

federal register

THURSDAY, AUGUST 19, 1976



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List of Public Laws

This is a continuing numerical listing of public bills which have become law, together with the law number, the title, the date of approval, and the U.S. Statutes citation. The list is kept current in the FEDERAL REGISTER and copies of the laws may be obtained from the U.S. Government Printing Office.

H.R. 12169..... Pub. Law 94-385
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 (Aug. 14, 1976; 90 Stat. 1125)
 H.R. 13121..... Pub. Law 94-386
 To direct the Law Revision Counsel to prepare and publish the District of Columbia Code through publication of supplement V to the 1973 edition, with the Council of the District of Columbia

to be responsible for preparation and publication of such Code thereafter.
 (Aug. 14, 1976; 90 Stat. 1170)

H.R. 14234..... Pub. Law 94-387
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S. 1689..... Pub. Law 94-388
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 (Aug. 14, 1976; 90 Stat. 1189)

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

Monday	Tuesday	Wednesday	Thursday	Friday
NRC	USDA/ASCS		NRC	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
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DOT/OHMO	CSC		DOT/OHMO	CSC
DOT/OPSO	LABOR		DOT/OPSO	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 program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

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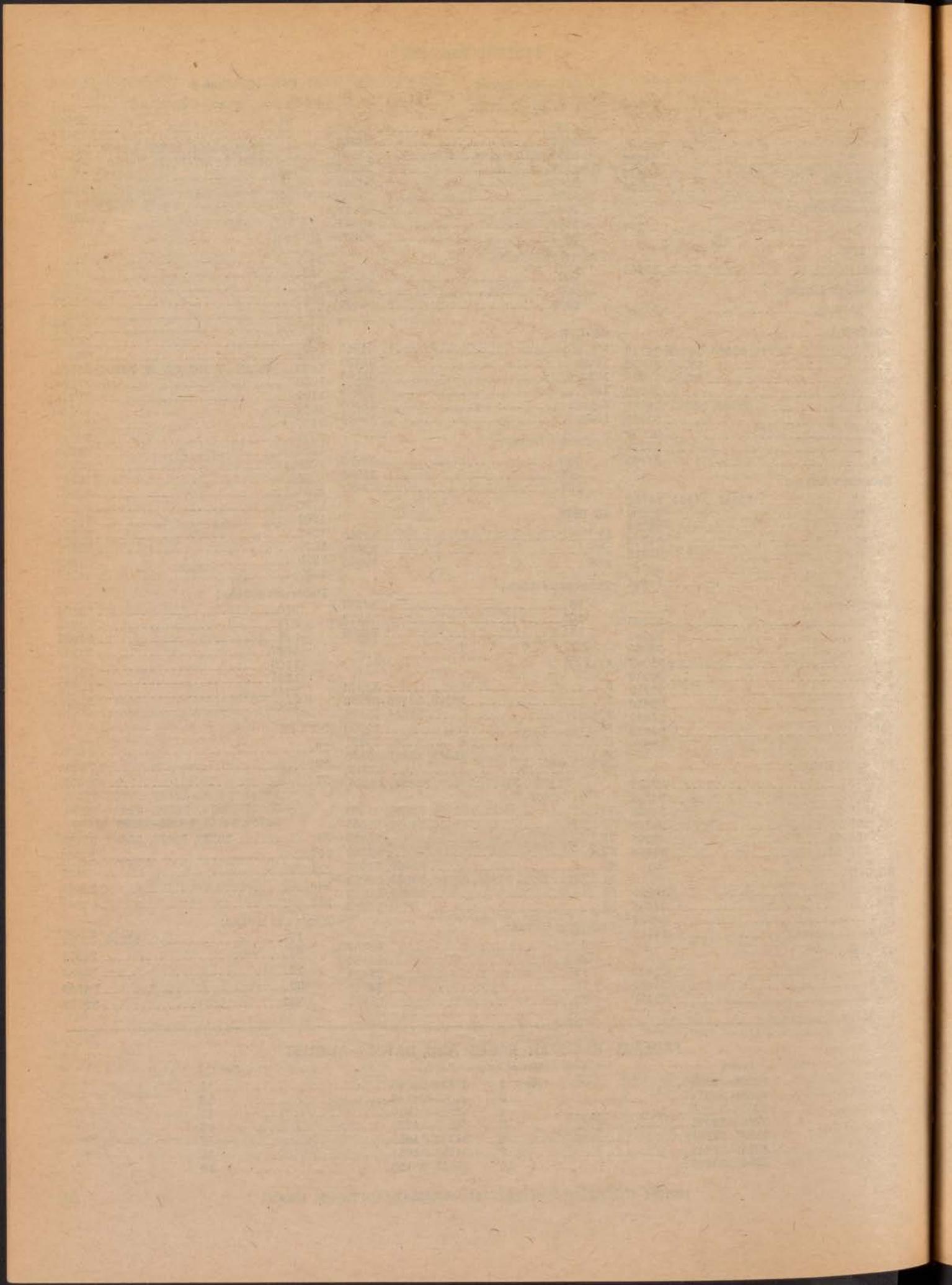
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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 7—Agriculture

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

[Valencia Orange Reg. 541]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period August 20-26, 1976. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.841 Valencia Orange Regulation 541.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the respective quantities of Valencia oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Valencia orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the fac-

tors enumerated in the order. The committee further reports that the fresh market demand for Valencia oranges continues slow. Prices f.o.b. for the week ending August 12 were \$3.45 a carton on 593 cars as compared with \$3.50 per carton on 727 cars during the prior week. Track and rolling supplies at 315 cars were down 51 cars from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on August 17, 1976.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period

August 20, 1976, through August 26, 1976, are hereby fixed as follows:

- (i) District 1: 292,000 cartons;
- (ii) District 2: 358,000 cartons;
- (iii) District 3: Unlimited.

(2) As used in this section, "handled", "District 1", "District 2", "District 3", and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: August 18, 1976.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[FR Doc. 76-24583 Filed 8-18-76; 11:48 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 11412; Amdt. 36-5]

PART 36—NOISE STANDARDS: AIRCRAFT TYPE AND AIRWORTHINESS CERTIFICATION

Noise Type Certification and Acoustical Change Approvals

○ The purpose of this amendment to Part 36 of the Federal Aviation Regulations (14 CFR Part 36) is to amend the procedures for measuring and evaluating the noise of subsonic transport category and turbojet engine powered airplanes. This amendment governs new type certificates and acoustical change approvals for which application is made after September 17, 1971, and is not approved by the Administrator before the effective date of this amendment. The primary basis of this amendment is § 611 of the Federal Aviation Act of 1958, as amended by the Noise Control Act of 1972 (Pub. L. 92-574). ○

This amendment is based on Notice 71-26 which was published in the FEDERAL REGISTER (36 FR 18584) on September 17, 1971. Three of the proposals contained in that notice (i.e. proposals concerning reduction in power or thrust during the takeoff and sideline noise tests, the use of the quietest airworthiness approved configuration during those tests, and the test airspeed that must be used during those tests) were previously adopted in Amendment 36-3 (39 FR 43830; December 19, 1974), with an effective date of January 20, 1975. That amendment was limited to acoustical change requirements for airplanes that are unable to comply with the noise limits of Appendix C of Part 36. As the preamble to that amendment stated, Notice

71-26 also contained "other proposals that are still under consideration by the FAA and that may result in additional rule making." This amendment disposes of the remaining proposals contained in that Notice 71-26 and adds requirements affecting all acoustical change demonstrations as well as those conducted for new type certificates.

Pursuant to § 611 (b) (1) of the Federal Aviation Act of 1958, as amended, the Federal Aviation Administration has consulted with the Secretary of Transportation prior to the adoption of this amendment. Also, pursuant to that provision, as well as § 309 of the Clean Air Act, as amended (42 U.S.C. § 1857h-7), and § 1500.9 (b) of the guidelines of the Council on Environmental Quality, contained in 40 CFR Part 1500, the FAA has consulted with the Environmental Protection Agency, and has submitted this amendment to that agency for review and comment, prior to adoption of this amendment.

Notice 71-26 proposed to add a new Subpart H to Part 36 containing all of the proposed modifications of Appendices A, B, and C of that Part, and other changes, that would apply after the date of publication of that notice (September 17, 1971). This amendment departs from that format, by adding each rule change directly to the portion of Part 36 that it modifies, rather than issuing a new subpart. For example, the amendments based on proposed § 36.1603 are added to Appendix A, the amendment based on proposed § 36.1605 is added to Appendix B, and the amendments based on proposed § 36.1607 are added to Appendix C. This change in format is editorial only.

Twenty comments in response to Notice 71-26 were received from citizens' groups, local governments, aviation trade associations, and foreign and domestic aircraft manufacturers. These comments addressed or affected the following proposals:

1. *Interference with sound field by obstructions.* The notice proposed to add a new § 36.1603(b) that would have required the applicant (instead of complying with the second sentence of § 36.1(b)(2)) to show that no obstructions that significantly influence the sound field from the aircraft exist (1) for takeoff and landing, within a conical space above the measuring position, defined by an axis normal to the ground and by half-angle 75 degrees from this axis, and (2) for sideline, above the line of sight between the measurement position and the aircraft. In response to public comments, and consistent with other provisions of this amendment limiting the testing and evaluation requirements to the 10 dB-down points, the FAA concludes that it is not necessary to require that noninterference with the sound field be shown beyond the 10 dB-down points. Accordingly, new § 36.7(b) (which contains the provisions in proposed § 36.1603(b)) provides that the required freedom from interference with the sound field must be shown "within the 10 dB-down points described in § 36.5."

During the FAA consultation with the U.S. Environmental Protection Agency (EPA), under § 611 of the Federal Aviation Act of 1958, as amended, the EPA recommended changes in the rule to conform with sug-

gested text from the International Civil Aviation Organization (ICAO) Committee on Aircraft Noise. The FAA agrees that such conformity is desirable and has added a definition of "measuring point" to § 36.7(b)(1). The EPA also recommended expanding from 75 degrees to 80 degrees the half-angle of the conical space in which no obstruction may exist which significantly influences the sound field from the aircraft. However, since Notice 71-26 did not propose to increase the conical space required to be free from obstruction interference, such an amendment is beyond the scope of the notice. Thus, a proposal to expand the half-angle to 80 degrees will be included in a future notice of proposed rule making. In addition, the EPA recommended a clarifying change to specify the applicability of the conical space restriction to sideline noise measurement stations, as well as those for takeoff and landing. The FAA agrees, since it did not intend to narrow the scope of the current rule which prescribes the "conical space" restriction for all noise measurement stations. Thus, the rule adopted is revised to more clearly specify the continuation of that restriction, with the additional "line of sight" restriction as proposed in § 36.1603(b)(2) for sideline measurements only.

2. *Altitude/temperature accountability and weight limitations.* Notice 71-26 proposed requiring an applicant for type certification to demonstrate compliance for the entire range of takeoff and landing temperature and altitude conditions for which approval is requested. Under the proposal, rather than following the current procedure for correcting the test data to the standard test-reference day (i.e. sea level, 77 degrees F, 70 percent relative humidity and zero wind), the test data would be corrected to demonstrate noise level compliance across the wider range of temperatures and altitudes at which the aircraft would be permitted to operate. Further, in demonstrating compliance with Appendix C noise levels, the highest structural weight for which the airplane is approved would be required to be used. The test reference weight would be the highest weights (takeoff and landing) for each altitude and temperature condition for which approval is sought. Under the proposal, the reference weights would become limitations for each approved altitude and temperature condition.

The intent of these proposals was (1) to eliminate anomalous deviation in the certification test results by more closely approximating the conditions actually existing during flight operations, and (2) to discourage the development and application of specialized engines or nacelle designs that would provide significant noise reduction only at or near the standard test-reference day condition. However, after examination of the issues and technologies involved and of the comments submitted to the docket, the FAA has concluded that such specialized designs are not realistic possibilities and that the relatively simple corrective calculation procedure, which the FAA contemplated when it issued the proposal, has proved to be impractical. This is largely due to a lack of precise acoustic data and of an adequate means of employing it. The alternative means of implementing these proposals—actual flight testing under the variety of altitude/temperature combinations was not specifically addressed in Notice 71-26 because it would result in assessing economic penalties to certification applicants which would far outweigh the noise reduction that could be achieved. The FAA concludes that the proposed test correction requirements would significantly increase the testing burden and that they have not been shown to be economically reasonable and offer little, if

any, demonstrable benefit in noise reduction. Therefore, the rule adopted does not include the testing requirements for altitude/temperature accountability proposed in the NPRM. Further, since the altitude/temperature accountability has been deleted, the test reference and structural weight considerations, together with airplane flight manual listings, based on the altitude/temperature proposal have no basis for retention and have also been deleted in the final rule.

One comment favored adoption of the altitude and temperature accountability proposal because of the importance of protecting the public from unnecessary aircraft noise in all communities and during all weather conditions. While sharing the objectives expressed by the commenter, the FAA concludes it cannot achieve these objectives unless it provides a rule which prescribes the means for assuring (1) that the calculations of noise with the variations of aircraft noise characteristics can be shown to provide noise values that are consistent with the basic laws and technology of acoustic physics; and, (2) that no anomalous characteristics are developed as a result of applying technology designed to satisfy the FAR 36 standard test-reference day. As many commenters pointed out, both the noise source data and the standard atmospheric attenuation data, which constitute the bases for the present test data correction procedures, have limited ranges of application and extrapolation. The FAA agrees with the commenters who suggested that it would be unlikely that sea level noise source corrections can be applied at all operational altitudes and temperatures without validation by additional testing at high altitude airfields. Extrapolative errors from currently available data to the higher altitudes and extremes of temperatures are simply too great to permit accurate correction by analytical methods alone. However, despite the deletion of the altitude/temperature accountability requirements, the FAA does not intend that the standard reference day for noise certification (sea level, 77 degrees F, and 70 percent relative humidity) should become a unique operating point, either aerodynamically or acoustically.

Several commenters complained that, while under the present test procedure, one can expect to produce corresponding reductions in overall noise exposure at any given airport condition, the result of the application of the proposed altitude and temperature accountability procedure represents an effective lowering of the permissible noise levels. Although, the FAA did not intend to lower the noise limits by proposing altitude/temperature accountability, it agrees with the first part of the commenter's statement and concludes that further altitude/temperature accountability is unnecessary.

Another commenter reasoned that, if altitude/temperature accountability is an attempt to define noise characteristics for all operating conditions, then the takeoff and approach test conditions should be changed to include those noise abatement operating techniques not currently specified in FAR 36. The use of operational rules to lower noise impact has merit and may be the subject of additional rule-making action. However, since the Notice 71-26 did not propose adoption of operating rules to achieve noise control or abatement, such action would be beyond the scope of the notice. The proposals in the NPRM were not intended to effect a lowering of existing noise level standards but to provide a means for avoiding anomalous deviations from established levels when flight conditions are other than those of the standard test-reference day.

One comment suggested that the testing rule should permit the use of not only the standard test procedure defined in FAR 36

but also any procedure authorized by the "navigability regulations." The FAA believes that a very important aspect of noise certification is the ability to compare test results among aircraft types. The change recommended by this commenter would make such comparisons extremely difficult and of questionable reliability. Further, the costs incident to the additional testing that would be needed make this suggestion economically unreasonable to implement at this time.

The lack of specific formulas or means of calculating the proposed altitude/temperature correction was objectionable according to several comments. They cited deficiencies in the proposal in the presentation of the appropriate correction factors and procedures. Several commenters noted that relative humidity as a consideration in establishing sound absorption parameters was not addressed, and that the FAA should provide "comprehensive, realistic influence coefficients for the atmospheric absorption of sound." It should be emphasized that the altitude/temperature accountability proposal did not prescribe a specific performance requirement as the means of compliance but only required applicants for certification to demonstrate by means of a test data correction that prescribed noise levels would be made within the "entire range of takeoff and landing altitude and temperature conditions for which approval is requested." In proposing such accountability, the FAA believed the necessary data and computational means were or would be available to show compliance. Since it has been found that this information does not exist with sufficient accuracy to justify adoption of the altitude/temperature accountability part of the proposed rule, that portion of the proposal is being withdrawn.

One commenter correctly observed that "[the] requirement that compliance be shown at the highest weight (takeoff and landing) for which the aircraft is certified is also necessary since this is the condition that creates the most noise." However, the FAA concludes that current paragraph 36.1581(c) is adequate to achieve this purpose.

As previously noted, Notice 71-26 proposed requirements regarding test reference and aircraft structural weights in the altitude/temperature accountability procedure to assure greater consistency between testing and operating conditions and to prevent artificial manipulation of the weight factors in certification testing and compliance levels comparisons. Many commenters who suggested deletion of the altitude/temperature accountability portions of the proposal also recommended not adopting the related weight factors and limitations used to establish test noise levels and to demonstrate compliance. The FAA agrees with those commenters who believed that using the highest structural weight of the aircraft in obtaining Appendix C levels could result in unreliable results due to the lack of precision in calculating the altitude/temperature correction. These potential problems are eliminated, however, by the deletion of the altitude/temperature accountability requirement. The needed protection is provided by the newly adopted provisions of FAR 36.1581(c). These considerations prompt withdrawing the weight consideration portions of the proposal.

3. *Flight manual listings.* The notice proposed to add new paragraphs 36.1609 (a) and (b) to require specific information in the airplane flight manual regarding the noise levels at each approved takeoff and landing altitude and temperature, how they were achieved, and the applicable Appendix C noise level standards. New paragraph 36.1609

(d) proposed to require that the highest takeoff and landing weight at which compliance is shown, for each altitude and temperature approved, must be furnished (in the airplane flight manual) as a takeoff or landing operating limitation for that altitude and temperature condition.

As indicated in the discussion above, the provisions of the proposed rule regarding altitude and temperature accountability are not being adopted for the reasons stated. Since the proposed flight manual listings were an integral part of the concept of altitude and temperature accountability, they are also being withdrawn from the rule making.

Several comments objected to the proposed flight manual listings, either as part of their objection to altitude/temperature accountability or for separate reasons. The FAA concurs with the reasons based upon the relationship to the altitude/temperature accountability.

4. *Flight path, performance, and noise source correction.* This amendment adopts the text of the rule proposed in paragraphs 36.1603(d) and (h) of Notice 71-26 with the deletion of the proposed requirement for altitude/temperature accountability. Rather than adding the proposed new paragraphs, these amendments are effected by adding a new § 36.7(d), which provides a description of the corrections required for aircraft flight path and performance and of the required relationship between the aircraft and sound (signal) and background noise levels within the 10 dB-down points. Under the amendment, instead of complying with the first two sentences of § 36.3(d) (2), the new provisions apply.

New paragraph 36.7(d)(1) clarifies the required correction between the applicant's predicted flight paths for type certification reference conditions and the measured flight paths at the test conditions. The new wording corrects the ambiguous requirement of the present provision.

New paragraph 36.7(d)(2) simply adopts and restates the language of the second sentence of present paragraph 36.3(d)(2) without substantive change or effect on the test correction procedure. The final rule does not retain the altitude/temperature accountability proposed in Notice 71-26.

Commenters to the flight path and performance corrections supported their adoption if the proposed altitude/temperature accountability were deleted. Since that accountability requirement is omitted in the final rule, the recommendation has been accepted.

New § 36.7(d)(3) prescribes the requirement that the source noise must be corrected from approved data for any differences between the measured and corrected engine conditions, together with appropriate allowances for sound attenuation with distance.

One commenter, while agreeing that there is a "very real need for source noise corrections," suggested that guidance as to the method of determination is required. An accurate and reliable method for the attenuation of sound with distance is considered essential by the commenter.

The FAA agrees that the method of demonstrating compliance must be accurate and reliable and that the language of proposed paragraph 36.1603(h)(3) can more clearly specify the required procedure for making the correction. Under the proposal, it was contemplated that whenever corrections for distance is appropriate, it would necessarily be accomplished under the sound attenuation procedures presented in § 36.5(a), which incorporates by reference SAE standard ARP 866: "Standard Values of Atmospheric Absorp-

tion as a Function of Temperature and Humidity for Use in Evaluating Aircraft Flying Noise." New § 36.7(d)(3), therefore, refers specifically to the applicability of § 36.5(a) for sound attenuation corrections.

