual shall include diagrams of the major systems of the mobile home, including the structural, electrical, plumbing, and heating and cooling systems, or it shall state how the purchaser can obtain such diagrams. If it does not include the diagrams, they shall be available as stated in the manual.

§ 3283.57 Insurance.

(a) The manufacturer shall include the following insurance information in the consumer manual: (1) The categories of insurance of which the mobile home owner should be aware (e.g., physical damage insurance, liability insurance, credit life insurance and accident and health insurance); (2) the types of insurance available under each category listed in (1); (3) factors that influence an owner's choice of insurance coverage; and (4) factors that affect insurance rates.

(b) The manufacturer shall discuss: (1) The importance of the owner realizing the extent of coverage of the owner's insurance policies; and (2) the importance of the owner knowing the insurer's responsibilities and the owner's responsibilities as identified in each policy.

Subpart C—Manual Distribution and Enforcement

§ 3283.101 Scope.

This subpart sets out the manner in which consumer manuals are to be provided to consumers and procedures for assuring that consumer manuals are correctly distributed. It also sets out requirements that manufacturers shall meet if manuals are found to be inadequate.

§ 3283.102 Manual distribution.

(a) Each manufacturer shall provide a consumer manual with each mobile home that enters the first stage of production on or after October 15, 1976, by placing a manual in each such mobile home before the mobile home leaves the manufacturing plant. The manual shall be placed in a conspicuous location in a manner likely to assure that it is not removed until the purchaser removes it.

(b) Each manufacturer shall provide a consumer manual with each mobile home that enters the first stage of production before October 15, 1976, to which a label is affixed under either § 3282.362 (c) or § 3282.207 of this Chapter by sending the manual to the dealer or distributor to which the mobile home was transferred with instructions to provide the manual to the purchaser of the mobile home or to any other dealers or distributors to whom the mobile home has been transferred, by sending the consumer manual directly to the purchaser if the purchaser's identity and address are known, or by any other method which will assure that the purchaser receives a consumer manual. This distribution process shall be completed as quickly as possible, and in no event later than December 15, 1976. Whenever an adequate manual has been provided, prior to October 15, 1976, no new manual need be provided.

(c) Each manufacturer shall establish a procedure for assuring that consumer manuals are properly distributed as required by this section.

(d) If a manufacturer is informed that a purchaser did not receive a consumer manual, the manufacturer shall provide the appropriate manual to the purchaser within 30 days of being so informed.

(e) No dealer or distributor may interfere with the distribution of the consumer manuals. Where necessary, the dealer or distributor shall take any appropriate steps to assure that the purchaser receives a consumer manual from the manufacturer.

§ 3283.103 Manufacturer certification.

(a) Each manufacturer shall certify to the Secretary that: (1) It has a procedure to assure that a consumer manual will be provided with each mobile home for which one is required, as stipulated in § 3283.102(c); (2) each manual meets the requirements of these regulations; and (3) subsequent revisions and changes shall meet the requirements of these regulations.

(b) The certification shall be mailed to the Office of Mobile Home Standards, Department of Housing and Urban Development, 451 7th St., SW., Washington, D.C. 20410, no later than October 15, 1976, or 30 days after the manufacturer begins to produce mobile homes by placing its first mobile home in the first stage of production, whichever is later.

§ 3283.104 Inadequate consumer manuals.

(a) If a consumer manual or a change or revision to a manual does not meet the requirements of subpart B, the manufacturer shall cease distribution of the consumer manual and shall provide a corrected manual for each mobile home for which the inadequate or incorrect manual or revision was provided.

(b) If the Secretary finds that a consumer manual does not meet the requirements of these regulations, the Secretary shall so inform the manufacturer and shall also inform the manufacturer that if the manufacturer does not act as required by paragraph (a) of this section, the Secretary shall seek an injunction requiring the manufacturer to act under that paragraph. If an injunction is to be sought, the manufacturer shall be entitled to a hearing or presentation of views as set out in subpart D of Part 3282.

(c) The civil and criminal penalties set out in section 611 of the Act apply to actions taken under these regulations. It is not expected that actions for these penalties will be brought except in cases of flagrant violations.

Issued at Washington, D.C., July 8, 1976.

CONSTANCE B. NEWMAN,
Assistant Secretary for Consumer Affairs and Regulatory Functions.

[FR Doc.76-20319 Filed 7-13-76;8:45 am]

federal register

WEDNESDAY, JULY 14, 1976

PART IV:

ENVIRONMENTAL PROTECTION AGENCY

■

PHOTOGRAPHIC POINT SOURCE CATEGORY

Effluent Guidelines and Standards;
Interim Final Rule Making

Title 40—Protection of the Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

[FRL 582-3]

PART 459—PHOTOGRAPHIC POINT SOURCE CATEGORY

Interim Final Rule Making

Notice is hereby given that effluent limitations and guidelines for existing sources to be achieved by the application of best practicable control technology currently available as set forth in interim final form below are promulgated by the Environmental Protection Agency (EPA). The regulation set forth below establishes Part 459, Photographic Point Source Category, and will be applicable to existing sources for the photographic processing subcategory (Subpart A) pursuant to sections 301, and 304 (b) and (c), of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1311 and 1314 (b) and (c), 86 Stat. 816 et seq.; Pub. L. 92-500) (the Act). In the near future, the Agency intends to publish in proposed form effluent limitations and guidelines for existing sources to be achieved by the application of best available technology economically achievable, and standards of performance and pretreatment standards for new point sources. A description and discussion of this legal authority is contained in Appendix A to this preamble.

The photographic point source category was first studied to determine whether separate limitations are appropriate for different segments within the category. This analysis included a determination of whether differences in raw material used, product produced, manufacturing process employed, age, size, wastewater constituents and other factors require development of separate limitations for different segments of the point source category. The raw waste characteristics for this point source were then identified. The control and treatment technologies existing within the category were identified in terms of the amount of constituents and the chemical, physical, and biological characteristics of pollutants, and the effluent level resulting from the application of each of the technologies. This information was then evaluated in order to determine what levels of technology constitute the "best practicable control technology currently available." The data upon which the above analysis was performed included EPA permit applications, EPA sampling and inspections, consultant reports, and industry submissions. A substantial summary of the method of study, the several factors considered in subcategorization and the conclusions reached are set forth as Appendix B to this preamble.

The report entitled "Development Document for Interim Final Effluent Limitations Guidelines and New Source Performance Standards for the Photographic Processing Subcategory of the Photographic Point Source Category" details the analysis undertaken in support of the interim final regulation set forth herein and is available for inspection at the EPA Public Information Reference Unit, Room 2922 (EPA Library), Waterside Mall, 401 M St., S.W., Washington, D.C. 20460, at all EPA Regional offices and at State water pollution control offices. A supplementary analysis prepared for EPA of the possible economic effects of the regulation is also available for inspection at these locations. Copies of both of these documents are being sent to persons or institutions affected by the proposed regulation or who have placed themselves on a mailing list for this purpose (see EPA's Advance Notice of Publice Review Procedures, 38 FR 21202, August 6, 1973). An additional limited number of copies of both reports are available. Persons wishing to obtain a copy may write the Environmental Protection Agency, Effluent Guidelines Division, Washington, D.C. 20460, Attention: Distribution Officer, WH-552.

When this regulation is promulgated in final rather than interim form, revised copies of the Development Document will be available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the economic analysis document will be available through the National Technical Information Service, Springfield, VA 22151.

Prior to this publication, many agencies and groups were consulted and given the opportunity to participate in the development of these limitations, guidelines and standards. All participating agencies have been informed of project developments. An initial draft of the Development Document was sent to all participants and comments were solicited on that report. A summary of these comments and the Agency's response and consideration of these is contained in Appendix C to this preamble.