Another comment argued that the proposed test data corrections were excessive and, in general, would inevitably lead to serious difficulties for international flights under the rule since it would be less stringent than that prescribed in ICAO Annex 16. As noted by the commenter, noise certification does not ensure that a certificated airplane will, when in operation, reproduce exactly the noise impact on the ground perceived at the time of its certification testing. Even the most precise, operationally oriented test procedures contain some uncontrollable factors which affect the data produced and which must be accounted for in developing the test results. Correction for sound attenuation for distance, like corrections for standard day, flight path deviation, duration, and thrust, is necessary to eliminate the distortion caused by inadvertent factors in performing the test procedure. The FAA concludes that the allowance for corrections of test data adopted by the rule is not excessive. Since ICAO has adopted sound attenuation for distance provisions similar to those adopted in this final rule, Part 36 is not less stringent than ICAO Annex 16.

Similarly, one commenter recommended not adopting the provision for allowing correction of sound attenuation for distance because the distance factor in sound attenuation is already adequately accounted for in the measured data. It should be noted that sound attenuation for distance is only one element of the required source noise correction based upon approved data prescribed in § 36.7 that accounts for differences between measured and corrected engine conditions. As such, the provision for sound attenuation for distance was included to assure that it is properly considered during each certification action whether or not it changes the test results. Noise source corrections are an appropriate part of the type certification and acoustical change test procedures.

5. *Cold day/hot day effect; and aircraft weight corrections.* Present § 36.6(a) permits the takeoff test flight path to be higher or lower than the test reference altitude to account for meteorological effects of cold day or hot day conditions on aerodynamic performance characteristics; approach test flight path may be either higher or lower than the reference altitude without regard to meteorological conditions. These provisions were included in the original FAR Part 36 in an effort to account for the effects which cause a test aircraft to fly above or below the test reference flight path and to require appropriate corrections to be made. Proposed § 36.1603(k)(1) (which is adopted as § 36.7(f)(1)) provided for the elimination of that correction procedure. Certification test experience has demonstrated that this particular correction procedure is unclear and imprecise and that, in light of procedures for the correction of test flight path, it is unnecessary. However, the public comments received in the Rules Docket did not speak to this specific proposal.

Further, the FAA has found that "Figure A8," "Figure A9," and "Figure A10" in § 36.6 do not have current application or value in the prescription of correction procedures. As proposed in § 36.1603(k)(4), these illustrations are deleted from the test correction procedures by the terms of new § 36.7(f)(3). No public comment specifically addressed this proposal.

6. *Noise floor definitions.* In § 36.7(e)(1), the final rule adopts the noise floor defini-

tion proposed in the NPRM text of § 36.1603 (1). This amendment augments the present procedure stated in § A36.3(d)(3) by prescribing that the signal to noise ratio within the 10 dB-down points may not be less than 6 dB without approved special test or correction procedures.

This additional provision more clearly states the signal-to-noise limitation that must be applied to acoustic data generated in the testing environment. Correct delineation of the 10 dB-down points is essential to computation of the duration correction factor. The 6 dB signal-to-noise ratio limitation ensures the integrity of the test data. However, to avoid imposing unwarranted penalties upon an applicant when the 6 dB signal-to-noise ratio limitation cannot be satisfied (such as could be the case with an unusually quiet aircraft), the rule provides for the approval of special test or correction procedures to bring the test data within the required limits.

7. *Duration correction.* In Notice 71-26, the FAA proposed to adopt a new FAR paragraph 36.1605(b) to modify the procedure in § B36.5 for determining the duration correction factor in the EPNL equation for special circumstances. As approved, this amendment of the last unnumbered paragraph of § B36.5 modifies that procedure by eliminating the 90 EPNdB floor in computing duration.

The 90 EPNdB floor was originally adopted to limit the possible development of an unrealistically large positive duration correction under test conditions where the 10 dB-down points are obscured by exceptionally high levels of background noise at the test site. However, in proposing the amendment contained in Notice 71-26, the FAA believed that the rule needed reexamination of its ability to properly avoid the potential penalty that might result from ambient noise levels obscuring the 10 dB-down points. The FAA believed that because it was a somewhat artificial solution, erroneous results could accrue from its application. Therefore, the FAA proposed in the NPRM to limit the permissible correction factors, positive or negative, to not more than the value of 5. Upon careful consideration of the proposal and comments received on the issue, the FAA concludes that the proposed limitation is itself inadequate as the sole correction factor limitation for all cases. Under this amendment, the 90 EPNdB floor concept is eliminated for applications made after September 17, 1971, and the durational value must, therefore, include the 10 dB-down points in the flyover noise/time record. In those cases where high ambient noise levels obscure the 10 dB-down points, making them impossible to fix, the applicant may elect to change test sites or seek approval for relocating test measuring-recording points (within correctable margins) to achieve the necessary reduction in ambient noise and establish the 10 dB-down points in the test data.

Most of the comments received supported the elimination of the 90 EPNdB floor but objected to imposing an "arbitrary" limitation of the proposed correction factor to ± 5 . There was general agreement among the comments that there is no basis or justification for the proposed limitation. Several comments recommended that, if from a psychoacoustic basis the duration correction concept is valid, the test result, whatever it is, should be used as the starting point for the correction; however, if it is not valid, the calculation procedure should be changed rather than limiting the range of the incorrect result. One commenter argued that the replacement of the 90 EPNdB floor with the ± 5 value range of duration correction "appears to be improper since there is no engineering basis for the limitation. Valid

correction factors capable of being applied in a meaningful manner should be provided by the FAA." Similar statements were made in several other comments. In general, the FAA concurs. However, the 90 EPNdB floor was originally introduced into Part 36 to avoid a resultant penalty which the FAA believed might be caused by mathematically developing unrealistically large positive duration corrections in those cases where test conditions were such that the 10 dB-down points were difficult to determine. Based on type certification experience since the adoption of Part 36, the FAA does not believe that the elimination of the 90 EPNdB floor, together with the withdrawal of the proposed ± 5 EPNdB correction limitation, will result in positive correction values greater than those that are obtained under the current regulation. In addition, with the experience of certification tests, the FAA has found no reliable calculation procedure covering the range of variations which properly and meaningfully reflects the 10 dB-down points when they are obscured by ambient noise levels. As a result, the FAA has determined that the aircraft testing procedures prescribed in § A36.1(c) should be adjusted by amending § B36.5 to make explicit that the required test data include the 10 dB-down points in the flyover noise/time record. The need to show the 10 dB-down points also results from the redefinition of the noise floor adopted in § A36.3(d)(iii), as proposed in the NPRM and discussed above. The reason for this amendment is to provide uniformity in the method of data processing at all amplitudes while simplifying the correction procedure.

Several commenters, who observed that the proposed ± 5 EPNdB correction limitation had no technological basis, believed that the negative component of the duration correction procedure prescribed in § B36.5 (when the 90 EPNdB floor is not invoked) should be retained. These commenters pointed out that the permissible negative correction factor provides a real incentive to strive for further beneficial subjective reductions in noise arising from aircraft characteristics such as airframe shielding, approach speed, etc. While the compliance test data corrections are not generally intended by themselves to prescribe penalties or confer benefits, the FAA recognizes that they may tend to have that effect in some cases. The duration correction factor does reflect the FAA's concern for achieving subjective psychoacoustic benefits and as such may provide an inducement to design aircraft with reduced noise duration characteristics. By eliminating the 90 EPNdB floor and not adopting the proposed ± 5 EPNdB correction limitation, the final rule provides the potential for an unlimited negative correction factor for noise duration and, therefore, an increased incentive to develop reduced noise duration characteristics for airplanes. The commenters' suggestion is, therefore, accepted as an additional basis for eliminating the limitation on the duration correction factor entirely.

One commenter observed that some psychoacoustic studies suggest that the beneficial effects of short duration flyovers tend to increase to a rate of 6 dB for a halving of the duration time rather than the 3 dB value presently used. The commenter believes that incorporation of this feature would result in a better definition of the time dependent acoustic rate factor. However, the FAA does not consider the increased rate factor sufficiently technologically substantiated at this time to warrant its inclusion in the rule. Further, Notice 71-26 did not discuss or propose a change in the rate factor and it is, therefore, beyond the scope of the notice.

Arguing that to "arbitrarily limit the correction factor D to $+5$ and -5 has no justification whenever," two commenters rec-

ommended the maximum negative value of 10 dB for those cases when the 90 EPNdB floor is involved. While the FAA agrees that it now finds the proposed values of ± 5 to be unfounded, there is equally no support for adopting a negative value of 10 dB. The FAA concludes that § B36.5 should be amended to require inclusion of the 10 dB-down PNLT values in testing data, if necessary, by modifying testing conditions in the limited number of cases where the problem arises.

Another comment requested that the FAA reexamine the proposed rule with respect to the duration correction so that it may be made identical to the one specified in ICAO Annex 16. The FAA recognizes the desirability of having consistency between FAR 36 and Annex 16. However, since this comment was received, ICAO has undertaken consideration of a duration correction factor amendment of Annex 16 similar to that proposed in Notice 71-26 and recommends its adoption. Whether or not ICAO subsequently adopts this change in the duration correction factor, FAA's statutory responsibility under § 611(d) of the Federal Aviation Act, as amended, requires that it consider whether proposed noise certification standards that are "economically reasonable, technologically practicable, and appropriate for the particular type of aircraft" to which it applies. This amendment is adopted pursuant to that requirement.

8. *Approach test airspeed; and takeoff and approach test airspeed tolerance.* In Notice 71-26, the FAA proposed to adopt a new paragraph 36.1607(f) which would amend the approach test airspeed requirements, contained in § C36.9(d), when applied to applications made after September 17, 1971, by prescribing the use of $1.3V_{s0}$ (the stalling speed or the minimum steady flight speed in landing configuration) ± 10 knots ± 3 knots rather than the currently required $1.3 V_s$ (the stalling speed or the minimum steady flight speed at which the airplane is controllable) ± 10 knots without any specified airspeed tolerance. [Through a typographical error, the proposed airspeed factor was published as " $1.33 V_{s0}$ " rather than " $1.3 V_{s0}$ " as specified in the original FAA document.]

While no public comment discussed the proposed substitution of V_{s0} for V_s , after re-considering the issues involved in the selection of the approach test airspeed, the FAA has determined that this portion of the proposal should not be adopted. Since V_{s0} is not currently required as part of the airworthiness certification of turbine powered aircraft, to require applicants to determine V_{s0} solely for noise certification purposes would result in an additional test burden in certifying turbine powered aircraft. Further, the FAA proposed in Notice 75-10 to amend FAR 25.75 to substitute V_s for the V_{s0} currently required in airworthiness test approach airspeed for reciprocating-engine-powered airplanes. In light of this proposal and the concern for basic consistency between airworthiness and noise certification test procedures, the FAA believes that V_s as the basis for the approach test airspeed in the noise certification procedure should be retained. This action will have the additional benefit of preserving the comparability of newly produced test data with that of the data compiled during the past 6 years under FAR Part 36. Since the FAA has experienced no problem arising from the use of V_s in approach test airspeed under Part 36, and since no comments addressed the proposal, that part of the approach test airspeed proposal is withdrawn.

In order to ensure a valid comparative testing procedure, Notice 71-26 also proposed in new paragraphs 36.1607 (d) and (f) to prescribe takeoff and approach test airspeed tolerances for the test conditions prescribed in Appendix C. These proposals are adopted

without change in substance by amending paragraph C36.7(d) and adding a new paragraph C36.7(f). [Amendment 36-3 adopted the takeoff test airspeed proposed in Notice 71-26 applicable to acoustic change approvals.]

As amended, paragraph 36.7(d) refers to paragraph 36.7(f), which prescribes a takeoff speed of $V_2 + 10$ knots ± 3 knots rather than the minimum takeoff speed of $V_2 + 10$ knots with no upper limit. For the approach testing procedure, paragraph 36.7(f) prescribes a steady approach speed of either $1.3V_2 + 10$ knots or the speed used to establish the approved landing distance, whichever is greater, within a ± 3 knot tolerance. These tolerances provide an appropriate means for controlling the inevitable variations from the prescribed basic airspeeds that occur during certification testing of noise characteristics.

A tolerance of ± 3 knots was supported by commenters who recognized that such strict tolerances are appropriate and necessary in a noise testing procedure and do not constitute operational requirements. No operational limitations were intended on this subject by Notice 71-26.

Opposition to the proposed takeoff and approach test airspeed tolerances was frequently based upon beliefs that the noise test procedures were intended to be, or should be, procedures that are used operationally. The FAA disagrees. Noise certification tests do not necessarily coincide with any operational requirements but are prescribed to provide demonstrations that uniformly and fairly represent the noise characteristics of all aircraft subject to the test. Test factor tolerances, like data correction limitations, provide assurances that uncontrollable variations in executing the procedure will not introduce unacceptable errors in test data or results.

One commenter suggested that the "inevitable variations from these speeds during tests should be controlled only by a limitation on the dB corrections to which they give rise." The FAA concludes that, in this case, placing the limitation on the flight of the aircraft during the test will result in fewer factors, that require complex corrections, being introduced into the measured data. The test procedure being adopted is, therefore, preferable to that suggested by the commenter.

According to another comment, the fixing of noise certification test speeds (takeoff and approach) "is restrictive on the aircraft design and the development of improved noise abatement techniques." The FAA does not believe that requiring aircraft to be flown at the prescribed airspeeds during noise certification testing is itself restrictive on aircraft design or development of other noise abatement techniques. The test airspeed requirements, together with the ± 3 knot tolerance, ensures a basis of noise comparisons by preventing manipulation of the speed factors that mask the actual noise emissions. It should be noted that the $V_2 + 10$ knot with the ± 3 knot tolerance is identical to that adopted for acoustical changes in Amendment 36-3 (39 FR 43830; December 19, 1974). As stated in the preamble to that amendment, this change is "intended to ensure a valid comparative test by prohibiting the modified airplane from overflying the measurement point at [an] air speed markedly different from that of the unmodified airplane (since flyover time can affect recorded noise levels)." Although this amendment extends the test airspeed adopted in Amendment 36-3 to new type certificates, the FAA believes that comparability of noise test results among airplanes of the same category is equally beneficial in the entire noise certification program. The amendment assures the desirable uniformity of test procedures and comparability of noise emission test data.

While one commenter stated that any tol-

erance more restrictive than ± 10 knots is overly restrictive and would result in the need for repeating tests or in the unnecessary omission of data, another commenter agreed that a test tolerance of ± 3 knots is "most representative" and "appropriate." The FAA believes that a tolerance of more than ± 3 knots may permit unnecessary correction errors to be introduced and that a larger tolerance has not been shown to be needed.

Some commenters to Notice 71-26 specifically questioned the flight safety of the proposed test airspeeds and tolerance limits. As stated in the preamble to Amendment 36-3, the FAA has concluded that the use of the required test airspeeds does not create problems of flight safety when conducted as prescribed. Since the issues raised by these comments were adequately addressed in the preamble to Amendment 36-3, they are not repeated here.

Several commenters objected to setting of airspeed restrictions beyond those prescribed by airworthiness requirements as being detrimental to the certification concept. These amendments deliberately adopt airspeeds based on airworthiness values to assure that they do not conflict with or override the airworthiness considerations. However, since the airworthiness procedure permits a wide range of airspeeds, the need for producing comparability in the noise data among tested airplanes requires the selection of specific airworthiness designated speeds for takeoff and approach noise testing. The FAA believes the final rule is conceptually consistent with those objectives.

Another comment argued that it would be "wrong to demand the use of an arbitrary approach speed of $1.3V_2 + 10$ knots if this conflicts with the airworthiness regulations," or if "a manufacturer has designed his aircraft to meet airworthiness regulations with an approach speed lower than $1.3V_2 + 10$ knots." The FAA does not believe that the prescribed airspeeds and tolerances are arbitrary or in conflict with airworthiness rules because they are representative of identified characteristics of the category of aircraft affected and they are based upon airworthiness considerations and the need for comparability of test data produced.

The FAA agrees with the comment suggestion that the way should be left open to allow and encourage research and development of favorable noise abatement flight techniques such as "decelerated approaches, steeper approach paths, and programmed flap movements." The FAA does not believe that the amendment of test procedures or data correction factors adopted by this rule making affects the development of improved operational techniques.

9. *Negative runway gradient.* New paragraph (f)(2) of § C36.7 adopts without substantive change, the text of proposed § 36.1807(e) to require the correction of performance and acoustic data to account for a negative runway gradient in the direction of takeoff.

While commenters generally agreed with the adoption of the proposal, one commenter stated that the "intent of this paragraph would be better expressed by specifying a level runway as one of the reference conditions." The FAA does not agree. The addition of another prescribed test-reference condition would serve no practical purpose since the correction procedure adopted in this amendment adequately accounts for a negative runway gradient. Therefore, this suggestion is not adopted.

10. *Effective date.* As noted by many commenters, the FAA proposed to make the regulations applicable to applications for new type certificates and acoustic change approvals received by the FAA on or after September 17, 1971 (the date the NPRM was published in the FEDERAL REGISTER). This pro-

posal is adopted without substantive change in the final rule.

Notice 71-26 stated that the FAA was concerned with the timing of the effective date of the proposed rules because of the significant and enduring impact upon the noise abatement benefits the rules were intended to achieve. Thus, the FAA proposed to apply these proposals to applications received on or after the publication date of the NPRM. By adopting that proposal, the FAA avoids the possibility of a significant number of applications being submitted before the effective date of the final rule but for which FAA approval could not be given before the rule becomes effective. As stated in the NPRM, nothing in the proposal would affect applications for which approvals are issued prior to the effective date of the final rule or any approval issued on the basis of an application received before September 17, 1971. In effect, the NPRM announced the FAA's intention to apply the amended rules (when they become effective) to approvals even though the application was received during the period between the publication date of the NPRM and the effective date of the amended rules.

This proposal was commended by those commenters who share FAA's environmental concern. One commenter stated, in support of the timing of the regulations, that "We fear that if the regulations were applied only to applications received after the effective date of the final rule, many applications would be filed before such effective dates and would thereby significantly retard public benefit which you intend."

However, another commenter feared that the proposal "would make it impossible for manufacturers to fix designs, start production and make final commitment until the certification requirements are finally established." The FAA agrees that absent a compelling justification, type certification rules should be made to apply only to applications received after the effective date of such rules. However, as previously stated, the FAA believes that sufficient reason exists in this case, since the effectiveness of the proposals could be compromised for many years into the future. Deferring the environmental benefits which will be achieved would not be in the public interest or consistent with FAA's responsibility under the Noise Control Act of 1972 to prescribe appropriate aircraft noise abatement regulations.

One commenter questioned whether compliance to the terms of the NPRM was appropriate since that may require showing compliance with a proposal that may be changed as a result of comments. The same commenter stated that "a possible strict interpretation of the NPRM would suggest that even though the NPRM has been published, comments from interested persons will not in fact be considered." It should be apparent from the modifications of the proposals in the final rule, that the public participate in this rule making has not been rendered ineffectual. However, it is not contrary to meaningful public proceedings to announce that the final rule, when adopted, will apply to applications received before the effective date of the rule, since as stated in the notice, the applicable rules are those in effect on the date of approval, not the date of application. This is consistent with sound rule-making practice.

11. *General comments.* Several comments were received which did not address specific issues or the substance of the proposed rules. These included one commenter who suggested that "the FAA should go further in requiring quiet engine retrofit and operational standards for airports." The merits of these recommendations are under consideration by the FAA in other regulatory proceedings but are outside the scope of the notice of Notice 71-26.

AUTHORITY: (Sections 313(a), 601, 603, and 611 of the Federal Aviation Act of 1958, as amended by the Noise Control Act of 1972 (Pub. L. 92-574) (49 U.S.C. 1354(a), 1421, 1423, and 1431); Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655 (c)); National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); Executive Order 11514, March 5, 1970).

In consideration of the foregoing, Part 36 of the Federal Aviation Regulations (14 CFR Part 36) is amended, effective September 20, 1976, as follows:

§ 36.2 [Amended]

I. Paragraph (a) of § 36.2 is amended by adding the following sentence at the end of that paragraph immediately after the words "of this Part": "In addition, for applications for new type certificates made after September 17, 1971, compliance must be shown with the applicable provisions of this Part."

II. Paragraphs (a) (1) and (a) (2) (ii) of § 36.7 are amended to read as follows:

§ 36.7 Acoustical change.

(a) * * *

(1) If the airplane can achieve the noise limits prescribed in Appendix C of this Part, or lower noise levels, prior to the change in type design, it may not exceed the noise limits prescribed in Appendix C after the change in type design. For applications made after September 17, 1971, compliance with the applicable noise limits must be shown in accordance with §§ C36.7(f) and C36.9(f) of Appendix C.

(2) * * *

(i) * * *

(ii) For the noise levels measured and evaluated before and after the change in type design, compliance with §§ C36.7(f) and C36.9(f) must be shown.

III. Appendix A of Part 36 is amended as follows:

A. Paragraph (a) of § A36.1 is amended to read as follows:

Section A36.1 *Noise certification test and measurement conditions.*—(a) *General.* This section prescribes the conditions under which noise type certification tests must be conducted and the measurement procedures that must be used to measure the noise made by the aircraft for which the test is conducted. For applications made after September 17, 1971, compliance with § A36.7 of this Appendix must be shown in addition to the applicable provisions of this section.

B. Paragraph (a) of § A36.3 is amended to read as follows:

Section A36.3 *Reporting and correcting measured data.*—(a) *General.* Data representing physical measurements or corrections to measured data must be recorded in permanent form and appended to the record except that corrections to measurements for normal equipment response deviations need not be reported. All other corrections must be approved. Estimates must be made of the individual errors inherent in each of the operations employed in obtaining the final data. For applications made after September 17, 1971, compliance with § A36.7 of this Appendix must be shown in addition to the applicable provisions of this section.

C. Paragraph (a) of § A36.6 is amended by adding the following sentence at the beginning of the paragraph:

For applications made after September 17, 1971, compliance with § A36.7 of this Appendix must be shown in addition to the applicable provisions of this section.

D. A new § A36.7 is added to read as follows:

Section A36.7 *Applications made after September 17, 1971.*—(a) For applications made after September 17, 1971, compliance with this section must be shown in addition to the applicable provisions of §§ A36.1 through A36.6 of this Appendix.

(b) Instead of complying with the second sentence of § A36.1(b) (2), it must be shown that, during the period when the flight-time record indicates the noise measurement is within 10 dB of PNLTM, no obstruction that significantly influences the sound field from the aircraft may exist—

(1) For a takeoff, approach, or sideline noise measurement station, within a conical space above the measuring position (the point on the ground vertically below the microphone), the cone being defined by an axis normal to the ground and by a half-angle 75 degrees from this axis; and

(2) For a sideline noise measurement station, above a line of sight between the microphone and the aircraft.

(c) Instead of complying with § A36.1(d) (2), it must be shown that position and performance data are corrected as prescribed in § A36.3(d) as modified by paragraphs (d) and (e) of this section.

(d) Instead of complying with the first two sentences of § A36.3(d) (2), the following apply:

(1) The measured flight paths must be corrected by an amount equal to the difference between the applicant's predicted flight paths for the type certification reference conditions and the measured flight paths at the test conditions.

(2) Necessary corrections relating to the aircraft flight path or performance may be derived from approved data other than certification test data.

(3) The source noise must be corrected, from approved data, for the difference between measured and corrected engine conditions, together with appropriate allowances for sound attenuation with distance, as prescribed in § A36.5(a).

(e) Instead of complying with § A36.3(d) (3), compliance must be shown with the following:

(1) If the aircraft sound pressure levels do not exceed the background sound pressure levels by at least 10 dB in any one-third octave band within the 10 dB-down points described in § B36.5, approved corrections for the contribution of background sound pressure levels to observed sound pressure levels must be applied.

(2) The signal to noise ratio within the 10 dB-down points may not be less than 6 dB without approved special test or correction procedures.

(f) The following apply with respect to showing compliance with § A36.6:

(1) The provisions of the first two sentences in the first undesignated paragraph of § A36.6(a) permitting flight paths above and below the reference flight path because of "cold day" effect and "hot day" effect do not apply.

(2) The correction procedures in § A36.6(a) are not limited to one or more "of five" possible values, but require all values necessary to insure adequate correction procedures.

(3) The provisions of §§ A36.6 (f) and (g), including Figures A8, A9, A10, do not apply.

IV. Appendix B of Part 36 is amended by amending the last undesignated paragraph of § B36.5 to read as follows:

Section B36.5 *Duration correction.*

If the value of PNLTK at the 10 dB-down points is 90 PNdB or less, the value of d may be taken as the time interval between the initial and the final times for which PNLTK equals 90 PNdB, except that, for applications made after September 17, 1971, the aircraft testing procedures must include the 10 dB-down points in the flyover noise/time record.

V. Appendix C of Part 36 is amended as follows:

A. § C36.7 is amended by amending paragraph (d), and adding a new paragraph (f), to read as follows:

Section C36.7 *Takeoff test conditions.*

(d) Except as provided in paragraph (f) of this section, a speed of at least $V_2 + 10$ knots must be attained as soon as practicable after liftoff, and must be maintained throughout the takeoff noise test.

(f) For applications made after September 17, 1971, the following apply:

(1) The test day speeds and the acoustic day reference speed must be the minimum approved value of $V_2 + 10$ knots, or the all-engines-operating speed at 35 feet (for turbine engine powered airplanes) or 50 feet (for reciprocating engine powered airplanes), whichever speed is greater as determined under the regulations constituting the type certification basis of the airplane. These tests must be conducted at the test day speeds ± 3 knots. Noise values measured at the test day speeds must be corrected to the acoustic day reference speed.

(2) If a negative runway gradient exists in the direction of takeoff, performance and acoustic data must be corrected to the zero slope condition.

B. § C36.9 is amended by amending paragraph (d), and adding a new paragraph (f), to read as follows:

Section C36.9 *Approach test conditions.*

(d) Except as provided in paragraph (f) of this section, a steady approach speed of not less than $1.30 V_{s0} + 10$ knots must be established and maintained over the approach measuring point.

(f) For applications made after September 17, 1971, the following apply:

(1) A steady approach speed, that is either $1.30 V_{s0} + 10$ knots or the speed used in establishing the approved landing distance under the airworthiness regulations constituting the type certification basis of the airplane, whichever speed is greatest, must be established and maintained over the approach measuring point.

(2) A tolerance of ± 3 knots may be used throughout the approach noise testing.

Issued in Washington, D.C. on August 10, 1976.

JOHN L. McLUCAS,
Administrator.

[FR Doc. 76-23929 Filed 8-18-76; 8:45 am]

[Docket No. 76-CE-24-AD; Amdt. 39-2697]

PART 39—AIRWORTHINESS DIRECTIVES

Beech Models 58P and 58PA Airplanes

There have been reports of cabin window cracking on Beech Model 58P airplanes. The window in question is located just forward of the cabin entrance door on the left side of the airplane. The cracking is caused by concentrated load paths created by the rigid structure around the door. This condition results in cabin decompression and could lead to an emergency situation. Since the condition described herein is likely to exist or develop in other airplanes of the same type design, an Airworthiness Directive (AD) is being issued, applicable to Beech Models 58P and 58PA airplanes, requiring inspection of the subject cabin window for cracks, and if not already accomplished the installation of a window frame reinforcement and thereafter repetitive inspections of the window for cracks. The AD will also provide that airplanes with the subject window cracked can be operated in this condition unpressurized until the window is replaced.

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

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

BEECH. Applies to Models 58P and 58PA (Serial Numbers TJ-2 and up) airplanes.

Compliance: Required as indicated, unless otherwise accomplished.

To prevent cracking of the cabin window located just forward of the cabin entrance door on the left side of the airplane, with resultant loss of cabin pressurization, accomplish the following:

A. On Models 58P and 58PA (Serial Numbers TJ-2 thru TJ-19, TJ-21 thru TJ-45, TJ-47 thru TJ-54, TJ-56 thru TJ-58) airplanes that do not have the window frame reinforcement installed, as defined in Beechcraft Service Instruction 0828-110 or later approved revisions, accomplish the following in accordance with said service instruction:

1. Within 25 hours' time in service after the effective date of this AD and at the two next 50 hour time in service intervals thereafter, visually inspect the cabin window just forward of the cabin door on the left side of the airplane for cracks and if cracks are found during any inspection required herein, prior to any flight during which the cabin is pressurized, replace the window and install the window frame reinforcement.

2. If no cracks have been found during any inspection required in Paragraph A.1., within 100 hours' time in service after the initial inspection required by Paragraph A.1. install the window frame reinforcement and thereafter comply with the inspection and, if necessary, the replacement requirements required by Paragraph B.

B. On Models 58P and 58PA (Serial Numbers TJ-2 and up) airplanes that have the window frame reinforcement installed, as defined in Beechcraft Service Instruction 0828-110 or later approved revisions, accomplish the following in accordance with said service instruction:

Within 100 hours' time in service after the effective date of this AD, or within 100 hours' time in service after the installation of the window frame reinforcement specified in Paragraph A and at each 100 hours' time in service thereafter, visually inspect the cabin window just forward of the cabin door on the left side of the airplane for cracks and if cracks are found during any inspection required herein, replace the cracked window prior to any flight in which the cabin is pressurized.

C. On Models 58P and 58PA airplanes that are flown unpressurized following discovery of a window found cracked during any inspection required by Paragraphs A and B:

1. Fabricate a placard worded as follows "Do Not Pressurize In Flight" and
2. Install said placard near the cabin pressurization control switch, and
3. Operate the aircraft in accordance with the placard until the cracked window is replaced.

D. The inspection intervals set forth in Paragraph B of this AD may be extended 10 hours up to a maximum of 110 hours' time in service to allow compliance with Paragraph B in conjunction with regular scheduled maintenance or inspections.

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

This amendment becomes effective August 24, 1976.

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

Issued in Kansas City, Missouri, on August 10, 1976.

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

[FR Doc.76-24135 Filed 8-18-76; 8:45 am]

[Airspace Docket No. 76-RM-14]

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

Alteration and Extension of VOR Airway

On June 17, 1976, a Notice of Proposed Rule Making (NPRM) was published in the FEDERAL REGISTER (41 FR 24608) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would realign and extend V-26 from Cherokee, Wyo., to Grand Junction, Colo., via Meeker, Colo., and eliminate that portion of V-26 presently established between Celia INT, Colo., and Hayden, Colo.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT,

November 4, 1976, as hereinafter set forth.

§ 71.123 (41 FR 307) is amended as follows:

In V-26 "From Hayden, Colo., via INT Hayden 310° and Cherokee, Wyo., 191° radials; Cherokee; 37 miles, 52 miles, 111 MSL," is deleted and "Cherokee, Wyo.; Meeker, Colo.; Grand Junction, Colo.," is substituted therefor.

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

Issued in Washington, D.C., on August 11, 1976.

WILLIAM E. BROADWATER,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc.76-23926 Filed 8-18-76; 8:45 am]

[Docket No. 13235; Amdt. No. 137-6]

PART 137—AGRICULTURAL AIRCRAFT OPERATIONS

Agricultural Aircraft Operator Certificates

● The purpose of this amendment to Part 137 of the Federal Aviation Regulations is to permit the holder of a Part 133 rotorcraft external-load operator certificate to conduct an agricultural aircraft operation involving only the dispensing of water on forest fires by rotorcraft external-load means, without compliance with, among other things, the Part 137 operator certificate requirements. ●

This amendment is based on a Notice of Proposed Rule Making (Notice No. 75-7) issued on February 21, 1975, and published in the FEDERAL REGISTER (40 F.R. 8831) on March 3, 1975.

Interested persons were afforded an opportunity to participate in the making of this amendment and due consideration was given to all matters presented. Four comments were received in response to the notice. One commentator concurred with the notice; and two commentators generally agreed with the notice but objected to the exclusion of the operational use of fire retardant substances other than plain water as proposed.

The FAA does not agree that the dispensing of fire retardant chemicals other than water should be included in the amendment. The FAA is of the opinion that the dispensing of fire retardant chemicals requires a knowledge of the handling and dispensing of chemicals similar to that required of the holder of a Part 137 certificate. It would not, therefore, be in the public interest to permit rotorcraft external-load fire suppression operations dispensing fire retardant chemicals to be conducted without compliance with the requirements of Part 137.

However, the FAA is of the opinion that the holder of a Part 133 certificate is qualified to safely conduct rotorcraft external-load fire suppression operations, involving only the dispensing of water, by virtue of having met the Part 133

operating certificate requirement. Therefore, Part 137 is amended to permit the holder of a Part 133 rotorcraft external-load operator certificate to conduct an agricultural aircraft operation, involving only the dispensing of water on forest fires by rotorcraft external-load means, without compliance with the operator certificate requirements, among others, of Part 137. Specifically, this amendment excepts a Part 133 certificate holder from the requirement to obtain a Part 137 certificate, from compliance with the operating rules of Part 137 contained in §§ 137.31 through 137.35, 137.39, 137.41, and 137.51 through 137.59 and from compliance with the recordkeeping and reporting requirements contained in Subpart D. Under this amendment, a Part 133 certificate holder has to conduct operations in accordance with all of the rules of Part 133 governing rotorcraft external-load operations, and in compliance with the operating rules of Part 137 contained in §§ 137.29, 137.37, and 137.43 through 137.49.

This amendment is made under the authority of sections 313(a), 601, and 607 of the Federal Aviation Act of 1958 (49 U.S.C. 1354 (a), 1421, and 1427) and section 8(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, Part 137 of the Federal Aviation Regulations is amended, effective September 20, 1976, as follows:

1. By amending § 137.11 by revising paragraph (a) and by adding a new paragraph (d) to read as follows:

§ 137.11 Certificate required.

(a) Except as provided in paragraphs (c) and (d) of this section, no person may conduct agricultural aircraft operations without, or in violation of, an agricultural aircraft operator certificate issued under this part.

(d) The holder of a rotorcraft external-load operator certificate under Part 133 of this chapter conducting an agricultural aircraft operation, involving only the dispensing of water on forest fires by rotorcraft external-load means, need not comply with this subpart.

2. By amending § 137.29 by revising paragraph (a), by redesignating paragraph (b) as paragraph (d), and reserving paragraph (b), and by adding a new paragraph (e) to read as follows:

§ 137.29 General.

(a) Except as provided in paragraphs (d) and (e) of this section, this subpart prescribes rules that apply to persons and aircraft used in agricultural aircraft operations conducted under this part.

(b) [Reserved]

(d) Sections 137.31 through 137.35, 137.41, and 137.53 through 137.59 do not apply to persons and aircraft used in agricultural aircraft operations conducted with public aircraft.

(e) Sections 137.31 through 137.35, 137.39, 137.41, 137.51 through 137.59, and Subpart D do not apply to persons and

rotorcraft used in agricultural aircraft operations conducted by a person holding a certificate under Part 133 of this chapter and involving only the dispensing of water on forest fires by rotorcraft external-load means. However, the operation shall be conducted in accordance with—

(i) The rules of Part 133 of this chapter governing rotorcraft external-load operations; and

(ii) The operating rules of this subpart contained in §§ 137.29, 137.37, and 137.43 through 137.49.

Issued in Washington, D.C., on August 10, 1976.

JOHN L. MCLUCAS,
Administrator.

[FR Doc. 76-23930 Filed 8-18-76; 8:45 am]

Title 17—Commodity and Securities Exchange

CHAPTER I—COMMODITY FUTURES TRADING COMMISSION

PART 150—LIMITS ON POSITIONS AND TRADING

Wheat

The Commodity Exchange Act, as amended ("Act"), 7 U.S.C. 1 et seq., provides that for the purpose of diminishing, eliminating or preventing excessive speculation the Commodity Futures Trading Commission ("Commission") may fix limits for an individual's positions and daily trading in any contract market. Positions and trading classified as bona fide hedging are exempt from such limits.

On June 3, 1976, a notice was published in the FEDERAL REGISTER¹ that the Commission was considering amendments to Part 150 of the regulations under the Act which would raise the speculative position and trading limits in wheat from two million bushels to three million bushels. The Commission proposed to adopt a separate section in Part 150 governing wheat position and trading limits and to delete wheat from the definition of those grains covered by the two million bushel limitation in § 150.1 of the regulations.

STATEMENT OF CONSIDERATION

Approximately 675 reprints of the Commission's notice were sent to interested persons in the futures market industry. Interested persons were given until July 5, 1976, to submit data, views or recommendations concerning the proposed revisions. Five written comments were received in response to the notice and all were considered. Four of the commentors supported the change while one opposed it.² The principal points raised by those supporting the change were that (1) the current wheat limits set by the Commodity Exchange Commission, which

¹ See 41 FR 22547 (June 3, 1976).

² The one commentor opposing the change felt that the change was not "... in the public interest, but in the interest of a few trade boards." This commentor did not provide reasons or an explanation supporting his opposition.

formerly established such limits, are outdated and arbitrary because of growth in the wheat marketing system, (2) outdated speculative position and trading limits may impair liquidity of the futures markets, and (3) speculative position and trading limits may not be particularly effective regulatory devices.

The Commission also considered conclusions reached by its Advisory Committee on the Economic Role of Contract Markets which was considering the role of speculation and hedging in futures markets. The Advisory Committee recommended that, in the long run, speculative limits should be de-emphasized and replaced by more flexible and effective regulatory measures. In the short run, the Committee recommended raising speculative position limits and relaxing the current restrictions on intra-day speculative trading. Concerning the current trading limits, the Committee's report notes that "the present flat numerical limit on the number of contracts a speculator may trade during the day actually cuts back participation of speculators at the very time when they are needed—on active trading days—reducing liquidity during the later hours of daily trading. These daily trading limits are probably more binding on market performance than the speculative position limits."

In view of the above, the Commission has determined to adopt its proposal to fix all trading and position limits for wheat at the level of three million bushels. The exchanges which are currently designated as contract markets in wheat are the Chicago Board of Trade, the Board of Trade of Kansas City, Missouri, the MidAmerica Commodity Exchange, and the Minneapolis Grain Exchange.

Therefore, pursuant to its authority under sections 4a(1) and 8a(5) of the Act, 7 U.S.C. 6a(1) and 12a(5), the Commission amends Part 150 in Chapter 1 of Title 17 of the Code of Federal Regulations by adopting a new § 150.12 of the regulations and by amending § 150.1(e) of the regulations as follows:

1. Section 150.1(e) is amended to read as follows:

§ 150.1 Limits on position and daily trading in grain for future delivery.

(e) *Definitions.* As used in this part the word "grain" includes oats, barley, and flaxseed, and the word "person" imports the plural or singular and includes individuals, associations, partnerships, corporations and trusts.

2. Section 150.12 is adopted to read as follows:

§ 150.12 Limits on position and daily trading in wheat for future delivery.

The following limits on the amount of trading under contracts of sale of wheat for future delivery on or subject to the rules of any contract market, which may be done by any person, are hereby proclaimed and fixed, to be in full force and effect on and after August 20, 1976.

(a) *Position limit.* The limit on the maximum net long or net short position which any person may hold or control in wheat on or subject to the rules of any one contract market is three million bushels in any one future or in all futures combined.

(b) *Daily trading limit.* The limit on the maximum amount which any person may buy, and on the maximum amount which any person may sell, of wheat, on or subject to the rules of any one contract market during any one business day is 3 million bushels in any one future or in all futures combined.