The Agency today promulgates regulations which are explicitly addressed solely to the control of total cyanides and silver. However, by controlling these two parameters one effectively reduces the BOD5, COD and TSS in photographic processing waste streams. The absence of effluent limitations guidelines for BOD5, COD and TSS is somewhat unusual, but it is warranted by the particular nature of the wastes.

The oxygen demanding properties of these wastes result primarily from the presence of certain inorganic compounds in the wastes. The release of oxygen demanding substances will be reduced when the discharger employs reuse of bleach and silver recovery, both of which are widely practiced. It is estimated that well over half the facilities within this industry utilize these methods, often for purely economic reasons. To meet the 1977 cyanide levels, a discharger can either rely on bleach regeneration and reuse or oxidative destruction of cyanide as an end of the pipe treatment. Due to the close correlation of the presence of inorganic substances with the oxygen consuming properties of these wastes, it should suffice to regulate silver and cyanide.

The 1977 effluent limitations guidelines were derived by application of a widely accepted chemical/physical variability factor to the average levels of cyanide and silver in waste streams, following use of the silver recovery and bleach regeneration.

The Agency has studied the economic and inflationary impact of the costs of these regulations and has made the following conclusions. It was found that most plants may have significant difficulty in implementing a treatment technology based on biological treatment. Therefore biological treatment is not required for the 1977 regulations. They are now based on electrolytic silver recovery and bleach regeneration.

An investment of $1.83 million with annual costs of $0.43 million is required to meet the 1977 regulations. On a unit basis these costs are from 0.3 percent of selling price for the larger plants to 1.9 percent of selling price for the smaller plants to comply with the 1977 requirements. These costs will not be passed on to the consumer, but will probably be absorbed by the plants since they form too small a segment of the industry to exert any effect on prices. None of the 20 plants that are affected by the 1977 regulations are expected to close or curtail production. This analysis meets all of the requirements of economic and inflationary impact statements and is hereby certified by the Administrator in accordance with Executive Order No. 11821.

The facilities within this manufacturing point source subcategory, which produce less than 150 square meters per day of film, paper and other sensitized materials, have been excluded. It was found that there may be an inordinate economic impact were these facilities to be required to meet limitations and standards based upon the full treatment train which the larger facilities can employ. However, it is anticipated that use of less expensive treatment methods may be available and may result in beneficial pollution reduction at the smaller plants. The Agency is reviewing methods of regulating discharges from these smaller plants and may propose regulations in the near future.

The Agency is subject to an order of the United States District Court for the District of Columbia entered in *Natural Resources Defense Council* v. *Train* et al. (Civ. No. 1609-73) which requires the promulgation of regulations for this industry category no later than June 30, 1976. This order also requires that such regulations become effective immediately upon publication. In addition, it is necessary to promulgate regulations establishing limitations on the discharge of pollutants from point sources in this category so that the process of issuing permits to individual dischargers under section 402 of the Act is not delayed.

It has not been practicable to develop and publish regulations for this category in proposed form, to provide a 30 day comment period, and to make any necessary revisions in light of the comments received within the time constraints imposed by the court order referred to

above. Accordingly, the Agency has determined pursuant to 5 U.S.C. 553(b) that notice and comment on the interim final regulations would be impracticable and contrary to the public interest. Good cause is also found for these regulations to become effective immediately upon publication.

Interested persons are encouraged to submit written comments. Comments should be submitted in triplicate to the Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460, Attention: Distribution Officer, WH-552. Comments on all aspects of the regulations are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which are available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data suggest amendment or modification of the regulation. In the event comments address the approach taken by the Agency in establishing an effluent limitation or guideline, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301 and 304(b) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2922 (EPA Library), Waterside Mall, 401 M Street, SW., Washington, D.C. 20460. A copy of preliminary draft contractor reports, the Development Document and economic study referred to above, and certain supplementary materials supporting the study of the industry concerned will also be maintained at this location for public review and copying. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

All comments received on or before September 13, 1976, will be considered. Steps previously taken by the Environmental Protection Agency to facilitate public response within this time period are outlined in the advance notice concerning public review procedures published on August 6, 1973 (38 FR 21202). In the event that the final regulation differs substantially from the interim final regulation set forth herein the Agency will consider petitions for reconsideration of any permits issued in accordance with this interim final regulation.

In consideration of the foregoing, 40 CFR Part 459 is hereby established as set forth below.

Dated: July 7, 1976.

JOHN QUARLES,
Acting Administrator.

Subpart A—Photographic Processing Subcategory

Sec.

459.10 Applicability; description of the photographic processing subcategory.
459.11 Specialized definitions.
459.12 Effluent limitations and guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
Appendix A—Legal Authority.
Appendix B—Technical Summary and Basis for Regulations.
Appendix C—Summary of Public Participation.

AUTHORITY: Secs. 301, 304 (b), (c), 306(b), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1311, 1314 (b) and (c) and 1316(b), 86 Stat. 816 et seq.; Pub. L. 92-500) (the Act).

Subpart A—Photographic Processing Subcategory

§ 459.10 Applicability; description of the photographic processing subcategory.

The provisions of this subpart are applicable to point source discharges resulting from the development or printing of paper, prints, slides, negatives, enlargements, movie film, and other sensitized materials except that facilities processing 150 sq. meters (1600 sq. feet) per day or less are not covered. Both commercial and military facilities are covered by this subpart.

§ 459.11 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

(b) The term "product" shall mean articles developed or printed by photographic processes, such as paper prints, slides, negatives, enlargements, movie film and other sensitized materials.

§ 459.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from a photographic processing point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
Metric units (kilograms per 1,000 m³ of product)		
Ag	0.14	0.07
CN	0.18	0.09
pH	Within the range 6.0 to 9.0.	
English units (pounds per 1,000 ft³ of product)		
Ag	0.030	0.015
CN	0.038	0.019
pH	Within the range 6.0 to 9.0.	

APPENDIX A—LEGAL AUTHORITY

EXISTING POINT SOURCES

Section 301(b) of the Act requires the achievement by not later than July 1, 1977, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of the best practicable control technology currently available as defined by the Administrator pursuant to section 304(b) of the Act. Section 301(b) also requires the achievement by not later than July 1, 1983, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of best available technology economically achievable which will result in reasonable further progress toward the national goal of eliminating the discharge of all pollutants, as determined in accordance with regulations issued by the Administrator pursuant to section 304(b) of the Act.

Section 304(b) of the Act requires the Administrator to publish regulations providing guidelines for effluent limitations setting forth the degree of effluent reduction attainable through the application of the best practicable control technology currently available and the degree of effluent reduction attainable through the application of the best control measures and practices achievable including treatment techniques, process and procedural innovations, operating methods and other alternatives. The regulation herein sets forth effluent limitations and guidelines, pursuant to sections 301 and 304 (b) of the Act, for the photographic process-

ing subcategory (Subpart A) of the photographic point source category.

Section 304(c) of the Act requires the Administrator to issue to the States and appropriate water pollution control agencies information on the processes, procedures or operating methods which result in the elimination or reduction of the discharge of pollutants to implement standards of performance under section 306 of the Act. The report entitled "Development Document for Interim Final Effluent Limitations Guidelines and New Source Performance Standards for the Photographic Processing Subcategory of the Photographic Point Source Category" provides, pursuant to section 304(c) of the Act, information on such processes, procedures or operating methods.

APPENDIX B—TECHNICAL SUMMARY AND BASIS FOR REGULATIONS

This Appendix summarizes the basis of interim final effluent limitations and guidelines for existing sources.

(1) *General methodology.* The effluent limitations and guidelines set forth herein were developed in the following manner. The point source category was first studied for the purpose of determining whether separate limitations are appropriate for different segments within the category. This analysis included a determination of whether differences in raw material used, product produced, manufacturing process employed, age, size, wastewater constituents and other factors require development of separate limitations for different segments of the point source category. The raw waste characteristics for each such segment were then identified. This included an analysis of the source, flow and volume of water used in the process employed, the sources of waste and wastewaters in the operation and the constituents of all wastewaters. The constituents of the wastewaters which should be subject to effluent limitations were identified.

The existing control and treatment technologies within each segment were examined. This included an identification of each distinct control and treatment technology, including both in-plant and end-of-process technologies, which exists or is capable of being designed for each segment. It also included an identification of, in terms of the amount of constituents and the chemical, physical, and biological characteristics of pollutants, the effluent level resulting from the application of each of the technologies. The problems along with each treatment and control technology were also identified. In addition, the nonwater quality environmental impact, such as the effects of the application of these technologies upon other pollution problems, including air, solid waste, noise and radiation were examined. The energy requirements of each control and treatment technology were determined as well as the cost of the application of such technologies.

The information outlined above was then evaulated in order to determine what levels of technology constitute the "best practicable control technology currently available." In identifying such technologies, various factors were considered. These included the total cost of application of technology in relation to the effluent reduction benefits to be achieved from such application, the age of equipment and facilities involved, the process employed, the engineering aspects of the application of various types of control techniques, process changes, nonwater quality environmental impact (including energy requirements) and other factors.

The data upon which the above analysis was performed included EPA permit applications, EPA sampling and inspections, consultant reports, and industry submissions.

(2) Summary of conclusions with respect to the photographic processing subcategory (Subpart A), photographic point source category.

(i) *Categorization.* For the purpose of establishing effluent limitations guidelines and standards, photographic processing was considered to be a single subcategory. Factors such as type of product, raw waste loads, water requirements, type of manufacturing processing and treatability of wastewaters were used to establish effluent limitations guidelines and standards of performance. In general, the largest contributing factors are manufacturing operation and treatability of wastewater based on production volume and specific water requirements.

(ii) *Waste characteristics.* The known significant wastewater pollutants and pollutant properties resulting from the photographic processing include pH, total suspended solids, BOD5, COD, cyanide and silver in various forms.

(iii) *Origin of wastewater pollutants.* Sources of wastewater pollutants from photographic processing include working solution losses, replenishment solution losses, equipment cleanup, and washdowns.

Pollutant parameters for the photographic processing subcategory pertain to wastewaters from process operations. Process wastewater pollutants are proportional to the level of production; it was therefore possible to establish limitations and standards on the basis of production. Other pollutant sources within photographic processing subcategory such as utilities, labs, sanitary wastes and others are generally not related to production.

(iv) *Treatment and control technology.* Wastewater treatment and control technologies have been studied for this industry to determine what is the best practicable control technology currently available.

The following discussion of treatment technology provides the basis for the effluent limitations and guidelines. This discussion does not preclude the selection of other wasterwater treatment alternatives which provide equivalent or better levels of treatment.

The major sources of wastewater in the photographic processing industry are photoprocessing solution overflows and wash waters.

Existing control and treatment technology, widely practiced by the industry for economic reasons, includes primarily in-plant pollutant reductions for silver and cyanide through recovery of bleaches and silver. In addition, relatively inexpensive end of pipe alkaline chlorination is an effective treatment technology. Most photographic processing plants discharge their wastewaters to municipal sewer systems; only one plant visited had any end-of-pipe treatment facility, a 20,000-gpd capacity pilot biological treatment system.

The treatment model recommended to attain the required effluent reduction is:

Technology level: BPT.

End-of-pipe treatment model:

In-plant modifications or use of alkaline chlorination.

It is emphasized that in-plant measures to reduce silver and cyanide concentrations as well as end-of-pipe treatment methods are included as part of the recommended treatment technologies. A summary of the general design basis used to size the unit processes is presented in the Development Document for a 5,000 square foot per day and a 50,000 square foot per day photographic processing plant.

The application and performance of various control and treatment technologies to reduce the quantities of pollutants discharged to navigable waters as a result of the production or processing operations in the photographic processing are specific to the product processed and related chemistry. However, many in-process control measures, as well as end-of-pipe treatment systems, may be generally applied to a mix of processing techniques.

Good in-process control is a significant pollution abatement technique for all products processed in the photographic processing subcategory of the photographic point source category. Practices such as minimization and containment of spills and leaks, segregation of waste streams, use of squeegees, recovery of developers, regeneration of ferrocyanide bleach, silver recovery, monitoring process wastewater, water conservation, water reuse, wastewater equalization and good housekeeping, are necessary to eliminate or reduce the volume of process wastewater requiring treatment.

Suspended solids may be present as a result of most photographic finishing processes. These may generally be removed by sedimentation clarification, filtration and centrifugation. Some plants recover metallic silver from these solids by incineration. Ash is sent to a metals refiner for final recovery of silver.

Some chemical manufacturing processes are essentially dry, requiring no additional effluent treatment, because the existing technology averts the discharge of process wastewater pollutants under normal operating conditions.

Solid waste control must be considered. Pollution control technologies generate many different amounts and types of solid wastes and liquid concentrates through the removal of pollutants. These substances vary greatly in their chemical and physical composition and may be either hazardous or nonhazardous. A variety of techniques may be employed to dispose of these substances depending on the degree of hazard.

If thermal processing (incineration) is the choice for disposal, provisions must be made to ensure against entry of hazardous pollutants into the atmosphere. Consideration should also be given to recovery of materials of value in the wastes. In this point source category the recovery of silver from photographic processing wastewaters is an important economic factor.

For those waste materials considered to be nonhazardous where land disposal is the choice for disposal, proper sanitary landfill technology must be followed. The principles set forth in the EPA's Land Disposal of Solid Wastes Guidelines 40 CFR Part 241 may be used as guidance for acceptable land disposal techniques.

Best practicable control technology as known today, requires disposal of the pollutants removed from wastewaters in this industry in the form of solid wastes and liquid concentrates. These constituents may be hazardous and may require special consideration. In order to insure long-term protection of the environment from these hazardous or harmful constituents, special consideration of disposal sites must be made. All landfill sites where such hazardous wastes are disposed should be selected so as to prevent horizontal and vertical migration of these contaminants to ground or surface waters. In cases where geologic conditions may not reasonably ensure this, adequate legal and mechanical precautions (e.g., impervious liners) should be taken to ensure long term protection to the environment from hazardous materials. Where appropriate, the location of solid hazardous materials disposal sites should be permanently recorded in the appropriate office of legal jurisdiction.

(v) *Cost estimates for control of wastewater pollutants.* Capital and annual costs were computed on the basis of the cost per 1,000 square meters of production.

New plants being built can avoid major future waste abatement costs by inclusion of: (1) Dikes, emergency holding ponds, catch basins and other containment facilities for leaks, spills and washdowns, (2) piping, trenches, sewers, sumps, and other isolation facilities to keep leaks, spills and process water separate from cooling and sanitary water, (3) noncontact condensers for cooling water, (4) efficient reuse, recycling and recovery of all possible raw materials and by-products and (5) closed cycle water utilization whenever possible. Closed cycle operation eliminates all waterborne wastes to surface water.

Alternate disposal methods such as incineration or like processes are also commonly used for disposal of highly concentrated and difficult wastes. In any specific case, the manufacturer can best determine the most attractive economic alternatives for in-process controls and end-of-process treatment which will meet the limitations required.

Cost information was obtained directly from industry, engineering firms, equipment suppliers, government sources, and available literature. Costs are based on actual industrial installations or engineering estimates for projected facilities as supplied by contributing companies. In the absence of such information, cost estimates have been developed from either plant-supplied costs for similar waste treatment installations at plants making other similar chemicals or general cost estimates for treatment technology.

(vi) *Energy requirements and nonwater quality environmental impacts.* The major nonwater quality consideration which may be associated with in-process control measures is the use of alternative means of ultimate disposal. As the process raw waste load (RWL) is reduced in volume, alternate disposal techniques become more attractive. Recent regulations are tending to limit the use of ocean discharge and deep-well injection because of the potential long-term detrimental effects associated with these disposal procedures. Incineration is a viable alternative for concentrated waste streams, especially if it results in recovery and reuse of a valuable product (silver). Associated air pollution and the need for auxiliary fuel, depending on the heating value of the waste, are considerations which must be evaluated on an individual basis for each use.