(c) *Bona fide hedging.* The foregoing limits upon position and upon daily trading shall not be construed to apply to bona fide hedging transactions or positions, as provided in regulations issued pursuant to section 4a(3) of the Commodity Exchange Act (7 U.S.C. 6a(3)) and section 404 of Pub. L. 93-463.

(d) *Manipulations; corners; responsibility of contract market.* Nothing contained in this section shall be construed to affect any provisions of the Act relating to manipulation or corners, nor to relieve any contract market or its governing board from responsibility under section 5(d) of the Act (7 U.S.C. 7(d)) to prevent manipulation and corners.

(e) *Definition.* As used in this part, the word "person" imports the plural or singular and includes individuals, associations, partnerships, corporations, and trusts.

(f) *Application of limits.* The foregoing limits upon positions and upon daily trading shall be construed to apply, respectively, to positions held by, and trading done by, two or more persons acting pursuant to an expressed or implied agreement or understanding, the same as if the positions were held by, or the trading were done by, a single individual.

Section 4a of the Act requires that the effective date for Commission action setting trading and position limits shall be within a reasonable time, not to exceed ten days. The Commission therefore finds that compliance with the public procedures specified in 5 U.S.C. 553(d) would be contrary to the mandate of the Act and contrary to public interest. Accordingly, the Commission has adopted the foregoing rule, which applies to positions and trading for future delivery in wheat on or after August 20, 1976, pursuant to the authority contained in sections 4a and 8a(5) of the Commodity Exchange Act, as amended, 7 U.S.C. 6a and 12a(5).

Issued in Washington, D.C., on August 13, 1976.

By the Commission.

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

[FR Doc.76-24264 Filed 8-18-76; 8:45 am]

Title 19—Customs Duties

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

[T.D. 76-233]

PART 1—GENERAL PROVISIONS

Ports of Entry

On June 25, 1976, there was published in the FEDERAL REGISTER (41 FR 26225) a notice of a proposal to establish a Customs port of entry at Battle Creek, Michigan, in the Detroit, Michigan, Customs district (Region IX). No comments were received in response to this proposal.

Accordingly, by virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623, as amended (19 U.S.C. 2), and delegated to the Secretary of the Treasury by Executive Order No. 10289, September 17, 1951 (3 CFR, 1949-1953 Comp., Ch. II), and pursuant to authority provided by Treasury Department Order No. 190, Rev. 11 (41 FR 20198), Battle Creek, Michigan, is hereby designated as a Customs port of entry in the Detroit, Michigan, Customs district (Region IX).

The geographical limits of the Battle Creek, Michigan, port of entry shall include the Metropolitan Area of the City of Battle Creek, Michigan, comprising the Townships of Bedford, Battle Creek, Pennfield, and Emmett, and the Cities of Battle Creek and Springfield, all in Calhoun County, Michigan.

§ 1.2 [Amended]

To reflect this change, the table in section 1.2(c) of the Customs Regulations (19 CFR 1.2(c)) is amended by inserting "Battle Creek, Michigan (T.D. 76-233)" directly below "Detroit" in the column headed "Ports of entry" in the Detroit, Michigan, Customs district (Region IX).

(Sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended (19 U.S.C. 1, 2).)

Effective date: This amendment shall become effective September 20, 1976.

Dated: August 13, 1976.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76-24333 Filed 8-18-76; 8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER D—DRUGS FOR HUMAN USE

[Docket No. 76N-0058]

PART 460—ANTIBIOTIC DRUGS INTENDED FOR USE IN LABORATORY DIAGNOSIS OF DISEASE

Susceptibility Discs

The Food and Drug Administration (FDA) is amending the antibiotic drug regulations to specify the requirements

for submitting samples of antibiotic susceptibility discs for certification; effective August 19, 1976.

Regulations published in the FEDERAL REGISTER of September 30, 1972 (37 FR 20525) amended the antibiotic drug regulations in 21 CFR Part 147 (now 21 CFR Part 460 pursuant to recodification published in the FEDERAL REGISTER of May 30, 1974 (39 FR 18992)) by providing for revised labeling and standardized testing procedures for antibiotic susceptibility discs and by deleting and adding provisions for certain antibiotic discs. The amendments revised § 147.2 (now § 460.1), but paragraph (d), which concerned samples for certification and which was not intended to be affected by the amendments, was inadvertently omitted when the text of the section was published in the FEDERAL REGISTER. It has therefore not appeared in issues of the Code of Federal Regulations published since 1972.

Because objections and requests for hearing that were filed in response to the September 30, 1972 amendments have not yet been ruled on, the regulations as amended have not been considered a requirement by FDA. Although a number of firms have adopted the provisions of the amendments, other firms are abiding by the regulations in effect before the amendments. Notwithstanding the procedures followed, it is necessary that manufacturers know what samples and test results are to be submitted with a request for certification. Therefore, the Commissioner of Food and Drugs concludes that paragraph (d) should be restored to § 460.1; also, the section heading, as issued below, reflects minor editorial corrections.

The Commissioner further concludes that good cause exists for publishing this amendment without a period for public comment pursuant to 5 U.S.C. 553 (b) and (d) and for making the amendment effective immediately because it merely corrects an error of omission in text and does not change existing practice.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended (21 U.S.C. 357)) and under authority delegated to the Commissioner (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)), Part 460 is amended in § 460.1 by revising the section heading and adding paragraph (d) to read as follows:

§ 460.1 Certification procedures for antibiotic susceptibility discs.

(d) *Requests for certification; samples.* (1) In addition to complying with the requirements of § 431.1 of this chapter, a person who requests certification of a batch of antibiotic susceptibility discs shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, and, unless it was previously submitted, the date on which the latest assay of the antibiotic used in making such

batch was completed, the potency of each disc, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and a statement that each ingredient used in making the batch conforms to the requirements prescribed therefor by this section.

(2) Such person shall submit in connection with his request results of the tests and assays made by him on an accurately representative sample of the batch for potency.

(3) Such person shall submit in connection with his request an accurately representative sample of the batch consisting of one disc for each 5,000 discs in the batch, but in no case less than 36 discs collected by taking single discs at intervals throughout the entire time of packaging the batch so that the quantities packaged during the intervals are approximately equal.

Effective date: This amendment is effective August 19, 1976.

(Sec. 507, 59 Stat. 463, as amended (21 U.S.C. 857).)

Dated: August 12, 1976.

JOSEPH P. HILE,
Acting Associate Commissioner
for Compliance.

[FR Doc.76-24278 Filed 8-18-76; 8:45 am]

[Docket No. 76N-0277]

PART 640—ADDITIONAL STANDARDS FOR HUMAN BLOOD AND BLOOD PRODUCTS

Labeling Requirements Regarding Testing for Syphilis and Hepatitis B Surface Antigen

The Food and Drug Administration (FDA) is amending certain labeling requirements for statements on testing for syphilis and hepatitis, effective August 19, 1976.

Specifically, FDA is amending the labeling requirements for human blood and blood products by permitting the use of the label statements "Nonreactive for syphilis by STS" and "Nonreactive for HB_s Ag by FDA required test", as alternatives to label statements specifying the particular test method for syphilis and hepatitis B surface antigen (HB_sAg).

The biologics regulations in §§ 640.7 (b), 640.18(a) (by reference to § 640.7 (b)), 640.26(g) and (h), 640.51(c) (7), and 640.70(a) (8), 21 CFR 640.7 (b) 640.18 (a), 640.26(g) and (h), 640.51(c) (7), and 640.70(a) (8) require that blood labeling identify the method used for the serological test for syphilis (STS and/or the test for hepatitis B surface antigen (HB_sAg), and the results.

The Commissioner of Food and Drugs received a request from the American Blood Commission's Committee for Commonality in Blood Banking Automation to permit the labeling of the container of blood and blood products with general statements, i.e., "Nonreactive for syphilis by STS" and "Nonreactive for HB_sAg by FDA required test" in place of method-specific labeling. The Commissioner has also received a similar request from the American National Red Cross. Both or-

ganizations stated that the general statements would permit use of a standard label. This would result in greater safety by eliminating a source of labeling mix-ups. A standard label will also eliminate the need for multiple labels for different test methods and thus promote economy and efficiency. The American Blood Commission noted that their proposed standard label can be read by machine and will permit automation to be used in label applications.

The Commissioner has considered these requests and advises that § 610.40 Test for hepatitis B surface antigen (21 CFR 610.40) requires that each donation of blood, plasma, or serum for use in a biological product shall be tested for HB_sAg by a method of sufficient sensitivity to detect all the specified sera in the Reference Hepatitis B Surface Antigen Panel, which is distributed by the Bureau of Biologics. Label identification of the specific hepatitis test method used is unnecessary since the sensitivity of the test methods that will detect the specified sera in the Reference Hepatitis B Surface Antigen Panel are comparable and must meet FDA requirements. Similarly, the sensitivity of serologic test methods used in blood banks for screening purposes for syphilis are also comparable. Therefore, the Commissioner concludes that permitting the use of these general statements regarding hepatitis and syphilis will adequately describe the testing of the product and will not meaningfully reduce the information provided to the users of blood and blood products.

Therefore, under the Public Health Service Act (secs. 351 and 361, 58 Stat. 702 and 703 as amended (42 U.S.C. 262 and 264)) and under authority delegated to the Commissioner (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)), Part 640 of Subchapter F of Title 21 of the Code of Federal Regulations is amended by permitting the use of the above-described label statements, as follows:

1. In § 640.7, by revising paragraph (b) to read as follows:

§ 640.7 Labeling.

(b) Serological test and test for hepatitis B surface antigen. Indication of the method used for serological test for syphilis and the test for hepatitis B surface antigen, and the results or the statements "Nonreactive for syphilis by STS" and "Nonreactive for HB_sAg by FDA required test", respectively.

2. In § 640.26 by revising paragraph (g) and (h) to read as follows:

§ 640.26 Labeling.

(g) Type of serologic test for syphilis used and the results, or the statement "Nonreactive for syphilis by STS".

(h) Type of test for hepatitis B surface antigen used and the results, or the statement "Nonreactive for HB_sAg by FDA required test".

3. In § 640.51, by revising paragraph (c) (7) to read as follows:

§ 640.51 General requirements.

(c) * * *

(7) Indication of test method for hepatitis B surface antigen used and the results, or the statement "Nonreactive for HB_sAg by FDA required test".

4. In § 640.70, by revising paragraph (a) (8) to read as follows:

§ 640.70 Labeling.

(a) * * *

(8) The test for hepatitis B surface antigen used and the results, or the statement "Nonreactive for HB_sAg by FDA required test".

Under the Administrative Procedure Act (5 U.S.C. 553(b) and (d)), the Commissioner concludes that notice, public procedure, and delayed effective date are unnecessary for these amendments because they do not impose an additional duty or burden on any person, but rather they relieve unnecessary restrictions and permit alternative labeling.

Effective date: This regulation shall become effective August 19, 1976.

(Secs. 351 and 361, 58 Stat. 702 and 703 as amended (42 U.S.C. 262 and 264).)

Dated: August 12, 1976.

JOSEPH P. HILE,
Acting Associate Commissioner
for Compliance.

[FR Doc.76-24279 Filed 8-18-76; 8:45 am]

Title 24—Housing and Urban Development

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-910]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation for the Charter Township of Meridian, Mich.

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of the final determinations of flood elevations for the Charter Township of Meridian, Michigan under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the Charter Township must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the

Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at Town Hall, 5100 Marsh Road, Meridian, Michigan 48864.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

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
Red Cedar River	Grand River Ave.	852.7	40	1100
	Van Atta Rd.	850.8	800	410
	Dobie Rd.	848.1	600	40
	Okemos Rd.	844.0	750	30
	Nakoma Rd.	842.8	700	1300
	O. T. W. R.R.	841.7	180	240
Herron Creek	Hagadorn Rd.	839.7	1100	730
	Bennett Rd.	848.0	500	200
	C. & O. R.R.	842.6	160	200
	Mount Hope Rd.	842.5	190	210
	Sequoia Trail	842.5	350	300
Smith Drain	Bennett Rd.	863.7	50	50
	Okemos Rd.	860.0	200	200
	C. & O. R.R. (north side)	850.9	100	120
Pine Lake Outlet	Marsh Rd.	853.1	40	40
	Lake Lansing Rd.	848.5	40	60
	Haslett Rd.	848.5	20	100
	O. T. W. R.R.	845.5	180	1880
	Okemos Rd.	842.5	500	280
	Grand River Ave.	842.5	60	80
Mud Lake/Foster	Van Atta Rd.	863.4	40	90
	Cornell Rd.	853.5	190	580
	Tihard Rd. (east)	846.8	860	600
	Tihard Rd. (west)	846.0	270	600
	Marsh Rd.	844.0	80	180

¹ Approximate distance in feet from bank of stream to township limits.

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

Issued: July 22, 1976.

HOWARD B. CLARK,
Acting Federal Insurance
Administrator.

[FR Doc. 76-23963 Filed 8-18-76; 8:45 am]

[Docket No. FI-899]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation for the City of Cook, Minn.

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of the final determinations of flood elevations for the City of Cook, Minnesota under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the

City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at City Hall, Cook, Minnesota 55723.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

RULES AND REGULATIONS

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
Little Fork River	Range St.....	1,308	250	60
	River St.....	1,308	200	60
	Duluth, Winnipeg, and Pacific RR.....	1,308	40	20
	Minnesota Highway 1.....	1,309	330	130

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

Issued: July 22, 1976.

HOWARD B. CLARK,

Acting Federal Insurance Administrator.

[FR Doc.76-23962 Filed 8-18-76;8:45 am]

[Docket No. FI-913]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation for the City of Cedar City, Mo.

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§1917.10)), hereby gives notice of the final determinations of flood elevations for the City of Cedar City, Missouri under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the

City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at City Hall, Cedar City, Missouri 65022.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

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
Missouri River	City east of Highway 54-63.....	555	(1)	(1)
	City west of Highway 54-63.....	556	(1)	(1)

¹ Entire city inundated.

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

Issued: July 22, 1976.

HOWARD B. CLARK,

Acting Federal Insurance Administrator.

[FR Doc.76-23961 Filed 8-18-76;8:45 am]

[Docket No. FI-901]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation for the Borough of Garwood, N.J.

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973

(Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of the final determinations of flood elevations for the Borough of Garwood, New Jersey under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the Borough must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were re-

ceived from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at Borough Hall, Center Street, Garwood, New Jersey 07027.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

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
Garwood Brook	Maple St.	92	50	550
	West St.	87	270	550
	Center St.	85	530	170
	East	89	810	270
	Oak	78	440	470
	Willow	78	280	(1)
Unnamed stream (10-26)	South	77	(2)	770
	Oak	83	310	(1)

¹ Extends to corporate limits.

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

Issued: July 22, 1976.

HOWARD B. CLARK,
Acting Federal Insurance
Administrator.

[FR Doc. 76-23960 Filed 8-18-76; 8:45 am]

[Docket No. FI-902]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation for the City of Washington, N.C.

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of the final determinations of flood elevations for the City of Washington, North Carolina under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the

City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at City Hall, Washington, North Carolina 27889.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

[Docket No. FI-869]

Source of flooding	Location	Elevation in feet above mean sea level
Pamlico River	Hackney Ave.:	
	From shoreline to 50 ft west of West 2d St.	10
	From 80 ft east of West 3d St. to 80 ft west of Taylor St.	10
Wilson St.:	From Harrington St. to 200 ft west of Carolina Ave.	10
	From 120 ft east of West 3d St. to 140 ft east of West 4th St.	10
Pierce St.:	From shore to 80 ft west of West Main St.	10
	From 180 ft east of West 2d St. to West 7th St.	10
Respass St.:	From 180 ft west of West 13th St. to 330 ft east of West 13th St.	10
	From shore to 110 ft east of West 7th St.	10
Boner St.:	From 310 ft west of West 9th St. to 510 ft east of West 9th St.	10
	From 210 ft west of West 13th St. to West 15th St.	10
	From shore to East Main St.	10
Hudnell St.:	From 130 ft east of East 2d St. to 150 ft west of East 5th St.	10
	From 130 ft east of East 5th St. to 30 ft east of East 7th St.	10
	From 120 ft east of East 7th St. to 200 ft east of East 14th St.	10
Hudnell St.:	From shore to 120 ft west of East 6th St.	10
	From 60 ft east of East 7th St. to 130 ft east of Pennsylvania Ave.	10

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

Issued: July 26, 1976.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-23958 Filed 8-18-76; 8:45 am]

[Docket No. FI-901]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation for the Town of Canton, N.C.

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of the final determinations of flood elevations for the Town of Canton, North Carolina under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the

Town must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at Town Hall, Canton, North Carolina 28716.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

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
Pigeon River	West Park St.	2,589	800	60
	Main St.	2,590	110	190
	Pigeon St.	2,593	410	210

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

Issued: July 26, 1976.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-23959 Filed 8-18-76; 8:45 am]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Village of Mayfield, Cuyahoga County, Ohio; Correction

The notice published on February 13, 1976, at 41 FR 6747, for the Village of Mayfield, Cuyahoga County, Ohio, showing a width of the 100-year flood boundary on Tributary 1 as 90 feet on the left and 45 feet on the right of the stream at an elevation of 907 feet (msl) at the location of 1.78 miles south of S.O.M. Center Road, should be corrected to read 0.15 miles south of S.O.M. Center Road. The location of Ridgeburt Road on Tributary 5D should be corrected to read Ridgeburt Road.

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

Issued: August 4, 1976.

HOWARD B. CLARK,
Acting Federal
Insurance Administrator.

[FR Doc.76-23965 Filed 8-18-76; 8:45 am]

[Docket No. FI-872]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Borough of Shickshinny, Luzerne County, Pa.; Correction

The notice published on February 13, 1976, at 41 FR 6745, for the Borough of Shickshinny, Luzerne County, Pennsylvania listing the availability of the information for review at the lobby of the Borough Hall, 39 North Second Street, St. Clair, should be corrected to be available for review at the Municipal Building, West Union Street, Shickshinny.

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

Issued: August 5, 1976.

HOWARD B. CLARK,
Acting Federal
Insurance Administrator.

[FR Doc.76-23964 Filed 8-18-76; 8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 1-76-8R]

PART 127—SECURITY ZONES

Crowninshield Point, Seal Harbor, Maine

This amendment to the Coast Guard's Security Zone Regulations, establishes

the waters adjacent to Vice President Nelson Rockefeller's summer home on Crowninshield Point, Seal Harbor, Maine as a security zone. This security zone is established to maintain waterside security of the area contiguous to the estate of the Vice President of the United States.

This amendment is issued without publication of a notice of proposed rule making and this amendment is effective in less than 30 days from the date of publication, because good cause exists and public procedures on this amendment are impracticable because of minimal prior notification of the Vice President's itinerary.

In consideration of the foregoing, Part 127 of Title 33 of the Code of Federal Regulations is amended by adding § 127.109, to read as follows:

§ 127.109 Seal Harbor, Maine.

The waters within the following boundary is a security zone: a line beginning at 44°17'18" N. latitude, 68°14'58.5" W. longitude; thence to 44°17'07" N. latitude, 68°14'45" W. longitude, (CG Mooring Buoy); thence to 44°17'16.8" N. latitude, 68°14'22.5" W. longitude, (Crowninshield Point Buoy Number One); thence to 44°17'22.5" N. latitude, 68°14'31" W. longitude, (Right tangent of Island off Crowninshield Point); thence to 44°17'23.5" N. latitude, 68°14'42" W. longitude, (A point on the mainland); thence to the beginning point.

(40 Stat. 220, as amended, Sec. 6(b), 80 Stat. 937; 50 U.S.C. 191, 49 U.S.C. 1655(b); E.O. 10173, E.O. 10277, E.O. 10352, E.O. 11249; 3 CFR 1949-1953 Comp. 356, 778, 873, 3 CFR 1964-1965 Comp. 349, 33 CFR Part 6, 49 CFR 1.46(b).)

Effective date: This amendment is effective from 0800 e.d.s.t. on Monday, 2 August 1976 to 2400 e.d.s.t. on Monday, 6 September 1976.