Other nonwater quality aspects, such as noise levels, will not be perceptibly affected. Equipment associated with in-process or end-of-pipe control systems would not add significantly to these levels.

Energy requirements associated with treatment and control technologies may be significant when compared to the total energy requirements for this industry.

(vii) *Economic and inflationary impact analysis.* Executive Order 11821 (November 27, 1974) requires that major proposals for legislation and promulgation of regulations and rules by Agencies of the executive branch be accompanied by a statement certifying that the inflationary impact of the proposal has been evaluated. The Administrator has directed that all regulatory actions that are likely to result in (1) annualized costs of more than $100 million, (2) additional costs of production more than 5 percent of the selling price, or (3) an energy consumption increase equivalent to 25,000 barrels of oil per day will require a certified inflationary impact statement. The analysis indicates that the total investment required to meet these regulations is $1.83 million with an annual cost of $0.43 million. The unit costs are up to 1.9 percent of the selling price. Thus, the limits presented in these criteria have not been exceeded. However, this analysis satisfies all the requirements for an inflationary impact statement and it is hereby certified that the economic and inflationary effects of this proposal have been carefully evaluated in accordance with Executive Order 11821.

The "Economic Analysis of Interim Final Effluent Guidelines for the Photographic Industry" prepared for the Agency indicated that there may be a significant potential economic impact on the smaller plants. The Agency then performed additional analysis that is included as an appendix to the contractor's report. This analysis indicated that only a very few plants would be economically capable of installing a biological treatment system. However, the regulation being issued is based on adequate electrolytic silver recovery and bleach regeneration, and applies to those plants with production of 150 square meters per day or greater.

The Agency has considered the economic impact of the internal and external costs of the effluent limitations and guidelines. Internal costs given in 1976 dollars are defined as investment and annual cost, where annual cost is composed of operating costs, maintenance cost, the cost of capital, and depreciation. External cost deals with the assessment of the economic impact of the internal costs in terms of price increases, production curtailments, plant closures, resultant unemployment, community and regional impacts, international trade, and industry growth.

An investment of $1.83 million with annual costs of $0.43 million is required to meet the 1977 regulations. These regulations cause unit treatment costs to range from 0.3 percent of selling price for the larger plants to 1.9 percent of selling price for the smaller plants. Pre-tax profits could decrease by 25 percent for a small plant with an average rate of return. These costs cannot be passed on to the consumers, since the price is determined primarily by the indirect dischargers which compose 95 percent of the industry. The capital cost to pre-tax income ratio is less than 2 to 1 for these plants, indicating that capital availability should not be an important problem for these plants. However, there may be specific cases where capital availability would be a problem. It is not expected that any of the 20 plants that may be affected by these regulations will choose to stop or curtail production.

Appendix C—Summary of Public Participation

Prior to this publication, the agencies and groups listed below were consulted and given an opportunity to participate in the development of effluent limitations, guidelines and standards proposed for the photographic processing point source category. All participating agencies have been informed of project developments. An initial draft of the Development Document was sent to all participants and comments were solicited on that report. The following are the principal agencies and groups consulted: Effluent Standards and Water Quality Information Advisory Committee (established under section 515 of the Act); all State and U.S. Territory Pollution Control Agencies; Academy of Pharmaceutical Sciences; Reichhold Chemical, Inc.; Chemware-Champion; National Institutes of Health; H. B. Fuller Company; Union Camp Corporation; Naval Facilities Engineering Command; Olin Corporation; Mobay Chemical Corporation; Monsanto Company; Shell Chemical Company; Stauffer Chemical Corporation; Union Carbide Corporation; Bell and Howell, Inc., Micro Photo Division; MTS Chemicals; Hercules, Inc.; Rohm and Haas Company; Defense Mapping Agency; Pfizer, Inc.; CIBA-Giegy Corporation; U.S. Army Audio Visual Activity; U.S. Department of Health, Education, and Welfare; E. I. Du Pont de Nemours and Company; Allied Chemical Corporation; Pepsi Company; Western Agricultural Chemicals Association; Tennessee Eastman Company; Cabot Corporation; CPAC Company; Diamond Shamrock, Inc.; American Cyanamide Corporation; EPAC; Lederle Laboratories; National Ecological Research Center; Office of Pesticides; Dow Chemical Company; National Association of Pharmaceutical Manufacturers; Abbott Laboratories; Eastman Kodak Company; Office of Environmental Affairs; BASF Wyandotte Corporation; Ohio River Valley Sanitation Commission; The Conservation Foundation; Businessmen for the Public Interest; Environmental Defense Fund, Inc.; Natural Resources Defense Council; American Society of Civil Engineers; Water Pollution Control Federation; National Wildlife Federation; Kimberly Clark Corporation; National Pest Control Association; U.S. Army Corps of Engineers; Carbon Adsorption Systems; AFWL Environics; WSME; Institute of Makers of Explosives; Pulp Chemical Association; American Carbon Committee; American Hospital Association; Bureau of Explosives, Association of American Railroads; United Pesticides Formulation and Distribution Association; Technical Association of Pulp and Paper Industry; Professional Photographers of America, Inc.; Adhesive and Sealants Council; Smith, Bucklin, and Associates, Inc.; Photo Marketing Association; Carbon Black Producers Traffic Committee; Arundale, Inc.; Enviroengineering, Inc.; U.S. Army Environmental Hygiene Agency; American Defense Preparedness Association; The Fertilizer Institute; National Agricultural Chemicals Association; Walden Research; American Pharmaceutical Association; Pharmaceutical Manufacturers Association; Manufacturing Chemists Association; National Microfilm Association; New England Interstate Water Pollution Control Commission; American Society of Mechanical Engineers; American Medical Association, Public Health Division; U.S. Water Resources Council; U.S. Department of Defense; U.S. Department of Interior; Atlas Powder Company; U.S. Department of the Army; National Association of Photographic Manufacturers; M&T Chemicals, Inc.; FRP Company; Swift Chemical Company; Roberts Consolidated Industries; Eli Lilly and Company; Merck and Company, Inc.; and Parke, Davis and Company.

It should be noted that some of the receiplents of the contractor draft documents appear to be and are from areas of interest outside the photographic processing activities covered in this regulation. This situation results from eight industries being handled as one administratively with the project called miscellaneous chemicals.

The following organizations responded with comments for the photographic processing point source category: Effluent Standards and Water Quality Information Advisory Committee; Eastman Kodak Company; North Carolina Department of Natural and Economic Resources; United States Department of Defense; National Association of Photographic Manufacturers, Inc.; and United States Department of Interior.

The primary issues raised by commenters during the development of the interim final effluent limitations and guidelines and the response to these comments are as follows:

(1) One commenter suggested the use of alternate test methods for analysis of silver

thiosulfate and ferrocyanide would be appropriate.

These test procedures are being considered by the Agency but no decision has been reached as to their acceptability. Until such time as a decision is reached EPA standard methods published in the FEDERAL REGISTER Notice 40 CFR Part 136 are the approved test procedures.

(2) A commenter said that the BOD5 and flow values as presented in the contractor's development document were not sufficient to characterize the industry.

Following the receipt of this comment, the National Photographic Manufacturers Association (NPMA) conducted a study of 36 photographic processing plants in order to determine the validity of the contractor's BOD5, COD and flow values. The BOD5 and COD obtained during the survey agreed with the contractors reported values. The flow value obtained during the survey was 4050 gallons as opposed to the contractor's revised 3140 gallons per 1000 square feet of film processed. The data obtained from the NAPM survey have been incorporated into the total data base and the flow, BOD5 and COD values have been revised. However, as noted in the preamble, these regulations are not based upon the direct control of BOD5, COD and TSS.

(3) A commenter stated that the calculations of the cost for BPT appear to be low.

The BPT cost figures have been amended to reflect the revised raw waste loads. The 1972 cost curves are generally known and used for engineering cost calculations. The final calculations of economic impact have been scaled to February 1976 dollars.

(4) One commenter felt that in-plant treatment should be included in the cost model.

In-plant treatment including electrolytic silver recovery, squeegees, and bleach regeneration were included in the cost model but were not identified in the contractor's draft document. The cost of in-plant treatment is $67,570 for the 20,000 gpd system in 1972 figures. The supporting calculation can be found in Supplement A and the development document.

(5) A commenter did not believe that EPA had the power under Section 301 to promulgate effluent limitations for existing sources by regulation. EPA's authority, the commenter felt, is to publish guidelines under Section 304(b), which shall be consulted by the permit issuing authority.

Numerous reviewing courts have upheld the position that EPA has the authority and responsibility to issue national effluent limitations guidelines pursuant to sections 301 and 304.

(6) Another comment received suggested that the waste characterization of the entire industry by a single raw waste load value does not allow for variation in production levels.

The regulations are written in the form of an allowable waste load per unit of production. Thus, this method permits variations in production. The most reliable data available at this time indicate that the average raw waste load generated per unit of production in all types of photographic processing facilities is essentially the same and the type of waste recovery techniques utilized in the industry does not warrant subcategorization.

(7) One commenter suggested "alternate limitations guidelines" for BOD5, COD and flow, based on calculated theoretical values.

The Agency has concluded that it is more desirable to regulate BOD5, COD and flow only in an indirect way, addressing the regulation to cyanide and silver. The Agency cannot accept a calculated value to establish effluent limitations, guidelines and new source performance standards without back-up data to substantiate the calculated values. Subsequent field survey data submitted by the above commenter indicated that the theoretical calculated values were significantly in error.

(8) Several commenters questioned the fact that the regulations were based on grab sampling as opposed to composite sampling.

The characterization of the industrial raw waste load has been expanded to include both grab and composite sampling results. Raw waste loadings did not significantly change as a result of the incorporation of the composite sampling results because the processing is continuous with a constant replenishment rate.

(9) Several commenters felt that the three plants visited of the estimated 650 major plants to be regulated do not sufficiently represent the industry.

The data base for the regulation has been expanded to include an additional thirty-six plants.

(10) One commenter questioned whether ferrocyanide should be limited as "ferrocyanide", or "ferrocyanide as CN".

The companion development document that supports the regulation has been written to regulate the discharge of cyanides as total cyanide since cyanide may also be present in forms other than ferrocyanide.

(11) A comment was made that "treatment technology is proposed for end-of-pipe, however, sampling was performed at end-of-process. For consistency it would appear that end-of-pipe sampling should have been accomplished."

Generally the most accurate way to measure raw waste loads is at their source. Both end-of-process and end-of-pipe sampling were performed; it was found that there were no significant differences in the values. In the case of multiple sources it is necessary to use the building block approach and combine the various waste loads to obtain a composite waste load. Once a composite waste load is obtained a determination is made as to the availability of treatment technology to treat the waste load, the efficiency of that technology and the associated cost. Usually several treatment technologies are evaluated in order to select one model technology that gives the best pollutant reduction at a reasonable cost. The regulations and permissible waste load that can be discharged is established at the end-of-pipe. In essence the quality of end-of-pipe effluent is the result of the raw waste load reduced by in-plant control plus the use of a suitable waste treatment technology.

(12) One commenter questioned whether "sulfites" and "thiosulfate" really have a BOD5 demand.

Sulfites and thiosulfates exert an oxygen demand which can be measured by the standard BOD5 test and COD test.

(13) One commenter advised that the term "silver thiosulfate" used in the development document should be changed to "silver thiosulfate complex."

Since silver can and often does exist in solution in other than the thiosulfate form the development document has been updated to reflect this situation.

(14) One commenter indicated that no evidence existed that either ferrocyanide, silver or non-biodegradable materials discharged by a photoprocessor are or have been toxic to a biological system at the concentration levels encountered.

A typical publicly owned biological waste treatment system is not designed or normally operated to treat ferrocyanide, silver or non-biodegradable materials and thus these pollutants tend to pass-through such a system into receiving bodies of water. All of the above materials are known to have an inhibitory effect on the operation of a system not designed to treat them. Any removal of such materials that may occur in a biological treatment system is usually of an incidental nature, essentially settling out in the sludge. Wastes from photoprocessing industry also are known to contain cyanides and silver in other forms which may have potential deleterious effects on a system not normally designed to treat such materials. Existing and readily available technology can reduce these materials to acceptable environmental levels.

(15) An industrial commenter supplied a list of corrections to process descriptions in the development document

The process descriptions have been corrected in accordance with this comment.

(16) One commenter said that because the 20,000 gpd pilot biological plant was utilized for experimental purposes, it should not be considered as a model to which the industry should be compared.

This plant is not used as the treatment model. Because the industry generally has inadequate treatment, the pilot plant was the only end-of-pipe treatment system located during the survey. About 95% of all photographic processing waste goes to municipal treatment plants.

(17) A commenter questioned the use of performance factors transferred from the pharmaceutical industry.

Performance factors have been derived from examination of typical well-designed and well-operated physical/chemical treatment systems.

(18) One commenter stated that the effluent limitations as proposed would not be adequate to protect the water quality of low flowing streams.

The effluent limitations, guidelines and new source performance standards presented herein essentially are based on the practicability and availability of control and treatment technologies. They are not based on anticipated receiving stream effects. More stringent standards may be applied to a point source, pursuant to sections 302 and 303 of the Act, when necessary to preserve water quality.

(19) Several commenters were concerned that the potential effects on ground water as a result of landfilling wastes were not adequately addressed.

No ground water contamination from the photographic processing point source category as a result of landfilling has been found. The engineering technology required to design and operate landfill operations to prevent this problem is readily available and widely practiced.

(20) In the contractor's draft development document it was suggested that some of the waste disposal problems be turned over to a private disposal contractor. Commenters stated that this is an ineffective way of solving problems unless the contractor is covered by the same guidelines. They said that such contractors should be covered under the category of "miscellaneous chemicals industry."

The suggestion that contract disposal systems are available was not meant to imply that the generator of the wastes is relieved of the responsibility for proper disposal.

(21) A commenter felt that the photographic processing regulation should not apply to mobile armed forces processing units.

These regulations do not affect general applicability of the Act, as more specifically set forth in 40 CFR Part 125. However, many of these mobile point sources may be exempted from coverage by these regulations due to economic considerations. The size cutoff in these regulations applies to mobile and permanent facilities.

[FR Doc.76-20340 Filed 7-13-76;8:45 am]

federal register

WEDNESDAY, JULY 14, 1976

PART V:

DEPARTMENT OF THE INTERIOR

Reclamation Bureau

■

PUBLIC WORKS APPROPRIATION ACT FOR TETON DAM

Administrative Claims

Title 43—Public Lands: Interior

CHAPTER I—BUREAU OF RECLAMATION

PART 419—ADMINISTRATIVE CLAIMS UNDER PUBLIC WORKS APPROPRIATION ACT FOR TETON DAM

These regulations are to be used in processing claims for actual damages to or loss of property, personal injury or for death directly resulting from the failure on June 5, 1976, of Teton Dam of the Lower Teton Division of the Teton Basin Federal Reclamation Project which was authorized by the Act of September 7, 1964 (78 Stat. 925).

It is the intent of the President and the Congress to provide payment to the victims of the tragic flood as soon as possible, so they may rebuild their lives and communities. The claims processing will be administered by the Department of the Interior and the payments will complement other ongoing assistance by Federal, State, and local agencies.