Dated: July 29, 1976.

J. B. EKMAN,
Commander, United States
Coast Guard, Captain of the
Port, Portland, Maine.

[FR Doc.76-24323 Filed 8-18-76;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 7—AGENCY FOR INTERNATIONAL DEVELOPMENT, DEPARTMENT OF STATE

[AIDPR Notice 77-2]

PART 7-7—CONTRACT CLAUSES

Subpart 7-7.55—Clauses for Cost Reimbursement Contracts With Educational Institutions; Correction

This Notice reinstates a clause that was erroneously deleted by AIDPR Notice 76-1 (41 CFR 4918) and deletes the correct clause.

§ 7-7.5502-13 [Reserved]

1. Section 7-7.5502-13 is revoked and reserved.

2. New Section 7-7.5502-16 is added as follows:

§ 7-7.5502-16 Title to and care of property.

In lieu of the clause required by AIDPR 7-7.5501-18, insert the clause set forth in AIDPR 7-13.706.

This AIDPR Notice No. 77-2 is an interim procurement instruction and is issued pursuant to 41 CFR 7-1.104-4.

Effective date: This notice is effective on July 1, 1976.

Dated: August 11, 1976.

JOHN F. OWENS,
Deputy Assistant Administrator
for Program and Management
Services.

[FR Doc.76-24295 Filed 8-18-76;8:45 am]

Title 43—Public Lands: Interior

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5600; WY-49110]

WYOMING

Withdrawal of National Forest Land From Mineral Entry

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

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

BIGHORN NATIONAL FOREST

SIXTH PRINCIPAL MERIDIAN

- T. 51 N., R. 84 W.,
Sec. 12, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 52 N., R. 84 W.,
Sec. 23, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 26, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 53 N., R. 84 W.,
Sec. 14;
Sec. 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 23, E $\frac{1}{2}$;
Sec. 26, NE $\frac{1}{4}$.

The areas described aggregate 2,080 acres in Johnson and Sheridan Counties.

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

JACK O. HORTON,
Assistant Secretary of the Interior.

AUGUST 11, 1976.

[FR Doc.76-24289 Filed 8-18-76;8:45 am]

[Public Land Order 5601; WY-15395]

WYOMING

Withdrawal for National Forest Historical Area

By virtue of the authority vested in the President and pursuant to Executive

Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

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

BRIDGER NATIONAL FOREST

SIXTH PRINCIPAL MERIDIAN

Lander Cut-Off of the Oregon Trail Historical Area

A strip of land 100 feet on each side of the centerline of the Lander Cut-Off of the Oregon Trail through the following subdivisions:

- T. 29 N., R. 115 W.,
Sec. 19, lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, and part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ lying outside the Middle Fork South Piney Roadside Zone withdrawal, PLO 2684.
- T. 29 N., R. 116 W.,
Sec. 6, lot 4;
Sec. 7, lot 2, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8, W $\frac{1}{2}$ SW $\frac{1}{4}$, and part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying outside the Greys River-LaBarge Creek Roadside Zone withdrawal, PLO 3020;
Sec. 16, part of W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, lying outside the Greys River-LaBarge Creek Roadside Zone withdrawal, PLO 3020;
Sec. 17, part of E $\frac{1}{2}$ NE $\frac{1}{4}$, lying outside the Greys River-LaBarge Creek Roadside Zone withdrawal, PLO 3020;
Sec. 24, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 25, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying outside the Greys River-LaBarge Creek Roadside Zone withdrawal, PLO 3020.
- T. 29 N., R. 117 W. (unsurveyed),
Sec. 1, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 10, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12, W $\frac{1}{2}$;
Sec. 13, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 14, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 16, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 17, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 18, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 19, NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 29 N., R. 118 W. (unsurveyed),
Sec. 4, W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 9, W $\frac{1}{2}$ E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 14, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 15, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 16, NE $\frac{1}{4}$;
Sec. 23, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24, that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ lying outside the Smiths Fork Administrative Site withdrawal, PLO 2765.

The areas described aggregate approximately 442 acres in Lincoln and Sublette Counties.

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

JACK O. HORTON,
Assistant Secretary of the Interior.

AUGUST 11, 1976.

[FR Doc.76-24290 Filed 8-18-76;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20779]

PART 73—RADIO BROADCAST SERVICES

Broadcasts by Legally Qualified Candidates for Public Office; Correction

In the Report and Order in the above-entitled proceeding, FCC 76-698, 41 FR 32219, published August 2, 1976, paragraph 6 should be added to read as follows:

6. It is further ordered, That this proceeding is terminated.

Released: August 13, 1976.

FEDERAL COMMUNICATIONS COMMISSION,

VINCENT J. MULLINS,
Secretary.

[FR Doc.76-24329 Filed 8-18-76;8:45 am]

[Docket No. 20189; RM-1735]

PART 74—EXPERIMENTAL, AUXILIARY, AND SPECIAL BROADCAST, AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

Remote Pickup Broadcast Stations; Correction

In the Report and Order in the above-entitled proceeding, FCC 76-624, Mimeo No. 41243, released July 12, 1976, 41 FR 29681, July 19, 1976, lines 3 and 5 in the table of authorized bandwidth and emissions as shown in paragraph (b) of the amended § 74.462 should read as follows:

152.87 to 153.35	4	30/60	5/10	A3, F3, F9.
161.64 to 161.76	30	5	A1, A2, A3, F1, F2, F3	F9.

Line 4 of paragraph (c)3 of § 74.462, should read as follows: least 43 plus 10 log₁₀ (Mean output power,

Released: August 12, 1976.

FEDERAL COMMUNICATIONS COMMISSION,

VINCENT J. MULLINS,
Secretary.

[FR Doc.76-24331 Filed 8-18-76;8:45 am]

[Docket No. 20553]

PART 76—CABLE TELEVISION SERVICES

Specialty Stations and Specialty Format Programming; Carriage; Correction

In the Memorandum Opinion and Order in the above-entitled matter, FCC 76-623, adopted June 29, 1976, released July 21, 1976, and published in the FEDERAL REGISTER at 41 FR 30334, July 23, 1976, television broadcast stations KMUV-TV (Channel 31), licensed to Sacramento, California, and KVOF-TV (Channel 38), licensed to San Francisco, California, are added to the list of specialty stations in Appendix B.

Released: August 13, 1976.

FEDERAL COMMUNICATIONS COMMISSION,

VINCENT J. MULLINS,
Secretary.

[FR Doc.76-24330 Filed 8-18-76;8:45 am]

[Docket No. 20120; RM-1508, et al]

PART 91—INDUSTRIAL RADIO SERVICES

Revision of Operating Rules for Class D Stations in the Citizens Radio Service; ERRATA

Docket 20120; RM-1508, 1592, 1733, 1751, 1905, 1991, 2053, 2084, 2132, 2300, 2317, 2318, 1841. Released: August 12, 1976.

Frequency or band	Class of station(s)	General reference	Limitations
Megahertz			
27.235	Base, mobile, or fixed	ISM general use	2, 5, 8
27.245	do	do	2, 5, 8
27.255	do	do	2, 5, 8
27.265	do	do	2, 5, 8
27.275	do	do	2, 5, 8
27.39	Base or mobile	General use	5
27.41	do	do	5
27.43	do	Permanent use	10, 11
27.45	do	do	10, 11
27.47	do	do	10, 11
27.49	do	Itinerant use	10, 12
27.51	Mobile	Low power general use	13
27.53	do	do	13

The Appendix to the Commission's Second Report and Order, FCC 76-707 (41 FR 32678), released on July 29, 1976, is corrected as follows:

9. In § 91.554, the frequency table in paragraph (a) is amended to delete limitation 5 from Frequencies 27.43-27.53.

§ 91.554 Frequencies available.

(a) * * *

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76-24179 Filed 8-18-76;8:45 am]

Title 49—Transportation

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

[Docket No. 74-11, Notice 15; Docket No. 73-19; Notice 12]

PART 581—BUMPER STANDARD

Delayed Response to Petitions for Reconsideration

This notice delays by approximately one month the date by which the National Highway Traffic Safety Administration will respond to petitions for reconsideration of the Part 581 Bumper Standard (49 CFR Part 581) published March 4, 1976 (41 FR 9346).

It is the policy of the National Highway Traffic Safety Administration to respond to petitions for reconsideration within 120 days of the publication of a final rule, unless it is found to be impracticable to take action within that time (49 CFR Part 553, Appendix). Since the Part 581 Bumper Standard was published on March 4, 1976, response to petitions should, under agency policy, have been issued by July 2, 1976. The agency, however, found it impracticable to respond to the petitions by that date.

On July 6, 1976, the NHTSA published a notice stating that response to petitions for reconsideration of Part 581 would be delayed until August 1, 1976 (41 FR 27728). The agency now finds that a response to petitions by early August is impracticable and delays until September 15, 1976, the date by which it expects to take appropriate action on petitions for reconsideration of Part 581.

(Sec. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); sec. 102, Pub. L. 92-

513, 86 Stat. 947 (15 U.S.C. 1912) delegation of authority at 49 CFR 1.51 and 501.8.)

Issued: August 16, 1976.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

[FR Doc.76-24353 Filed 8-17-76;9:09 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Fourth Revised S.O. No. 1234]

PART 1033—CAR SERVICE

Distribution of Freight Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 13th day of August 1975.

It appearing, that there is an acute shortage of freight cars for transporting shipments of fertilizer, fish meal, grain, grain products, and soybeans; that certain tariff provisions require the use of cars of specified cubic or weight carrying capacities; that the carriers are unable to furnish sufficient such cars to transport shipments of such weights; that cars of lesser capacity are available; that such cars cannot be used because of certain tariff provisions; that there is immediate need to use every available car for transportation of fertilizer and grain; that the inability of the carriers to furnish sufficient fertilizer and grain cars results in great economic loss; and that present regulations and practices with respect to the use, supply, control, movement, and distribution of fertilizer and grain cars are

ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1234 Distribution of freight cars.

(a) Subject to the concurrence of the shipper, carriers may substitute a sufficient number of smaller cars for larger cars ordered to transport shipments of fertilizer, fish meal, grain, grain products or soybeans regardless of tariff requirements specifying minimum cubic or weight carrying capacity. (See paragraphs (b) of (c) of this section.)

(b) *Exception.* This order shall not apply to shipments subject to tariff provisions requiring the use of twenty-five or more cars per shipment.

(c) *Exception.* This order shall not apply to shipments subject to tariff provisions which require that cars be furnished by the shipper.

(d) *Rates and minimum weights applicable.* The rates to be applied and the minimum weights applicable to shipments for which cars smaller than those ordered have been furnished and loaded as authorized by Section (a) of this order shall be the rates and minimum weights applicable to the larger cars ordered.

(e) *Billing to be endorsed.* The carrier substituting smaller cars for larger cars as authorized by Section (a) of this order shall place the following endorsement on the bill of lading and on the waybills authorizing movement of the car:

Car of () cu. ft. and of () lbs. or greater capacity ordered. Smaller cars furnished authority Fourth Revised ICC Service Order No. 1234.

(f) *Concurrence of shipper required.* Smaller cars shall not be furnished in lieu of cars of greater capacity without the consent of the shipper.

(g) *Exceptions.* Exceptions to this order may be authorized to railroads by the Railroad Service Board, Washington, D.C., 20423. Requests for such exception must be submitted in writing, or confirmed in writing, and must clearly state the points at which such exceptions are requested and the reason therefor.

(h) *Rules and regulations suspended.* The operation of all rules, regulations, or tariff provisions is suspended insofar as they conflict with the provisions of this order.

(i) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(j) *Effective date.* This order shall become effective at 12:01 a.m., August 16, 1976.

(k) *Expiration date.* This order shall expire at 11:59 p.m., October 31, 1976.

¹ Fish meal added to commodity list.

unless otherwise modified, changed, or suspended by order of this Commission.

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

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

By the Commission, Railroad Service Board, members Lewis R. Teeple, Thomas J. Byrne, and William J. Love.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-24344 Filed 8-18-76; 8:45 am]

Title 50—Wildlife

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

PART 32—HUNTING

Puxico, Missouri

The following special regulations is issued and is effective on August 19, 1976.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

MISSOURI

MINGO NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Mingo National Wildlife Refuge, Puxico, Missouri, is permitted only on the area designated by signs as open to hunting. This open area, comprising 6,000 acres, is delineated on maps available at refuge headquarters located in Puxico, Missouri, and from the Office of the Area Manager, Fish and Wildlife Service, 601 East 12th Street, Kansas City, Mo. 64108. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following special conditions during the period of October 1, through December 31, 1976.

- (1) Hunting with bows and arrows only is permitted.
- (2) Minimum bow strength shall be 35 pounds.
- (3) Hunters must register when entering and leaving the area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1976.

GERALD L. CLAWSON,
Refuge Manager, Mingo National Wildlife Refuge, Puxico, Missouri.

AUGUST 5, 1976.

[FR Doc.76-24270 Filed 8-18-76; 8:45 am]

PART 32—HUNTING

National Wildlife Refuges in Certain States

The following special regulations are issued and are effective on September 4, 1976.

§ 32.12 Special regulations; migratory birds; for individual wildlife refuge areas.

ALABAMA

EUFULA NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves on the Eufaula National Wildlife Refuge, Alabama, is permitted only on those areas designated by signs as open to hunting. These open areas are delineated on a map available at the refuge headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, 17 Executive Park Drive, N.E., Atlanta, Georgia 30329. Hunting shall be in accordance with all applicable State and Federal regulations governing the hunting of mourning doves, subject to the following conditions:

- (1) Hunting shall be permitted from 12 noon until sunset (central time) on the following dates:
 - (a) Houston Tract Unit—October 2, 9, and 16, 1976.
 - (b) Molner Tract Unit—October 23 and 30, 1976.
- (2) Each hunter must have on his person a validated refuge hunting permit.
- (3) No hunters will be permitted within hunting areas before 11:45 a.m. each day.
- (4) All firearms must be encased and/or unloaded when outside the designated hunting area.
- (5) Each hunter who successfully takes a limit of mourning doves must leave the hunting area immediately.
- (6) Retrievers used by hunters shall be under the control of the owner at all times.
- (7) All hunters must check in and out of the refuge at the designated checking station.
- (8) Wounded or dead doves falling outside the hunting area may be recovered, but firearms must be left inside hunting area.
- (9) Each hunter under age 17 must be under the close supervision of an adult. For safety reasons, the ratio should be one adult to one juvenile but in no case should one adult have more than two juveniles under his/her supervision.
- (10) Vehicle parking will be limited to areas designated by refuge personnel.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 30, 1976.

ARKANSAS

HOLLA BEND NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves on the Holla Bend National Wildlife Refuge, Arkansas, is permitted only on the area delineated by public hunting signs. This open area, comprising approximately 500 acres, is delineated on a map available at refuge headquarters, Russellville, Arkansas 72801, and from the office of the Regional Director, U.S. Fish and Wildlife Service, 17 Executive Park Drive, N.E., Atlanta, Georgia 30329. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of mourning doves, subject to the following special conditions:

- (1) Hunting dates: September 4 and 11, 1976.

(2) A special refuge permit is required.
 (3) No alcoholic beverages will be allowed in the hunting area.

(4) Each hunter under age 17 must be under the close supervision of an adult. For safety reasons, the ratio should be one adult to one juvenile but in no case should one adult have more than two juveniles under his/her supervision.

(5) All firearms must be cased and/or unloaded when outside designated hunting areas.

(6) Dogs used as retrievers must comply with State dog licensing requirements.

(7) Hunting shall be from 12 noon until sunset each day of the hunt.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 11, 1976.

WAPANOCCA NATIONAL WILDLIFE REFUGE

Dove hunting is suspended for the 1976-77 season.

MISSISSIPPI

YAZOO NATIONAL WILDLIFE REFUGE

Dove hunting is suspended for the 1976-77 season.

SOUTH CAROLINA

CAPE ROMAIN NATIONAL WILDLIFE REFUGE

Public hunting of rails on the Cape Romain National Wildlife Refuge, South Carolina, is permitted only on the area designated by signs as open to hunting. This open area, comprising approximately 12,000 acres, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, 17 Executive Park Drive, N.E., Atlanta, Georgia 30329. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of rails, and shall be subject to the following special conditions:

(1) Open season: September 18 through October 30, 1976, except Sundays.

(2) Guns must be unloaded and encased or otherwise rendered incapable of firing except when in the designated hunting area.

(3) The use of dogs is permitted.

(4) A special permit is required.

(5) Each hunter under age 17 must be under the close supervision of an adult. For safety reasons, the ratio should be one adult to one juvenile, but in no case should one adult have more than two juveniles under his/her supervision.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 30, 1976.

CAROLINA SANDHILLS NATIONAL WILDLIFE REFUGE

Dove hunting is suspended for the 1976-77 season as part of the on-going Carolina Sandhills Mourning Dove Research Project.

TENNESSEE

TENNESSEE NATIONAL WILDLIFE REFUGE

Dove hunting is suspended for the 1976-77 season.

KENNETH E. BLACK,
 Regional Director,
 U.S. Fish and Wildlife Service.

AUGUST 12, 1976.

[FR Doc. 76-24271 Filed 8-18-76; 8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 16027; Amdt. Nos. 37-40 and 121-129]

PART 37—TECHNICAL STANDARD ORDER AUTHORIZATIONS

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Ground Proximity Warning-Glide Slope Deviation Alerting System

• The purpose of this amendment to Parts 37 and 121 of the Federal Aviation Regulations (FARs) is to revise § 37.201 to provide a new Technical Standard Order (TSO), applicable to ground proximity warning-glide slope deviation alerting equipment, TSO-C92b, and to revise § 121.360 to permit the use of equipment that meets either the current standards of TSO-C92a or the new standards of TSO-C92b in airplanes required to have such equipment under the operating rules. •

Section 37.201 of the FARs contains performance, environmental, marking, and data requirements that must be met in order to obtain a TSO-authorization for the manufacture of ground proximity warning-glide slope deviation alerting equipment under TSO-C92a. The performance standards of TSO-C92a are based on the Radio Technical Commission for Aeronautics (RTCA) Document No. DO-161, titled "Minimum Performance Standards, Airborne Ground Proximity Warning System" dated February 7, 1975, including Change Number 2, dated June 13, 1975, which are incorporated by reference in the TSO. Also included in the performance standard are certain exceptions to Document No. DO-161 as well as a number of additional requirements. As is pertinent here, § 121.360(f) prohibits the operation of certain large turbine-powered airplanes unless they are equipped with ground proximity warning-glide slope deviation alerting systems that meet the performance and environmental standards contained in TSO-C92a or incorporate TSO-approved equipment.

After the adoption of TSO-C92a and § 121.360(f) (Amdt. 37-38 and 121-122; 40 FR 42183, September 11, 1975), the FAA began to receive reports of numerous false and nuisance warnings being made by the required ground proximity warning-glide slope deviation alerting systems. These false and nuisance warnings, if allowed to continue, would have resulted in an erosion in pilot confidence in the system and the loss of system effectiveness. Based on further information received from certain air carriers and the Air Transport Association on this subject, the FAA concluded that a major reason for the number of undesired warnings related to the across-the-board application of certain of the standards contained in RTCA Document No. DO-161. Subsequently, the FAA requested that the RTCA Committee responsible for the development of Docu-

ment No. DO-161, Special Committee 128, reconvene to reevaluate and refine the document.

Recently, the RTCA adopted a revised RTCA minimum performance standard (MPS) in Document No. DO-161A, dated May 27, 1976, for ground proximity warning-glide slope deviation alerting equipment. This MPS, in part, includes new optional warning envelopes (Envelope 3) for Modes 1 and 4 (Excessive Rates of Descent and Flight Into Terrain When Not in Landing Configuration) directed at reducing the number of undesired warnings. In addition, the revised MPS provides for the discontinuation of a warning enunciation cycle following the termination of an envelope penetration. Based on a review of the information currently available, the FAA believes that these changes will result in a greater degree of pilot confidence and more effective pilot utilization of the ground proximity warning-glide slope deviation alerting system. Therefore, § 37.201 is being amended to incorporate RTCA Document No. DO-161A. In this connection, it should be noted that equipment approved under TSO-C92a can be modified and approved under the new standard, TSO-C92b, without additional flight tests if the filtering and time delays in the equipment remain unchanged. In addition, § 121.360(f) is being amended to permit an operator to use equipment meeting either the current standard, TSO-C92a, or the new standard, TSO-C92b, to comply with the Part 121 requirements.

Current § 37.201(a)(2) contains a number of exceptions to RTCA Document No. DO-161. The exception in § 37.201(a)(2)(v) is not necessary under the new standard (TSO-C92b) since the exception has been incorporated into RTCA Document No. DO-161A.

Furthermore, based on data and information available to the FAA, the exceptions contained in current § 37.201(a)(2)(i) through (iv), that prohibit the use of two warning envelopes contained in RTCA Document No. DO-161, are not necessary if the equipment that incorporates these warning envelopes is used only on turbopropeller powered airplanes. Therefore, the exceptions contained in current § 37.201(a)(2) are being deleted and are not contained in TSO-C92b. However, a new § 121.360(f) is being added to limit the use of the pertinent warning envelopes (Envelope 2 of Modes 1 and 4 of RTCA Document No. DO-161A) to turbopropeller powered airplanes.

It should also be noted that § 37.201, as amended, (TSO-C92b) does not contain the current mean time between failure (MTBF) standard specified in § 37.201(c)(1) but does contain a new Mode 4 flap warning inhibition control provision. While the FAA continues to believe that a reliability requirement is desirable, the current MTBF standard has been difficult to administer. The FAA will continue to work for the development of an acceptable standard.

With respect to Mode 4 warnings based on flap position, numerous airplanes

have more than one flap setting approved for landing. Only one of these settings need be set for Mode 4 of the system. However, when landings take place using other approved flap settings, undesired warnings will occur. In order to permit the pilot to eliminate these undesired warnings without deactivating the entire system, § 37.201(c), as amended, (TSO-C92b) allows a Mode 4 flap warning inhibition control and a provision is being added to § 121.360 to require the incorporation of procedures in the Airplane Flight Manual for the inhibition of Mode 4 flap warnings for those airplanes having a Mode 4 flap warning inhibition control.

As an interim measure, after the FAA began receiving reports of undesired warnings, §§ 121.303(d) and 121.360(d) were amended (Amtdt. 121-126; 40 FR 55313, November 28, 1975) to permit, until September 1, 1976, pilots to deactivate ground proximity warning systems when those systems emit false or nuisance warnings. After September 1, 1976, the deactivation of these systems will be limited to abnormal and emergency conditions as specified in the Airplane Flight Manual. The FAA believes that false warnings are no longer a problem and that an extension of the September 1, 1976, date would further delay the benefits to be derived from the system and would not be in the interest of safety. Equipment can continue to be approved and manufactured under TSO-C92a and used by those operators who have found that equipment compatible with their aircraft and operating environment. In addition, this amendment provides a necessary alternate means of compliance for other operators by establishing a second set of standards for TSO approval of equipment. In view of the imminence of the September 1, 1976, date and the need for this equipment to be activated and used in operations without further delay, and since this amendment imposes no additional burden on any person, I find that notice and public procedure hereon are impracticable and contrary to the public interest and good cause exists for making the amendment effective in less than 30 days.

This amendment is made under the authority of sections 313(a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1424) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, Parts 37 and 121 of the Federal Aviation Regulations are amended as follows, effective August 19, 1976:

1. By revising the title of § 37.201 and by revising §§ 37.201 (a), (c), (g), and (h) to read as follows:

§ 37.201 Ground proximity warning-glide slope deviation alerting equipment TSO-C92b.

(a) *Applicability—Minimum performance standards.* This Technical Standard Order prescribes the minimum performance standards that ground proximity warning-glide slope deviation alerting equipment must meet in order to be identified with the applicable TSO marking. Equipment to be so identified must meet the minimum performance standards prescribed in Radio Technical Commission for Aeronautics (RTCA) Document No. DO-161A, titled "Minimum Performance Standards, Airborne Ground Proximity Warning System" (DO-161A), revised May 27, 1976, with the exception specified in paragraph (c)(4) of this section, and the additional standards contained in paragraphs (c)(1) through (c)(3) of this section.

(c) *Additional standards and exception.* (1) *Fire protection.* Except for small parts (such as knobs, fasteners, seals, grommets, and small electrical parts) that the Administrator finds would not contribute significantly to the propagation of a fire, all materials used must be self-extinguishing when tested in accordance with the requirements of § 25.853 and § 25.1359(d), as applicable, and Appendix F to Part 25 of this chapter, effective May 1, 1972, except that the materials may be of a size and be mounted for the test in accordance with paragraph (b) of Appendix F or may be of a size and be mounted as used in the aircraft.

(2) *Aural and visual warnings.* The required aural and visual warnings must initiate simultaneously.

(3) *Deactivation control.* If the equipment incorporates a deactivation control other than a circuit breaker, the control must be a switch with a protective cover. The cover must be safety wired so that the wire must be broken in order to gain access to the switch.

(4) *Mode 4 flap warning inhibition.* A separate guarded control may be provided to inhibit Mode 4 warnings based on flaps being in other than the landing configuration.

(g) *Availability of referenced documents.* RTCA Document Nos. DO-138, dated June 27, 1968, including Change Number 2, dated October 29, 1969, DO-160, dated February 28, 1975, and DO-

161A, revised May 27, 1976, are incorporated herein in accordance with 5 U.S.C. 552(a)(1) and § 37.23 and are available as indicated in § 37.23. Additionally, RTCA Document Nos. DO-138, DO-160, and DO-161A may be examined at any FAA Regional Office of the Chief, Engineering and Manufacturing Branch (or, in the case of the Western Region, the Chief, Aircraft Engineering Division), and may be obtained from the RTCA Secretariat, Suite 655, 1717 H Street, N.W., Washington, D.C. 20006 at a cost of \$16.00 per copy for Document No. DO-138, \$20.00 per copy for Document No. DO-160, and \$16.00 per copy for Document No. DO-161A.

(h) *TSO-C92a equipment.* TSO-authorizations for the manufacture of ground proximity warning-glide slope deviation alerting equipment may continue to be obtained under TSO-C92a and equipment approved under TSO-C92a may continue to be manufactured under its original approval.

2. By deleting the word "and" from the end of § 121.360(c)(1)(iii); by inserting a comma and the words "or TSO-C92b" between the words "in TSO-C92a" and "or" in § 121.360(f); and by adding new §§ 121.360(c)(1)(iv) and 121.360(i) to read as follows:

§ 121.360 Ground proximity warning-glide slope deviation alerting system.

(c)

(1)

(iv) Inhibition of Mode 4 warnings based on flaps being in other than the landing configuration if the system incorporates a Mode 4 flap warning inhibition control; and

(i) No person may operate a turbojet powered airplane equipped with a system required by paragraph (f) of this section, that incorporates equipment that meets the performance and environmental standards of TSO-C92b or is approved under that TSO, using other than Warning Envelopes 1 or 3 for Warning Modes 1 and 4.

Issued in Washington, D.C., on August 13, 1976.

The incorporation by reference in this document was approved by the Director of the Federal Register on April 16, 1969.

JOHN L. MCLUCAS,
Administrator.

[FR Doc. 76-24581 Filed 8-18-76; 11:28 am]

proposed rules

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

DEPARTMENT OF AGRICULTURE

Office of the Secretary

[7 CFR Part 16]

LIMITATION ON IMPORTS OF MEAT

Regulations With Respect to Meat
Processed in Foreign-Trade Zones

Correction

In FR Doc. 76-24261 appearing in the FEDERAL REGISTER of August 17, 1976 on page 34778, the date in the second full paragraph and in the last sentence of § 16.20 should be corrected to read: August 17, 1976.

DEPARTMENT OF TRANSPORTATION

Coast Guard

[46 CFR Part 180]

[CGD 75-042]

SMALL PASSENGER VESSELS

First Aid Kit

The Coast Guard is considering amending the regulations for small passenger vessels to require that a first aid kit be carried on board these vessels for use in an emergency. This proposal would require carriage of either a first aid kit that is approved by the Coast Guard under 46 CFR 160.041 of the Coast Guard lifesaving equipment specifications or a first aid kit that contains at a minimum the first aid items listed in 46 CFR 160.041.

The Coast Guard has determined that carriage of first aid equipment on board small passenger vessels is necessary to provide for the safety of crew and passengers. Minor accidents continually occur on these vessels in which first aid treatment if provided could prevent the injuries from becoming more serious in nature. The master or operator of each small passenger vessel has been previously tested in his knowledge of first aid as a condition to obtaining his license; and, therefore, he should have the necessary knowledge to provide first aid using the proposed first aid kit.

Certain small passenger vessels are required by section 666 of Title 46, U.S. Code, to carry a medicine chest on board. These vessels will be in compliance with the regulations contained in this proposal if the medicine chest contains the first aid items prescribed in the Coast Guard lifesaving equipment specifications.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Coast Guard (G-CMC/81), 400 Seventh Street, SW., Washington, D.C. 20590.

Each person submitting a comment should include his name and address, identify the notice (CGD 75-042), and give reasons in support of his comment. Comments received before October 5, 1976 will be considered before final action is taken on the proposal. Copies of all written comments received will be available in room 8117, Department of Transportation, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590. The proposal may be changed in light of comments received.

In consideration of the foregoing, it is proposed to amend Part 180 of Title 46, Code of Federal Regulations, as follows:

1. By adding to the list in § 180.05-1 (b) the following:

§ 180.05-1 Equipment of an approved type.

(b) * * *

(11) First Aid Kits ----- 160.041.

2. By adding a new Subpart 180.45 to read as follows:

Subpart 180.45—First Aid Kits

§ 180.45-1 Carriage.

Each vessel must have at least one first aid kit that is approved under Subpart 160.041 of this chapter or a first aid kit that contains at least the same items listed in § 160.041-4 of this chapter.

§ 180.45-5 Stowage.

(a) The first aid kit required by this subpart must be stowed in a place that is readily accessible to persons on board the vessel.

(b) If a first aid kit is stowed inside an enclosure, the enclosure must be marked "FIRST AID KIT" in letters at least one inch high.

(46 U.S.C. 375, 390(b), 416, 481; 49 U.S.C. 1655(b); 49 CFR 1.46.)

Dated: August 4, 1976.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Merchant
Marine Safety.

[FR Doc. 76-24322 Filed 8-18-76; 8:45 am]

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 76-WA-7]

ALTERATION OF AIRWAYS AND REPORTING POINTS

Notice of Proposed Rule Making

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regula-

tions that would redesignate HAZZY and ZANDA reporting points and airways associated with the relocation of the Petersburg, Alaska, NDB.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Alaskan Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received on or before September 20, 1976 will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-21, 800 Independence Avenue, S.W., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

Request for copies of this Notice of Proposed Rule Making should be addressed to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-230, 800 Independence Avenue, S.W., Washington, D.C. 20591.

The proposed amendment to § 71.211 would redescribe the present position of the HAZZY and ZANDA reporting points as follows:

a. HAZZY: Lat. 56°19'14.3" N., Long. 134°17'19.2" W. (INT Sitka, Alaska, NDB 127°, Petersburg, Alaska, NDB 238° bearings).

b. ZANDA: Lat. 56°09'09.6" N., Long. 134°44'51.9" W. (INT Sitka, Alaska, NDB 148°, Petersburg, Alaska, NDB 238° bearings).

The Petersburg NDB is scheduled to be relocated to Lat. 56°48'04" N., Long. 132°55'37" W., on November 4, 1976. This action will move Amber 15 and Blue 37 airways westward approximately 9 NM. No amendment to § 71.105 and § 71.109 will be required since these airways will continue to be described as direct between NDBs. The HAZZY and ZANDA reporting points require redescription to remain near their present position.

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

Issued in Washington, D.C., on August 10, 1976.

WILLIAM E. BROADWATER,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc. 76-23927 Filed 8-18-76; 8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 76-SW-36]

**ALTERATION OF VOR AIRWAY
Notice of Proposed Rule Making**

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the airway width of V-13W in the vicinity of Harlingen, Tex.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Tex. 76010. All communications received on or before September 20, 1976 will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. An informal docket will be available for examination at the office of the Regional Air Traffic Division Chief.

Request for copies of this Notice of Proposed Rule Making should be addressed to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-230, 800 Independence Avenue SW., Washington, D.C. 20591.

The proposed amendment would reduce the airway width of the east side of V-13W to three miles, beginning at Harlingen, Tex., to a point 23 miles north of V-13W.

The current four mile airway width precludes simultaneous operations on the airway and the Harlingen ILS. Reduction of the airway width as proposed, would permit simultaneous operations and also enhance airspace utilization in this area.

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

Issued in Washington, D.C., on August 11, 1976.

WILLIAM E. BROADWATER,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc.76-23928 Filed 8-18-76;8:45 am]

[14 CFR Part 93]

[Docket No. 13817; Notice No. 76-5]

**NELLIS AFB SPECIAL AIR TRAFFIC RULE
Reopening of Comment Period**

On March 4, 1976, a Notice of Proposed Rule Making (NPRM) was published in the FEDERAL REGISTER (41 FR 9372) stating the Federal Aviation Ad-

ministration (FAA) was considering an amendment to Part 93 of the Federal Aviation Regulations that would establish special air traffic rules for proposed operating areas adjacent to Nellis Air Force Base (AFB) and Energy Research and Development Administration (ERDA) restricted areas located generally north of Las Vegas, Nevada. In accordance with the terms of the notice, the time for public comment expired on June 4, 1976.

Because of a correction to the proposal published in the FEDERAL REGISTER May 10, 1976, (41 FR 19127), and the interest apparent in the public comments received, it is felt that the public was not given adequate time to comment on the corrected proposal prior to the comment period closing date. For this reason, the comment period is hereby reopened until October 1, 1976. All comments received on or before that date will be considered before final action is taken on the proposal.

AUTHORITY: Sections 307 and 313(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348 and 1354(a)) and Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on August 6, 1976.

RAYMOND G. BELANGER,
Director, Air Traffic Service.

[FR Doc.70-23925 Filed 8-18-70;8:45 am]

**NUCLEAR REGULATORY
COMMISSION**

[10 CFR Part 9]

PRIVACY ACT REGULATIONS**Notice of Proposed Exemptions**

Notice is hereby given that the Nuclear Regulatory Commission is proposing exemptions as provided under the Privacy Act of 1974 (5 U.S.C. 552a(k)). These proposed exemptions are in addition to the exemptions presently set forth in 10 CFR 9.95.

The proposed amendment of § 9.95 of 10 CFR Part 9 would exempt from certain requirements of the Privacy Act portions of the NRC systems of records NRC-1, "Appointment and Promotion Certificate Records—NRC." The proposed exemptions are intended to protect investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under a promise of confidentiality, as provided by 5 U.S.C. 552a(k)(5).

An appropriate exemption, pursuant to 5 U.S.C. 552a(k)(5), of the NRC System of Records NRC-1 to conform with this amendment of 10 CFR 9.95 will be published when final action is taken on the proposed amendment of 10 CFR 9.5 set forth below.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorgani-

zation Act of 1974, as amended, and sections 552, 552a and 553 of Title 5 of the United States Code, as amended, notice is hereby given that adoption of the following amendments to Title 10, Chapter I, Code of Federal Regulations, Part 9 is contemplated. All interested persons who desire to submit written comments or suggestions for consideration in connection with the proposed amendments should send them to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by September 20, 1976. Copies of comments received will be available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C.

1. Section 9.95 of 10 CFR Part 9 is amended by adding a new paragraph (m) to read as follows:

§ 9.95 Specific exemptions.

Pursuant to 5 U.S.C. 552a(k), portions of the following NRC systems of records are exempted from 5 U.S.C. 552a(c)(3); (d); (e)(1); (e)(4)(G), (H) and (I) and (f) and are subject to the provisions of § 9.61 of this part:

(m) Appointment and Promotion Certificate Records

AUTHORITY: Sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2201); Sec. 201, Pub. L. 93-438, 88 Stat. 1242 (42 U.S.C. 5941); 5 U.S.C. 552a.

Dated at Bethesda, Maryland this 14th day of July 1976.

For the Nuclear Regulatory Commission.

LEE V. GOSSICK,
Executive Director for Operations.

[FR Doc.76-24186 Filed 8-18-76;8:45 am]

**SECURITIES AND EXCHANGE
COMMISSION**

[17 CFR Part 240]

[Release No. 34-12693; File No. S7-650]

SECO BONDING RULE**Minimum Fidelity Bonding Requirements**

The Securities and Exchange Commission today announced proposals to amend § 240.15b10-11 (the "SECO Bonding Rule"), which contains minimum fidelity bonding requirements for registered brokers and dealers which are not members of the National Association of Securities Dealers, Inc. ("NASD"). The proposed amendments would exempt, among others, certain exchange members which would otherwise become subject to the Rule upon registering with the Commission pursuant to section 15 of the Act, as recently amended. In addition, the proposed amendments would specifically require a broker or dealer subject to the SECO Bonding Rule to review and adjust its bonding coverage initially upon issuance of a replacement bond and thereafter annually as of the anniversary date of the bond's issuance. Moreover, the proposed amendments

would require qualified "SECO" broker-dealers electing to use the Alternative Net Capital Requirement set forth in paragraph (f) of § 240.15c3-1, as recently amended, as the basis for determining the amount of minimum bonding coverage required by the Rule.

THE PROPOSED AMENDMENTS

1. *Proposed exemption for exchange-only members.* The Commission recently adopted amendments to certain of its SECO requirements (§ 240.15b8-1 through 240.15b10-7) to exempt from these requirements members of exchanges, such as specialists, floor traders, floor brokers, etc., ("exchange-only members"), which effect transactions primarily on registered securities exchanges.¹ As a result of the Securities Acts Amendments of 1975, such broker-dealers are now required to register with the Commission, and, if they did not become NASD members, they would thereby have become subject to the SECO requirements.² Specifically, the Commission has revised, among others, § 240.15b8-1, which relates to qualification standards, §§ 240.15b9-1 and 240.15b9-2, which relate to fees, and § 240.15b10-7 (which provides an exemption from §§ 240.15b10-1 through 240.15b10-6).³ Similar revisions were not made in the SECO Bonding Rule because of special circumstances applicable to that rule.⁴

Sections 240.15b8-1, 240.15b9-2, and 240.15b10-7 previously contained provisions which exempt broker-dealers who carry no accounts of customers and derive no more than \$1,000 annual gross income from transactions otherwise than on a national securities exchange. The Commission has amended these provisions by substituting the phrase "otherwise than on a national securities exchange of which he is a member" for the phrase "otherwise than on a national securities exchange." Therefore, this amendment, which has been made to conform to the scope of the SECO requirements to the Commission's broadened authority under new §§ 15(b)(8), 15(b)(9) and 15(b)(10) of the Act, subjects broker-dealers who effect transactions on exchanges other than those of which they are members to the SECO requirements. However, the Commission also has amended the existing SECO exemptions to exclude, from the limitation on gross income derived by a broker-dealer from transactions otherwise than on the exchange of which he is a member, income derived from transactions for the broker-

dealer's own account which are effected with or through another registered broker-dealer. A similar exemption has been added to § 240.15b9-1.

The SECO Bonding Rule presently exempts, among others, those broker-dealers which are "members in good standing and subject to" (emphasis added) the fidelity bonding requirements of the seven national securities exchanges listed in paragraph (a) thereof (the "paragraph (a) exchanges").⁵ Thus, a SECO broker-dealer who is a "member in good standing" of any one of these exchanges and who is "subject to" the bonding requirements of that exchange (i.e., not exempt from those requirements) would qualify for an exemption from the SECO Bonding Rule. The theory underlying the exemption is that these SECO broker-dealers are already subject to exchange fidelity bonding requirements which are at least comparable to the requirements of the SECO Bonding Rule. However, because exchange-only members of the paragraph (a) exchanges which are now required to register with the Commission for the first time are generally exempt from the fidelity bonding rules of those exchanges,⁶ they will, arguably, be subject to the SECO Bonding Rule—a result not strictly intended when the Commission adopted the SECO Bonding Rule in its present form (prior to the 1975 Amendments).