The regulations are promulgated in compliance with the provisions of the Annual Public Works Appropriation Act of 1976, Pub. L. 94–180, 89 Stat. 1035, and the Act of July 12, 1976, 90 Stat. 889. The Secretary of the Interior has determined that due to the need to provide expeditious relief for disaster victims, public notice and hearings on these regulations are contrary to the public interest and such procedures shall not be followed. For the same reason, these regulations shall be effective immediately, rather than 30 days following publication. (*See* 5 U.S.C. 553.)

These regulations are adopted as set forth below and shall become effective immediately. Comments may be sent to the Commissioner, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240 within 30 days.

The Secretary of the Interior may modify the regulations from time to time and such modifications will be published in the FEDERAL REGISTER.

Dated: July 13, 1976.

THOMAS S. KLEPPE,
Secretary of the Interior.

Chapter I of 43 CFR is amended by adding Part 419 as follows:

Sec.

419.0–1 Purpose.
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419.12 Severability.

AUTHORITY: The Annual Public Works Appropriation Act of 1976, Pub. L. 94–180, 89 Stat. 1035; the Act of July 12, 1976, 90 Stat. 889; the Act of June 17, 1902, 32 Stat. 390 as amended.

§ 419.0–1 Purpose.

To provide for the payment of claims for actual damages to or loss of property, income, personal injury, or for death directly resulting from the failure on June 5, 1976, of the Teton Dam of the Lower Teton Division of the Teton Basin Federal Reclamation Project which was authorized by the Act of September 7, 1964 (78 Stat. 925).

§ 419.0–2 Policy.

(a) The policy of the Department shall be to provide for the expeditious resolution of meritorious claims under the provisions of the Annual Public Works Appropriation Act of 1976, Pub. L. 94–180, 89 Stat. 1035, and the Act of July 12, 1976, 90 Stat. 889. The determination of the persons entitled to payment and the amounts to be allowed shall be solely within the discretion of the Secretary.

(b) If a claim for damages has been paid in whole or in part under any policy of insurance or from any other source whether public or private, for which there is no obligation to repay, the authorized officer shall deduct such payment(s) from any amount determined to be payable under these regulations. If a claim for damages is payable in whole or in part under any policy of insurance, no payment shall be made on the claim until the claimant has provided written proof that the insurer has denied the claim, and the claimant assigns to the United States his rights thereto under the policy.

(c) Neither the promulgation of these regulations, nor payment of any claim under them in whole or in part shall constitute any admission of liability by the United States. No provision of these regulations shall be construed as providing or creating a right of action against the United States, its agents or employees, nor shall these regulations be construed as waiving or extending any applicable statute of limitations or any other requirement prerequisite to any such right of action.

§ 419.0–3 Scope of regulations.

These regulations shall apply only to payments requested from the United States under the Annual Public Works Appropriation Act of 1976, Pub. L. 94–180, 89 Stat. 1035, and the Act of July 12, 1976, 90 Stat. 889. These regulations do not apply to claims asserted against the United States solely under the Annual Public Works Appropriation Act of 1976, Pub. L. 94–180, 89 Stat. 1035, and the Act of June 17, 1902, 32 Stat. 390 as amended.

§ 419.0–4 Authority.

(a) The Annual Public Works Appropriation Act of 1976, Pub. L. 94–180, 89 Stat. 1035.

(b) The Act of July 12, 1976, 90 Stat. 889.

(c) The Act of June 17, 1902, 32 Stat. 390 as amended.

§ 419.0–5 Definitions.

(a) "Appropriations Act claim" means any request for payment made under these regulations, the Annual Public Works Appropriation Act of 1976, Pub. L. 94–180, 89 Stat. 1035, and the Act of July 12, 1976, 90 Stat. 889.

(b) "Assistance from other means" means any monetary assistance or grant that the claimant is under no obligation to repay and which has been received from any other Federal, State or local government program(s), under any policy of insurance, from any voluntary or charitable organization(s), or from any sources other than those of the claimant.

(c) "Authorized officer" means an officer of the Department authorized by the Secretary to determine claims under the regulations in this Part.

(d) "Bureau" means the Bureau of Reclamation.

(e) "Claimant" means any person (including the decedent in the case of death) or his legal representative who suffered actual damage(s) to or loss of property, income, personal injury, or death directly resulting from the failure of Teton Dam on June 5, 1976, and who requests payment under these regulations. For the purpose of these regulations, a corporation shall be treated as a person. No insurer with either whole or partial rights of a subrogee or any person who is an assignee of another may be a clamant under these regulations.

(f) "Claims officer" means any person authorized by the Commissioner, Bureau of Reclamation to investigate and verify claims for damage, injury or loss.

(g) "Department" means the Department of the Interior.

(h) "Federal agency" means any department, independent establishment, Government corporation, or other agency of the executive branch of the Federal Government, but shall not include the American National Red Cross.

(i) "Federal financial assistance" means Federal monetary compensation for losses from the failure of Teton Dam which the claimant is not obligated to repay.

(j) "Final agency action" means determination of entitlement to payment and the amount thereof, under these regulations, as made by the authorized officer if no request for reconsideration is made by the claimant. If a request for reconsideration is made, final agency action means the decision of the Office of Hearings and Appeals of the Department.

(k) "Incident" means the failure on June 5, 1976, of the Teton Dam of the Lower Teton Division of the Teton Basin Federal Reclamation Project.

(l) "Insurance" means a contract under which one party has agreed to compensate the other for loss of or damage to property, for personal injury, or for loss of income. For the purposes of these regulations, insurance shall not include life insurance or pension benefits.

(m) "Legal representative" means any person authorized under the laws of the State of Idaho to assert the claim of another individual, including but not limited to a duly authorized agent, the executor or administrator of the claimant's estate, a minor's parent or guardian, or the claimant's attorney. No insurer with either whole or partial rights of a subrogee may be a legal representative under these regulations.

(n) "Major disaster area" means the Idaho counties of Bingham, Bonneville, Fremont, Jefferson, and Madison, designated by the Administrator, Federal Disaster Assistance Administration, on June 6, 1976, or such other areas as may be later designated by the Administrator under the President's declaration of June 6, 1976.

(o) "Secretary" means the Secretary of the Interior.

(p) "Treasury" means the Treasury of the United States.

§ 419.1 Appropriation Act claims.

§ 419.1–0 When presented.

(a) Filing. An Appropriation Act claim shall be deemed to have been presented when the Idaho Falls, Rexburg, or Blackfoot office or such other offices as the Bureau may designate, receives from a claimant, an executed form to be prescribed by the Secretary or other written notification of such claim, accompanied by a request for money damages in a sum certain for injury to or loss of property, for personal injury or for death alleged to have occurred as a result of the incident.

(b) Single claim. All claims for actual damages to or loss of property, income, personal injury or death, by a single claimant shall be submitted by the claimant as and in a single claim, and each claim shall designate clearly that it is being submitted under the provisions of the Public Works Appropriation Act of 1976, Pub.L. 94–180, 89 Stat. 1035, and the Act of July 12, 1976, 90 Stat. 889.

(c) Amendment. A claim presented in compliance with paragraph (a) of this section may be amended by the claimant at any time prior to determination by the authorized officer. Amendments shall be designated as such and submitted in writing and signed by the claimant or his legal representative.

(d) The claim shall be deemed withdrawn if any suit with respect to the claimed damages, or any part thereof, is instituted by the claimant or his legal representative against the United States, its officers, agents or employees prior to final agency action.

§ 419.1–1 Eligibility.

(a) In order to qualify for payment under these regulations the claimant must certify at the time of submitting his claim, that:

(1) The loss or injury being claimed has not been compensated for by any assistance from other means.

(2) Should the claimant subsequently receive assistance from other means the claimant will refund or repay to the Treasury any payments made under these regulations, to the extent they are duplicated by such subsequent assistance from other means.

(3) The damage, injury, or loss for which a claim is made occurred within the major disaster area as a direct result of the incident.