In addition, the major purpose underlying the adoption of the SECO Bonding Rule as well as the NASD's Bonding Rule⁷ was to limit potential exposure of SIPC funds⁸ to firm losses resulting from employee theft and dishonesty, particularly losses of "catastrophic" proportions. Similarly, while the bonding rules

⁵ The seven exchanges are: the New York Stock Exchange, Inc. ("NYSE"), the American Stock Exchange, Inc. ("ASE"), the Midwest Stock Exchange, Inc., the Boston Stock Exchange, the Philadelphia Stock Exchange, Inc. (formerly the PBW Stock Exchange, Inc. ("PBW")), the Pacific Stock Exchange, Inc. ("PSE"), and the Chicago Board Options Exchange, Inc. ("CBOE"). The Commission has made a technical adjustment to paragraph (a) of the SECO Bonding Rule so as to reflect the new title of the successor organization to the PBW. See text of the proposed amendments to paragraph (a) of the SECO Bonding Rule, *infra*.

⁶ One exception is the PSE. The PSE's fidelity bonding requirements apply to every member and member organization. See Rule IX, Sections 7 and 8 of the PSE Rules (CCH PSE Manual, Paragraph 4775 and Paragraph 4780).

⁷ The NASD's fidelity bonding requirements for its members are set forth in Article III, Section 32 (and Appendix "C" thereto) of the NASD Rules of Fair Practice (CCH NASD Manual, Paragraph 2182).

⁸ The Securities Investor Protection Act of 1970, which is designed to provide certain financial protections for the accounts of customers of broker-dealers, created the Securities Investor Protection Corporation ("SIPC"), a non-profit membership corporation, to administer the protective provisions of the Act. The Act authorizes SIPC to maintain a fund to protect customers against losses of their funds and securities (up to certain statutory amounts) in the event of financial failure of a member firm.

of the paragraph (a) exchanges for the most part were adopted prior to the enactment of the Securities Investor Protection Act of 1970, it may be said that these rules were adopted with the same concerns in mind, i.e., to prevent impairment of firm capital through substantial losses of this kind and to protect firm creditors, including customers, against such losses. Thus, since the kind of exposure intended to be covered by fidelity bonds for brokers and dealers generally arises only where a firm has contact with members of the public (i.e., handles customer funds and/or securities) a broker-dealer which deals only with other professionals on the floor of the exchange of which he is a member and does not otherwise engage in a public business is exempt from the existing exchange fidelity bonding requirements.⁹ Accordingly, the Commission proposes specifically to exempt those exchange members from the SECO Bonding Rule. The Commission proposes to accomplish this by substituting the phrase "members in good standing of * * *" for the phrase "members in good standing and subject to * * *" in paragraph (a) of the SECO Bonding Rule.¹⁰

The Commission notes that, unlike the recent revisions to the other SECO requirements, its proposed amendment to the SECO Bonding Rule would exempt from its provisions exchange-only members which also engage in transactions on exchanges of which they are not members as well as over-the-counter. Those members would thus be subject only to the applicable exchange bonding requirements. Since the imposition of the SECO Bonding Rule on exchange-only members engaging in such activities could result in unnecessary duplication in the area of fidelity bonding, the Commission has determined to defer to exchange bonding requirements in this respect and the proposed amendments to paragraph (a) would have this effect. While permitting these exchanges to apply their bonding requirements in this way may have an indirect impact on some of their members' activities in other markets, the Commission believes that any such impact would be insubstantial and would not have an anti-competitive effect.

2. Proposal to Require Review of Coverage Upon Issuance of a Replacement

⁹ It should be noted that many of these exchange-only members would be exempt from the bonding requirements of the paragraph (a) exchanges on another basis as well. For example, since many of them are sole proprietorships or one-man business entities they would not be able to acquire a fidelity bond in any event because of insurance industry practice; and therefore the paragraph (a) exchanges have exempted members in this category by administrative interpretation. For the same reason, both the SECO Bonding Rule and the NASD Bonding Rule exempt one-man business entities having no employees. (See paragraph (a) of the SECO Bonding Rule and paragraph (a) of the NASD's Bonding Rule).

¹⁰ See the text of the proposed amendments to paragraph (a) of the SECO Bonding Rule, *infra*.

¹ See Securities Exchange Act Release No. 12160 (March 3, 1976).

² *Ibid.*, at pp. 2-3.

³ *Ibid.*, at p. 3, et seq.

⁴ However, in its release announcing adoption of the revisions to the exemptive provisions to the other SECO requirements, the Commission stated that it was considering further revision of the SECO Bonding Rule and might amend the exemptive provisions of that rule sometime in the future. See note 4, Securities Exchange Act Release No. 12160 (March 3, 1976).

Bond. The Commission has assumed that when a SECO broker-dealer acquires a replacement bond the SECO Bonding Rule requires that the firm review and adjust, if necessary, its minimum bonding coverage once upon the new bond's issuance and thereafter annually, as of the anniversary date of the new bond's issuance. The Commission is of the opinion that this is the proper interpretation of present paragraph (c) (5) in this situation. However, the Commission believes that the SECO Bonding Rule should be amended to clarify its provisions in this respect.

A registered broker-dealer subject to the SECO Bonding Rule may acquire a replacement bond, for the most part, in two situations: (1) where the insurance carrier cancels the previous bond, or (2) where the firm decides to terminate its existing bond in order to obtain a replacement bond through another insurance carrier at less cost. In either case, the previous bond is normally cancelled or terminated as of the renewal date, which usually occurs at one-year intervals from the date of issuance of a bond. Thus, the date of issuance of a replacement bond is likely to coincide with the annual anniversary date of the previous bond's issuance. However, in the event that such action does occur prior to the next annual review date, a question has arisen as to the applicability of the term "anniversary date of the issuance of the bond" in present paragraph (c) (5) to the replacement bond situation; that is will the next review date be determined by reference to the date of the original (or previous) bond's issuance or to the date of the replacement bond's issuance? It is possible that a SECO broker-dealer may acquire a replacement bond that is equivalent to his minimum required coverage as determined as of the former date and feel justified in deferring his next review until the first annual anniversary date of the replacement bond's issuance. This could result in delaying its review of adequacy of coverage for longer than the one year period presently required by paragraph (c) (5) of the SECO Bonding Rule. This interpretation is inconsistent with the purpose of the Rule.

Accordingly, the Commission proposes to amend the Rule so as to provide expressly that SECO broker-dealers subject to its provisions which obtain a replacement bond for any reason must re-determine their bonding coverage once upon issuance of the replacement bond and thereafter at least once annually, as of the anniversary date of the replacement bond's issuance. Proposed new paragraph (c) (7) would set forth this requirement.²¹

²¹ See the text of proposed paragraph (c) (7), *infra*. In addition, the Commission understands that within the insurance industry the term "anniversary date" relates only to the date of issuance of a bond or any other insurance contract. Thus, in order to be consistent with insurance practice in this regard, the annual review dates should be tolled from either the date of issuance of the

3. *Proposal to Require Use of the Alternative Net Capital Requirement as the Basis for Determining Minimum Bonding Coverage.* The Commission recently adopted amendments to Section 240.15c3-1, the Uniform Net Capital Rule, including an alternative net capital requirement ("Alternative Requirement") for certain broker-dealers which is set forth in new paragraph (f) of Section 240.15c3-1.²² This Alternative Requirement (if elected) eliminates the traditional standard of limiting obligations of broker-dealers (i.e., the ratio of aggregate indebtedness to net capital) and substitutes the aggregate dollar amount of firm assets which have as their source transactions with customers (i.e., items includible in the Formula for Determination of Reserve Requirements for Brokers and Dealers set forth in § 240.15c3-3) as the basis for determining the maximum permissible level of the broker-dealer's customer-related business. The general purpose of the Alternative Requirement is to ensure the continued protection of customers as well as to enhance the ability of broker-dealers to meet the needs of corporate issuers to raise capital in the evolving central market.

The present minimum bonding coverage prescribed by the SECO Bonding Rule is based on a broker-dealer's minimum required net capital as computed pursuant to Section 240.15c3-1.²³ Thus, if a SECO broker-dealer's minimum required net capital is adjusted, as through utilization of the Alternative Method, then his minimum required bonding coverage should be adjusted accordingly. The Commission's Uniform Net Capital Rule and the SECO Bonding Rule are

original (or previous) bond or from the date of issuance of a replacement bond. Proposed paragraph (c) (7) would make this clear.

Furthermore, the Commission does not believe that this requirement will impose an undue or unnecessary burden on affected SECO broker-dealers. As noted above, a broker-dealer is likely to have its coverage cancelled, or to terminate its coverage and acquire a replacement bond, as of the previous bond renewal date which normally coincides with the annual anniversary review date specified in paragraph (c) (5) of the SECO Bonding Rule. Moreover, even if the cancellation or termination occurs prior to the next review date an affected broker or dealer will have a burden of reviewing its coverage "prematurely" on that one occasion but thereafter it will be required to conduct its review only once annually, consistent with the review periods presently specified in the Rule for all SECO broker-dealers subject to the bonding requirement.

²² See Securities Exchange Act Release No. 11497, dated June 26, 1975. These amendments became effective September 1, 1975. The Alternative Requirement is applicable only to broker-dealers which have not elected to operate pursuant to an exemption from Section 240.15c3-3 through either paragraphs (k) (1) or (k) (2) (1). Broker-dealers which meet the criteria specified in paragraph (k) (2) (1) of Section 240.15c3-3 and introduce all customer transactions on a fully disclosed basis are also eligible to operate under the Alternative Requirement, if they maintain minimum net capital of at least \$100,000.

²³ See paragraph (c) of the SECO Bonding Rule, *infra*.

financial responsibility rules whose primary concern is protecting customer funds and securities in the custody of broker-dealers. In view of this similarity of purpose, therefore, the Commission believes that the policy underlying the implementation of the Alternative Requirement warrants a corresponding flexibility in fidelity bonding requirements for those SECO broker-dealers operating under it.

Accordingly, the Commission also proposes to amend the SECO Bonding Rule so as expressly to provide that, subject to the conditions discussed below, a broker-dealer which is subject to the Rule and operates under the Alternative Requirement must use this computation in determining its minimum bonding requirements pursuant to the Rule. The Commission proposes to accomplish this by including proposed new paragraph (c) (6) in the SECO Bonding Rule.²⁴

The Commission notes that under the proposed paragraph it has specified that broker-dealers availing themselves of the Alternative Requirement would still be required to determine their minimum required bonding coverage in the manner provided in present paragraph (c) (5), i.e., by reference to the highest required net capital, but only for those months during which they have operated under the Alternative Requirement. However, the new paragraph would provide that an affected broker-dealer which has operated in the past under the traditional method of computing net capital and effects a transition to the Alternative Requirement must calculate its minimum net capital under the Alternative Requirement for at least three consecutive months before it can redetermine its minimum bonding coverage based on these computations.²⁵ The Commission believes that any shorter period would not afford a proper basis for determining a broker-dealer's minimum bonding needs consistent with the intent and purpose of the SECO Bonding Rule.

Proposed paragraph (c) (6) would require a broker or dealer to redetermine and adjust its bonding requirements once it has operated under the Alternative Requirement for at least three months even though such adjustment may take place in advance of the issuance its bond.²⁶ However, on the next

²⁴ See the text of proposed paragraph (c) (6), *infra*.

²⁵ As noted above, the SECO Bonding Rule presently allows review and adjustment, if necessary, of a broker-dealer's existing bonding coverage only once annually, as of the anniversary date of the bond's issuance.

This new requirement, however, is not intended to apply to a new registrant which utilizes the Alternative Method since it is required to have a bond that complies with the Rule once it commences business. The Commission also proposes technical revisions to paragraphs (c) (1) and (c) (5) of the SECO Bonding Rule to clarify this matter. See the text of the proposed amendments to paragraphs (c) (1) and (c) (5), *infra*.

²⁶ This minimum three month period, of course, would commence with that first month when a broker-dealer begins to calculate its capital requirements in accordance with the Alternative Requirement.

annual anniversary date the broker-dealer must review and further adjust, if necessary, his bonding coverage again based on the net capital computations made during those months when it was operating under the Alternative Requirement. Thereafter, of course, the firm would be permitted to review and adjust its coverage only once annually as provided in present paragraph (c) (5) of the SECO Bonding Rule. Proposed new paragraph (c) (6) would incorporate all these considerations.

STATUTORY BASIS

The Securities and Exchange Commission, acting pursuant to the provisions of the Securities Exchange Act of 1934, 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 15(c) and 23(a) thereof, hereby proposes certain amendments to Section 240.15b10-11, as stated below.

ATTENTION

The texts of the following proposed amendments are using ►◄ arrows to indicate additions and [] brackets to indicate deletions.

TEXT OF THE RULE AS PROPOSED TO BE AMENDED

Section 240.15b10-11 would be revised to read as follows:

§ 240.15b10-11 Fidelity bonds.

(a) Every non-member broker or dealer which is a member of the Securities Investor Protection Corporation and has employees shall carry a blanket fidelity bond covering officers and employees of such broker or dealer in the form, amount and type of coverage hereinafter prescribed. The provisions of this rule shall not apply to any member in good standing [and subject to the fidelity bonding requirements] of the American Stock Exchange, Inc., the Boston Stock Exchange, the Midwest Stock Exchange, Inc., the New York Stock Exchange, Inc., the Pacific Stock Exchange, Inc., the [PBW] ►Philadelphia◄ Stock Exchange, Inc., or the Chicago Board Options Exchange, Inc.: *Provided, however,* That the exemption as to the members of any exchange may be suspended or withdrawn by the Commission at any time, by sending ten (10) days written notice to such exchange, if it appears to the Commission to be necessary or appropriate in the public interest or for the protection of investors so to do.

(b) Every non-member broker or dealer subject to the rule must carry either the Stockbroker's Blanket Bond, Standard Form No. 14 of the Surety Association of America with such riders as may be required by this rule, as revised to the effective date of this rule, or an equivalent bond, covering the officers and employees of such broker or dealer, which provides against loss and has insuring agreements covering at least the following:

- (1) Fidelity;
- (2) On Premises;
- (3) In Transit;
- (4) Misplacement;
- (5) Forgery and Alteration (including check forgery);
- (6) Securities Loss (including securities forgery); and
- (7) Fraudulent Trading (by employees).

(c) (1) Minimum monetary coverage for each of the Fidelity, On Premises, In Transit, Misplacement, and Forgery and Alteration insuring agreements shall be the greater of, \$25,000 or such other amount as shall be determined by reference to minimum required net capital ►for such broker or dealer◄ computed under Rule 15c3-1 under the Act as follows:

(i) Each non-member broker or dealer whose required net capital does not exceed \$600,000 must maintain minimum coverage of not less than 120% of such requirement.

(ii) Each non-member broker or dealer whose required net capital exceeds \$600,000 must maintain minimum coverage as indicated in the following table:

Net capital requirements under rule 15c3-1:	Minimum coverage
Over \$600,000, up to \$1,000,000	\$7,000,000
Over \$1,000,000, up to \$2,000,000	1,000,000
Over \$2,000,000, up to \$3,000,000	1,500,000
Over \$3,000,000, up to \$4,000,000	2,000,000
Over \$4,000,000, up to \$6,000,000	3,000,000
Over \$6,000,000, up to \$12,000,000	4,000,000
Over \$12,000,000	5,000,000

(2) Minimum monetary coverage for the Fraudulent Trading insuring agreement shall not be less than \$25,000 or 50% of the coverage required in paragraph (c) (1) of this section, whichever is greater.

(3) Minimum monetary coverage for the Securities Forgery insuring agreement shall not be less than \$25,000 or 25% of the coverage required in paragraph (c) (1) of this section, whichever is greater.

(4) Every non-member broker or dealer subject to this rule may have a deductible provision included in his bond of up to \$5,000 or 10% of the minimum insurance requirement established hereby, whichever is greater, for any individual loss.

(5) ►Except as provided in (c) paragraph (6) of this section◄, the minimum required coverages prescribed hereinabove shall be determined ►by such non-member broker-dealer◄ initially on issuance of the bond by reference to [the] ►its◄ highest required net capital computed [under] ►pursuant to◄ Rule 15c3-1 under the Act for the 12-month period immediately preceding such issuance or, if the non-member broker or dealer was subject to Rule 15c3-1 for less than 12 months, for such lesser period immediately preceding such issuance

as such broker or dealer was subject to that rule. Thereafter, such coverage shall be redetermined annually, as of the anniversary date of the issuance of the bond, by reference to the highest required net capital for the immediately preceding 12-month period, which amount shall be used to determine the minimum required coverage for the succeeding 12-month period. Any necessary adjustments shall be made within 30 days after the anniversary of the bond.

►(6) A non-member broker or dealer which becomes eligible to elect and does elect to compute its minimum required net capital under the alternative net capital requirement set forth in paragraph (f) of Rule 15c3-1 instead of under the requirement set forth in paragraph (a) thereof, and has operated under such alternative requirement for at least three consecutive months, shall, prior to the next anniversary date of the issuance of its bond, redetermine and adjust (if necessary) the amount of its coverage based on such alternative requirement for the period during which it has so operated; *provided, however,* That such non-member broker or dealer shall redetermine and further adjust (if necessary) the amount of its coverage in this manner on the next anniversary date of the issuance of its bond and thereafter annually, in accordance with the provisions of paragraph (c) (5) of this section. Any necessary adjustments shall be made within 30 days after such redetermination.◄

►(7) A non-member broker or dealer subject to this rule which acquires a replacement bond shall redetermine and adjust (if necessary) its minimum required bond coverage upon issuance of such bond by reference to the highest required net capital for those months since such broker or dealer last determined its required coverage in accordance with paragraphs (c) (5) and (c) (6) of this section, which amount shall be used to determine the minimum required coverage for the succeeding twelve month period. Thereafter, such coverage shall be redetermined annually, as of the anniversary date of the issuance of the replacement bond. Any necessary adjustments shall be made within 30 days of such redetermination.◄

[6] ►(8)◄ The bond shall provide that it shall not be cancelled, terminated, or substantially modified except after written notice given by the acting party to the affected party and to the Commission not less than sixty days prior to the effective date of such cancellation, termination or modification; ►provided, however, That in the event the non-member broker or dealer elects to cancel, terminate or modify the provisions of the bond upon notice of less than sixty days such non-member broker or dealer may do so on the condition that such non-member broker or dealer shall so notify the Commission not less than ten days prior to the effective date of such notice by providing the Commission with either a copy of the replace-

ment insurance contract or a copy of the binder for such contract. Any bond issued pursuant to this rule shall include a cancellation rider providing that the insurance carrier will use its best efforts to comply with the applicable reporting requirements of this paragraph.

(d) Definitions—For the purpose of this rule:

(1) The term "non-member broker or dealer" shall mean any broker or dealer registered under Section 15 of the Act which is not a member of a national securities association registered with the Commission under Section 15A of the Act.

(2) The term "substantial modification" or "substantially modified" shall mean any change in the type or amount of fidelity bonding coverage, or in the exclusions to which the bond is subject or any other change in the bond such that it no longer complies with the requirements of this rule.

Interested persons are invited to submit in writing their views and comments on the proposed amendments to the SECO Bonding Rule before September 3, 1976. Persons desiring to make written submissions should file six copies thereof

with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. All submissions should refer to File No. S7-650, and will be available for public inspection in the Commission's Public Reference Room, 1100 "L" Street, NW., Washington, D.C.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

AUGUST 6, 1976

[FR Doc.76-24356 Filed 8-18-76; 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 STATE

Agency for International Development ADVISORY COMMITTEE ON VOLUNTARY FOREIGN AID

Meeting

Pursuant to Executive Order 11769 and the provisions of section 10(a)(2), Pub. L. 92-463, Federal Advisory Committee Act, notice is hereby given of the meeting of the Advisory Committee on Voluntary Foreign Aid which will be held on September 14, 1976, from 9:30 a.m. to 12:30 p.m., in Room 1107, New State Building, 21st and Virginia Avenue, N.W.