(4) Upon payment of claims under the provisions of these regulations, with the exception of payment of emergency claims under § 419.3 or partial payments under § 419.4, the claimant shall release the United States, its agents and employees from all possible liability arising from the incident. (See § 419.7)

(5) If a claim filed under these regulations is withdrawn the claimant shall refund or repay to the Treasury all amounts received as emergency payments under § 419.3 or partial payments under § 419.4.

(b) All certifications made by a claimant under paragraph (a) of this section are made subject to civil and criminal penalties for presenting fraudulent claims or making false statements. (See 18 U.S.C. 287, 1001 and 31 U.S.C. § 231).

§ 419.1–2 Who may file.

(a) A claim for injury to or loss of property, or loss of income resulting therefrom, must be presented by the owner of the property or his legal representative.

(b) A claim for personal injury or loss of income resulting therefrom must be presented by the injured person or his legal representative.

(c) A claim based on death or loss of income resulting therefrom must be presented by the executor or administrator of the decedent's estate, or by any other person legally entitled to assert such a claim in accordance with the laws of the State of Idaho. For the purposes of filing a claim under these regulations, any person missing as a result of the incident who is still missing and unaccounted for by June 5, 1977, shall be presumed dead.

(d) A claim presented by a legal representative shall be presented in the name the claimant, be signed by the legal representative, show the title or legal capacity of the legal representative, and be accompanied by evidence of his authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian, or other representative.

§ 419.1–3 Evidence and information to be submitted.

(a) *General.* Recognizing that all or part of the evidence and information needed to verify claims may have been lost as a result of the incident, the claimant may be required to submit the following evidence or information in support of all claims:

(1) A detailed statement of all relevant insurance policies and applications therefor, owned by or for the benefit of the claimant, and copies of the policies and applications.

(2) A detailed statement of other evidence of all entitlement to or assistance from other means, anticipated or received,

(b) *Death.* In support of a claim based on death, the claimant may be required to submit the following evidence or information:

(1) An authenticated death certificate or other competent evidence showing cause of death, evidence of the circumstances, surrounding the death, date of death, and age of the decedent.

(2) Decedent's employment or occupation at time of death, including his monthly or yearly salary or earnings (if any), and the duration of his last employment or occupation.

(3) Full names, addresses, birth dates, kinship, and marital status of the decedent's survivors, including identification of those survivors who were dependent for support upon the decedent at the time of his death.

(4) Degree of support afforded by the decedent to each survivor dependent upon him for support at the time of his death.

(5) Decedent's general physical and mental condition before death.

(6) Itemized bills for medical and burial expenses incurred by reason of the incident causing death, or itemized receipts of payment for such expenses.

(7) Any other evidence or information which may have a bearing on either the death or the damages claimed, or the proximate cause of either.

(c) *Personal injury.* In support of a claim for personal injury the claimant may be required to submit the following evidence or information:

(1) A written report (or medical release therefor) signed by his attending physician or other competent medical authority setting forth the nature and extent of the injury, nature and extent of treatment, any degree of temporary or permanent disability, the medical prognosis, period of hospitalization, and any diminished earning capacity.

(2) Any other medical reports at any time previously or thereafter made of the physical or mental condition which is the subject matter of his claim (or medical releases therefor).

(3) Itemized bills for medical, dental and hospital expenses incurred, or itemized receipts of payment for such expenses.

(4) If the prognosis reveals the necessity for future treatment, a statement of expected expenses for such treatment signed by a physician or other competent medical authority.

(5) If a claim is made for loss of time from employment, a written statement from his employer showing actual time lost from employment, whether he is a full or part-time employee, and wages or salary actually lost.

(6) Any other evidence or information which may have a bearing on either the personal injury or the damages claimed or the proximate cause of either.

(7) In addition, the claimant may be required to submit to an examination by a physician or other competent medical authority employed or designated by the Department or another Federal agency.

(d) *Property damage.* In support of a claim for damages to or loss of property, real or personal, the claimant may be required to submit the following evidence or information:

(1) Proof of ownership including a statement of any liens or other secured interests.

(2) A detailed statement of the amount claimed with respect to each item of property.

(3) An itemized receipt of payment for necessary repairs or itemized written estimates of the cost of such repairs.

(4) A statement listing date of purchase, purchase price, depreciated value, if applicable, and salvage value, where repair is not economical.

(5) Any other evidence or information which may have a bearing on either the injury to or loss of property or the damages claimed or the proximate cause of any of them.

(e) *Refusal to supply evidence.* The refusal to supply the evidence or information requested under subparagraphs (a)–(d) of this section, may result in the denial of the claim.

§ 419.2 Administrative review.

§ 419.2–0 Investigative report.

(a) *Duties of the claims officer.* (1) *Investigation.* A prompt investigation of the basis for each claim shall be made. The nature and extent of the investigation shall depend upon the nature of the claim and the need for information and evidence. In all cases the claims officer shall insure that the investigation is conducted in a fair and impartial manner and to the extent possible that:

(i) Signed statements are obtained from available competent witnesses to facts pertinent to the claim.

(ii) Property damage is inspected.

(iii) Injured persons or their legal representatives are personally interviewed.

(iv) All bills or estimates necessary for full and fair consideration of the nature, extent and amount of injury, damage or loss are obtained.

(2) *Report and recommendation.* Claims officers shall:

(i) Prepare the investigative report,

(ii) Submit the complete investigative report to the authorized officer together with a recommended disposition, and

(iii) Transmit a complete copy of the investigative report and recommended disposition to the claimant.

(3) *Counseling.* Claims officers shall also be responsible for furnishing claims forms and advise and assist claimants on the proper procedures for filing claims.

(b) *Contents of the investigative report.* The investigative report shall be in writing. In addition to the claims form and other information provided by the claimant, the investigative report shall contain all pertinent statements, exhibits and any other evidence taken or considered in the investigation.

§ 419.2–1 Administrative determination.

(a) *Determination of claim.* Upon receipt of the claims officer's investigative report, the authorized officer shall make a determination of the claim. If additional information is necessary to determine the claim, the authorized officer may request the claims officer to obtain such additional information. The authorized officer may either deny the claim, or pay the claim in full or in part. The determination shall be made as expeditiously as possible. If the claimant has received emergency payment under § 419.3 or partial payment under § 419.4, the authorized officer shall deduct such payments from final payment of the claim.

(b) *Notice.* Notice of the determination of each claim shall be in writing and shall be sent within the time specified in paragraph (a) of this section, to the claimant by certified or registered mail, return receipt requested, or by personal delivery. The notice shall state that if the claimant is dissatisfied he is entitled to request reconsideration of the authorized officer's determination under § 419.5.

§ 419.3 Emergency claim.

(a) The claims officer may in his discretion and upon request of the claimant refer any claim filed under these regulations or portion thereof, to the authorized officer prior to final completion of the investigative report if the claim or portion thereof is for an item or service essential to the claimant to prevent personal hardship or injury.

(b) The authorized officer may, under the authority of this section of these regulations, make payment to the claimant; however, such payment shall not exceed $10,000.

(c) Payment of emergency claims under this section shall be made in accordance with the provisions of § 419.6 and shall be subject to the provisions of § 419.1–1(5).

§ 419.4 Partial payment of claim.

(a) The claims officer may in his discretion and upon request of the claimant refer a portion of any claim filed under these regulations to the authorized officer upon completion of the investigation of such portion of the claim. Only logically severable portions of the claim, as determined by the claims officer, shall be referred to the authorized officer.

(b) Upon receipt of the claims officer's partial investigative report under paragraph (a) of this section, the authorized officer shall make a determination of the claim under the procedures of § 419.2–1. If the authorized officer finds that partial determination is inappropriate, the authorized officer shall return the partial investigative report to the claims officer.

(c) Notice of determination of each partial claim shall be sent in accordance with § 419.2–1(b). Payment of partial claims under this section shall be made in accordance with the provisions of § 419.6 and shall be subject to the provisions of § 419.1–1(5).

§ 419.5 Final decision of claim.

(a) If the claimant is dissatisfied with the determination of the authorized officer, the claimant may file a request for reconsideration of the claim by notifying the authorized officer within 60 days after the date of receipt of the determination. All requests for reconsideration must be in writing and state the basis for the request, and may be supported by other pertinent documents and papers. The authorized officer may respond to the request for reconsideration within 20 days after receipt of the request by filing briefs or memoranda with the Department's Office of Hearings and Appeals.

(b) Upon receipt of a request for reconsideration, the authorized officer shall immediately forward the request for reconsideration, the investigative report, and all supporting documents and papers to the Office of Hearings and Appeals of the Department.

(c) The Office of Hearings and Appeals shall, within 6 months from the date of receipt of the request for reconsideration, take the final agency action on the claim in accordance with the final regulations contained in 43 CFR 4.700–4.704.

§ 419.6 Payment of claim.

(a) In all cases in which the authorized officer determines that payment of all or part of the claim filed under these regulations is proper, the authorized officer shall include with the notice of the disposition of the claim transmitted to the claimant under § 419.2–1(b) a completed payment voucher.

(b) Upon acceptance of the authorized officer's disposition of the claim, as evidenced by the execution and return of the payment voucher to the authorized officer, payment for the claims included therein shall be made by the Bureau out of "Construction and Rehabilitation" funds provided for by the Act of July 12, 1976, 90 Stat. 889.

(c) If the claimant has received emergency or disaster loans from the United States Department of Agriculture, the Small Business Administration or any other Federal agency due to the incident, the authorized officer shall issue separate payment vouchers to the claimant and to the Federal lending agency to the extent of the indebtedness. The voucher for payment to the Federal lending agency shall be made jointly payable to the claimant and the agency.

(d) If the authorized officer is aware of any secured interest in real or personal property which is the subject of a claim under these regulations the authorized officer shall notify such a holder of the secured interest of the payment at the time the payment voucher is transmitted to the claimant.

§ 419.7 Release.

(a) Acceptance of payment for claims under these regulations shall release the United States, its agents and employees from all possible liability for damages caused by the incident. The signed payment voucher shall constitute and be conclusive evidence of the claimant's full

release of the United States, its agents and employees from all possible liability. Such release will be binding upon the claimant and all other persons for whose benefit the claim was asserted or who might otherwise seek to hold the United States, its agents or employees liable for damages to the claimant caused by the incident.

(b) If partial payment is made under § 419.4, acceptance of the payment voucher for such partial payment under these regulations shall release the United States, its agents and employees from all possible liability for damages caused by the incident and related to the partial claim. The signed payment voucher will constitute and be conclusive evidence of the claimant's release. Such release will be binding upon the claimant and all other persons for whose benefit the partial claim was asserted or who might otherwise seek to hold the United States, its agents or employees liable for damages to the claimant caused by the incident and related to the partial claim.

(c) No release given under these regulations shall affect the rights of any insurance company with the rights of a subrogee against the United States, its agents and employees to the extent that the insurance company has paid claims arising from the incident prior to payment of a claim under these regulations.

§ 419.8 Limitation of relief to avoid duplication of benefits.

§ 419.8–1 Insurance or other non-Federal sources.

No payment shall be made under these regulations to the extent they are paid or are payable from any other source, including, but not limited to the claimant's insurance policies. If the investigative report indicates that the claimant may not be entitled to payment from another source, the authorized officer shall not issue a payment voucher unless and until the claimant has provided written proof that the insurer or such other source has denied the claim, and the claimant assigns to the United States his rights thereto under the policy or other obligation. If the authorized officer later determines that (a) a claimant has received payment under these regulations and from insurance or other sources, and, (b) that the amount received from all sources exceeded the amount of the loss, the authorized officer shall direct the claimant to refund or repay to the Treasury an amount not to exceed the payment received and sufficient to reimburse the Federal Government for that part of the payment the authorized officer deems excessive.

§ 419.8–2 Duplication of Federal benefits.

(a) The authorized officer shall assure, in cooperation with the Federal Coordinating Officer of the Federal Disaster Assistance Administration; that no claimant shall receive payment on a claim under these regulations with respect to any part of a loss as to which the claimant has received Federal financial assistance which is not repayable under any other Federal Government program.

(b) If the authorized officer later determines that (1) a claimant has received Federal financial assistance under these regulations and from another Federal agency and (2) that the amount received from all Federal agencies exceeded the amount of determined loss the authorized officer shall direct the claimant to refund or repay the Treasury an amount, not to exceed the payment received, sufficient to reimburse the Federal Government for the part of the assistance the authorized officer deems excessive.

§ 419.9 Limitation of damages.

(a) *General.* Claims shall be paid only for damages directly resulting from the incident and which occurred within the major disaster area. No claims shall be paid for punitive damages. The burden of proof on all claims shall be on the claimant.

(b) *Death.* Death claims shall be paid only if the death was directly caused by the incident including, but not limited to, drowning or injuries caused by floodwaters. The measure of damages in the case of a death shall be the actual pecuniary loss suffered by the heirs as would be determined under the laws of the State of Idaho.

(c) *Personal injury.* Claims based on personal injury shall be paid only if the injuries claimed were directly caused by the incident. The measure of damages in the case of a personal injury shall be actual special damages as recoverable under the laws of the State of Idaho.

(g) *Property damage.* Claims based on property damage shall be paid only if the damage claimed was directly caused by the incident, such as, but not limited to, floodwaters or Federal agency activities undertaken as a part of disaster relief activities. No claims shall be paid in excess of whichever of the following constitutes equitable compensation for loss as determined by the authorized officer: (1) The replacement cost of the property, (2) the cost of repairing the property to its condition prior to June 5, 1976, or (3) the amount determined necessary to replace or repair the property under the rules of the Federal agency which has made a disaster loan for such damage.

(e) *Loss of income.* Claims for loss of income whether resulting from personal injury, property damage or death will be paid to the extent such damages would be determined under the laws of the State of Idaho.

(f) *Interest.* No interest shall be paid any claimant based on any payments authorized or made under these regulations, except for the direct interest on disaster loans provided by another Federal agency after June 5, 1976.

§ 419.10 Time limit for filing claim.

Claims under these regulations shall be forever barred unless properly filed in accordance with § 419.1–0 of these regulations not later than two years after the effective date hereof.

§ 419.11 Effective date and publication.

§ 419.11–1 Effective date.

These regulations shall become effective upon publication in the FEDERAL REGISTER. (July 14, 1976).

§ 419.11–2 Publication.

In order to assure that information concerning the rights of claimants and procedures to be followed reach all prospective claimants these regulations shall be published at least once a week for four consecutive weeks in newspapers with general circulation in the State of Idaho. In addition, brochures and pamphlets explaining rights of claimants and procedures to be followed will be distributed in the major disaster area. Copies of these regulations shall be available at the Idaho Falls, Rexburg, and Blackfoot offices of the Bureau.

§ 419.12 Severability.

If any provision(s) of these regulations or the application thereof to any person or circumstances is subsequently held invalid by a court of law, the invalidity shall not affect other provisions or applications of the regulations which can be given effect without the invalid provision(s) or application, and for this purpose the provisions of these regulations are severable.

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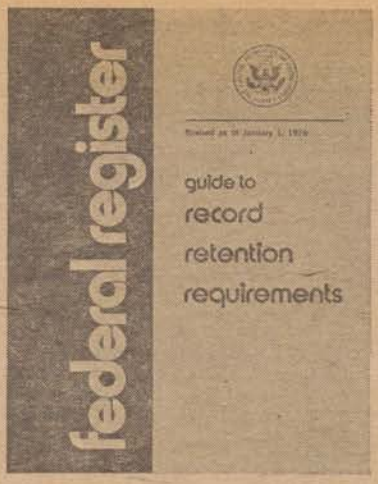

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