The purpose of the meeting is to consider and finalize recommendations regarding foreign disaster response cooperation and coordination and to consider such other matters related to the foreign assistance advisory concerns of the Committee as may be appropriate.

The meeting will be open to the public. Any interested person may attend, appear before, or file statements with the Committee in accordance with procedures established by the Committee and to the extent time available for the meeting permits. Written statements may be filed before or after the meeting.

Dr. Fred O. Pinkham will be the A.I.D. representative at the meeting. Information concerning the meeting may be obtained from Mr. Robert S. McClusky, Telephone: AC 202-632-1892. Persons desiring to attend the meeting should enter the New State Building through the Diplomatic Entrance, 22nd and C Streets.

Dated: August 13, 1976.

FRED O. PINKHAM,
Assistant Administrator for
Population and Humanitarian
Assistance.

[FR Doc.76-24302 Filed 8-18-76; 8:45 am]

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

FIRST NATIONAL BANK OF JEFFERSON PARISH, GRETN, LOUISIANA

Suspension of Trading

It appearing that the summary suspension of trading in the common stock of the First National Bank of Jefferson Parish, Gretna, Louisiana, on the over-the-counter market is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 12(1) and 12(k) of the Securities Exchange Act of 1934, trading in the common stock of the First National Bank of Jefferson Parish, Gretna, Louisiana, on the over-the-counter market is hereby suspended

for the three-day period commencing at midnight (EDT) on August 15, 1976, and terminating at midnight (EDT) on August 18, 1976.

Dated: August 13, 1976.

ROBERT BLOOM,
Acting Comptroller of the Currency.
[FR Doc.76-24317 Filed 8-18-76; 8:45 am]

Office of the Secretary

[Public Debt Series—No. 21-76]

TREASURY NOTES OF SERIES Q-1978

Department Circular

AUGUST 13, 1976.

Dated and bearing interest from August 31, 1976. Due August 31, 1978.

I. INVITATION FOR TENDERS

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites tenders on a yield basis for \$2,500,000,000, or thereabouts, of notes of the United States, designated Treasury Notes of Series Q-1978 (CUSIP No. 912827 FX 5). The interest rate for the notes will be determined as set forth in Section III, paragraph 3, hereof. Additional amounts of these notes may be issued at the average price of accepted tenders to Government accounts and to Federal Reserve Banks for themselves in exchange for maturing Treasury securities held by them and as agents of foreign and international monetary authorities for new cash only. Tenders will be received up to 1:30 p.m., Eastern Daylight Saving time, Thursday, August 19, 1976, under competitive and noncompetitive bidding, as set forth in Section III hereof. The 5% percent Treasury Notes of Series L-1976, maturing August 31, 1976, will be accepted at par in payment, in whole or in part, to the extent tenders are allotted by the Treasury.

II. DESCRIPTION OF NOTES

The notes will be dated August 31, 1976, and will bear interest from that date, payable semiannually on February 28, 1977, August 31, 1977, February 28, 1978, and August 31, 1978. They will mature August 31, 1978, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State,

or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in denominations of \$5,000, \$10,000, \$100,000 and \$1,000,000. Book-entry notes will be available to eligible bidders in multiples of those amounts. Interchanges of notes of different denominations and of coupon and registered notes, and the transfer of registered notes will be permitted.

5. The notes will be subject to the general regulations of the Department of the Treasury, now or hereafter prescribed, governing United States notes.

III. TENDERS AND ALLOTMENTS

1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to the closing hour, 1:30 p.m., Eastern Daylight Saving time, Thursday, August 19, 1976. Each tender must state the face amount of notes bid for, which must be \$5,000 or a multiple thereof, and the yield desired, except that in the case of noncompetitive tenders the term "noncompetitive" should be used in lieu of a yield. In the case of competitive tenders, the yield must be expressed in terms of an annual yield, with two decimals, e.g., 7.11. Fractions may not be used. Noncompetitive tenders from any one bidder may not exceed \$500,000.

2. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, may submit tenders for account of customers provided the names of the customers are set forth in such tenders. Others will not be permitted to submit tenders except for their own account. Tenders will be received without deposit from banking institutions for their own account, Federally-insured savings and loan associations, States, political subdivision or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, and Government accounts. Tenders from

others must be accompanied by payment (in cash or 5% Treasury Notes of Series L-1976, which will be accepted at par) of 5 percent of the face amount of notes applied for.

3. Immediately after the closing hour tenders will be opened, following which public announcement will be made by the Department of the Treasury of the amount and yield range of accepted bids. Those submitting competitive tenders will be advised of the acceptance or rejection thereof. In considering the acceptance of tenders, those with the lowest yields will be accepted to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, a coupon rate will be determined at a $\frac{1}{8}$ of one percent increment that translates into an average accepted price close to 100.000 and a lowest accepted price above 99.500. That rate of interest will be paid on all of the notes. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price corresponding to the yield bid. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders, in whole or in part, including the right to accept tenders for more or less than the \$2,500,000,000 of notes offered, and his action in any such respect shall be final. Subject to these reservations, noncompetitive tenders for \$500,000 or less without stated yield from any one bidder will be accepted in full at the average price¹ (in three decimals) of accepted competitive tenders.

IV. PAYMENT

1. Settlement for accepted tenders in accordance with the bids must be made or completed on or before Tuesday, August 31, 1976, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt. Payment must be in cash, 5% Treasury Notes of Series L-1976 (interest coupons dated August 31, 1976, should be detached), in other funds immediately available to the Treasury by August 31, 1976, or by check drawn to the order of the Federal Reserve Bank to which the tender is submitted, or the United States Treasury if the tender is submitted to it, which must be received at such Bank or at the Treasury no later than: (1) Thursday, August 26, 1976, if the check is drawn on a bank in the Federal Reserve District of the Bank to which the check is submitted, or the Fifth Federal Reserve District in case of the Treasury, or (2) Tuesday, August 24, 1976, if the check is drawn on a bank in another district. Checks received after the dates set forth in the preceding sentence will not be accepted unless they are

¹ Average price may be at, or more or less than 100.000.

payable at a Federal Reserve Bank. Payment will not be deemed to have been completed where registered notes are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. In every case where full payment is not completed, the payment with the tender up to 5 percent of the amount of notes allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. When payment is made with notes, a cash adjustment will be made to or required of the bidder for any difference between the face amount of notes submitted and the amount payable on the notes allotted.

V. ASSIGNMENT OF REGISTERED NOTES

1. Registered notes tendered as deposits and in payment for notes allotted hereunder are not required to be assigned if the notes are to be registered in the same names and forms as appear in the registrations or assignments of the notes surrendered. Specific instructions for the issuance and delivery of the notes, signed by the owner or his authorized representative, must accompany the notes presented. Otherwise, the notes should be assigned by the registered payees or assignees thereof in accordance with the general regulations governing United States securities, as hereinafter set forth. When the new notes are to be registered in names and forms different from those in the inscriptions or assignments of the notes presented the assignment should be to "The Secretary of the Treasury for Treasury Notes of Series Q-1978 in the name of (name and taxpayer identifying number)." If notes in coupon form are desired, the assignment should be to "The Secretary of the Treasury for coupon Treasury Notes of Series Q-1978 to be delivered to _____." Notes tendered in payment should be surrendered to the Federal Reserve Bank or Branch or to the Bureau of the Public Debt, Washington, D.C. 20226. The notes must be delivered at the expense and risk of the holder.

VI. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make such allotments as may be prescribed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of notes on full-paid tenders allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

GEORGE H. DIXON,
Acting Secretary
of the Treasury.

[FR Doc.76-24265 Filed 8-16-76; 10:14 am]

DEPARTMENT OF DEFENSE

Corps of Engineers

ILLINOIS

Application

AUGUST 6, 1976.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 USC 185), Northern Illinois Gas Company has applied for a fuel-carrying pipeline right-of-way in, through, and across the following U.S. Government-owned lands, said lands being a part of USAR Joliet Outdoor Training Area, Illinois:

WILL COUNTY, ILLINOIS

T 34 N., R 9 E.,
Sec. 23 and 14

The pipeline, in its entirety, will convey propane from the Mobil Refinery located at the junction of Interstate 55 and the Illinois River to Matteson, Illinois.

The purpose of this notice is to inform the public that the Corps of Engineers will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Those persons who desire to make comments or objections should state their views in detail and send them to the District Engineer, Omaha District, Corps of Engineers, 6014 U.S. Post Office & Courthouse, Omaha, Nebraska 68102, within 30 days of the date of publication of this notice.

JAMES W. RAY,
Colonel, Corps of Engineers,
District Engineer.

[FR Doc.76-24285 Filed 8-18-76; 8:45 am]

Department of the Navy

COMMANDANT'S ADVISORY COMMITTEE ON MARINE CORPS HISTORY

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. D), notice is given that the Commandant's Advisory Committee on Marine Corps History will meet on September 7-10, 1976, in Room 1110, Navy Annex (Federal Office Building No. 2), Columbia Pike, Arlington, Virginia. Sessions of the meeting will commence at 9:00 a.m. and terminate at 4:30 p.m.

The agenda will consist of the following topics: development of priorities for major historical projects; actions to encourage the study of Marine Corps history; and revision of the scope and content of current programs. Any person desiring further information about this meeting or the Committee may write to the Commandant of the Marine Corps (Code HD), Headquarters, U.S. Marine Corps, Washington, DC 20380.

Dated: August 11, 1976.

JOHN S. JENKINS,
Assistant Judge Advocate General
(Civil Law).

[FR Doc.76-24286 Filed 8-18-76; 8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration
CONTROLLED SUBSTANCES IN
SCHEDULES I AND IIProposed 1976 Revised Aggregate
Production Quota Dihydrocodeine

Section 306 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 826) requires the Attorney General to establish aggregate production quotas for all controlled substances in Schedules I and II each year. This responsibility has been delegated to the Administrator of the Drug Enforcement Administration pursuant to § 0.100 of Title 28 of the Code of Federal Regulations.

On July 8, 1976, a notice of the final aggregate production quota for Dihydrocodeine was published in the FEDERAL REGISTER (41 FR 27980). This notice established the quota for 1976 for this substance at 460,000 grams (expressed in terms of anhydrous base).

The Drug Enforcement Administration continually monitors the manufacture and distribution of each of the substances for which quotas are established in relationship to the medical needs of the United States. This review of data has caused the Drug Enforcement Administration to conclude that the previously finalized aggregate production quota for Dihydrocodeine for 1976 is insufficient to meet the legitimate medical, research, export and inventory needs of the United States for 1976.

Therefore, the Administrator of the Drug Enforcement Administration under the authority vested in the Attorney General by section 306 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 826) and delegated to the Administrator by § 0.100 of Title 28 of the Code of Federal Regulations does hereby propose the following change of the aggregate production quota for 1976 for Dihydrocodeine, expressed in grams in terms of anhydrous base:

Basic class	Previously finalized 1976 aggregate production quota	Proposed revised 1976 aggregate production quota	Net change
Dihydrocodeine	460,000	503,000	+133,000

All interested persons are invited to submit their comments and objections in writing regarding this proposal. The comments or objections should state with particularity the issues concerning which the person desires to be heard. Comments and objections should be submitted in quintuplicate to the Administrator, Drug Enforcement Administration, United States Department of Justice, Washington, D.C. 20537, Attention: DEA Federal Register Representative, and must be received by September 20, 1976. If a person believes that one or more issues raised by him warrant a full adversary-type hearing, he should so state and summarize the reasons for his belief.

In the event that comments or objections to this proposal raise one or more issues which the Administrator finds, in his sole discretion, warrants a full adversary-type hearing, the Administrator shall order a public hearing in the FEDERAL REGISTER summarizing the issues to be heard and setting the time for the hearing (which shall not be less than 30 days after the date of publication).

Dated: August 12, 1976.

PETER B. BENSINGER,
Administrator.

[FR Doc.76-24301 Filed 8-18-76; 8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

(S-2701A)

CALIFORNIA

Classification of Public Lands for
Multiple-Use Management; Correction

In F.R. Doc. 70-15888, appearing on page 18128 of the issue for Thursday, November 26, 1970, the following correction should be made:

In column 2 under Block A-T, 2 N., R. 5 E., Sections 5, 7, 17 and 18 are deleted from this classification.

MELVIN D. CLAUSEN,
District Manager.

[FR Doc.76-24267 Filed 8-18-76; 8:45 am]

CALIFORNIA STATE ADVISORY BOARD
Meeting

The California State Multiple-Use Advisory Board to the U.S. Bureau of Land Management will hold a meeting in Bishop, California, September 20, 1976, and a joint meeting with the California Advisory Committee to the U.S. Forest Service, September 21 and 22 at Bishop and at various field locations on National Forest Lands and National Resource Lands in the adjacent area.

The Bureau of Land Management Advisory Board will make a field review of the Eureka Sand Dunes management plan and environmental analysis record on Monday morning, departing from the Bishop Westerner Motel at 8 a.m. The Board will hold a public meeting at the Bank of America Conference Room, 536 N. Main, Bishop, beginning at 1 p.m. Agenda items will include a report by the State Director on Bureau response to Board recommendations during the past year and status of Bureau programs including proposed rulemaking on grazing administration and off-road vehicles; a detailed report on operation of the Bureau planning system; and final reports of the Board's ad hoc committees on geothermal energy and off-road vehicles. The federal representative will be Ed Haste, California State Director of the Bureau of Land Management, or his authorized representative.

The joint meeting agenda includes reports and discussions of mineral and geothermal energy programs involving the Bureau of Land Management and the

Forest Service, land use planning and management in areas where National Resource Lands and National Forest Lands are intermingled, and such inter-agency efforts as the Lone Pine Visitor Center. The joint field review will include the Long Valley geothermal area and Mammoth Visitor Center. The joint meeting will be at 1 p.m., September 21, at the Mammoth Visitor Center, U.S. Forest Service, Mammoth Lakes, California.

Field reviews covering wildlife, recreation and range management programs in the Owens Valley will conclude the meeting September 22. Members of the public may participate in the field reviews but must provide their own transportation.

The meetings will be open to the public, and participation is invited. Time will be made available at the BLM Advisory Board meeting for brief statements relating to subjects on the agenda. Such statements may not exceed five minutes in length and should be reduced to writing. Persons wishing to make oral statements should contact State Director, Bureau of Land Management, 2800 Cottage Way, Sacramento, CA 95825, by the close of business September 15, 1976.

Dated: August 11, 1976.

ED HASTEY,
State Director.

[FR Doc.76-24266 Filed 8-18-76; 8:45 am]

LAS CRUCES DISTRICT MULTIPLE USE
ADVISORY BOARD
Meeting

Notice is hereby given in accordance with Public Law 92-463, that a meeting of the Las Cruces District Multiple Use Advisory Board will be held on September 14 and 15, 1976 beginning at 8:00 a.m. at the Holiday Inn, 1401 S. White Sands Blvd., Alamogordo, New Mexico.

The Advisory Board was established to advise the District Manager on matters relating to the use, management, protection and disposition of lands and resources administered within the Las Cruces District.

The purpose of this meeting is to inform the Board of the status of the Gila Unit Resource Analysis and Management Framework Plan, and on proposed changes in agreements with Department of The Army (Ft. Bliss) for management agreements on McGregor Range, and a discussion of the proposed grazing regulations as published in the July 28th FEDERAL REGISTER. In addition, the meeting will include a field tour of the Godfrey Hills (east of Three Rivers, New Mexico) and a discussion of management problems and alternatives associated with wild burros now using the area. The Board may make a recommendation on this subject.

The meeting and tour will be open to the public; however, the public must provide their own transportation on the tour. Anyone wishing to make a presentation to the Board or submit a written statement should contact the official

listed below at least five days prior to the meeting.

Further information concerning this meeting may be obtained from the District Manager, Bureau of Land Management, Las Cruces, New Mexico 88001, (505-523-5571). Minutes of the meeting will be available for public inspection and copying by December 1, 1976 at the District Office in Las Cruces.

JOHN E. PROVINCE,
Acting District Manager.

AUGUST 9, 1976.

[FR Doc.76-24287 Filed 8-18-76;8:45 am]

MONTANA, NORTH DAKOTA, SOUTH DAKOTA

Modification of Administrative District Office Boundaries and Jurisdictions; Correction

In FR Doc. 76-19625 appearing at pages 27980 and 27981 in the FEDERAL REGISTER of Wednesday, July 7, 1976, the following changes should be made:

1. On page 27980, the last sentence in paragraph title 1. *Lewistown District* is corrected to read as follows:

"The Lewistown District consists of the following counties: Blaine, Carbon, Chouteau, Daniels, Fergus, Glacier, Golden Valley, Hill, Judith Basin, Liberty, Musselshell, Petroleum, Phillips, Roosevelt, Sheridan, Stillwater, Sweetgrass, Toole, Valley, Wheatland, Yellowstone, and all of Big Horn County except that portion which lies southeast of the Northern Cheyenne and Crow Indian Reservations."

2. On page 27981, the third sentence of paragraph title 3. *Mile City* is corrected to read as follows:

"The Miles City District consists of the following counties in Montana: Carter, Custer, Dawson, Fallon, Garfield, McCone, Powder River, Prairie, Richland, Rosebud, Treasure, Wibaux, and that portion of Big Horn County which lies southeast of the Northern Cheyenne and Crow Indian Reservations, and all of the counties in North and South Dakota.

Dated: July 29, 1976.

EDWIN ZAIDLICZ,
State Director.

Approved: August 10, 1976.

GEORGE L. TURCOTT,
Associate Director.

[FR Doc.76-24289 Filed 8-18-76;8:45 am]

SOCORRO DISTRICT MULTIPLE-USE ADVISORY BOARD

Meeting

Notice is hereby given that the Socorro District Multiple-Use Advisory Board of

the Bureau of Land Management will meet in the Zimmerman Building at the Socorro County Fairgrounds one (1) mile south of Socorro, New Mexico, on September 21, 1976, at 9:00 A.M.

The agenda for the meeting will include a discussion and making recommendations on the proposed revised grazing regulations, amendments to off-road vehicle regulations, District Advisory Board charter and memberships, and a summary of the District's on-going program.

The meeting will be open to the public. Time will be made available for public statements starting at 3:00 P.M. Statements should be limited to the items set forth in the agenda. Those wishing to make an oral statement should inform the District Manager prior to the meeting. Written statements may be filed for the Board's consideration by submitting them at the meeting or mailing, in advance, to the Bureau of Land Management at the address listed below. Further information concerning the meeting may be obtained from Arlen P. Kennedy, District Manager, Socorro District Office, 200 Neel Avenue, N.W., Socorro, New Mexico 87801. Telephone (505) 835-0412.

Minutes of the meeting will be available at the Socorro District Office for public inspection and copying thirty days after the meeting.

ARLEN P. KENNEDY,
District Manager.

AUGUST 12, 1976.

[U-34082]

UTAH

Application

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Northwest Pipeline Corporation has applied for a 4½-inch natural gas pipeline right-of-way across the following lands:

SALT LAKE MERIDIAN, UTAH

T. 19 S., R. 23 E.,
Sec. 29, NW¼SE¼, NE¼SE¼, SE¼NE¼;
Sec. 28, SW¼NW¼.
T. 20 S., R. 23 E.,
Sec. 5, lot 3.

The needed right-of-way is for a portion of applicant's gas gathering system located in Grand County, Utah.

The purpose of this notice is to inform the public that the Bureau will be proceeding with the preparation of environmental and other analyses necessary for determining whether the application

should be approved, and if so, under what terms and conditions.

Interested persons should express their interest and views to the Moab District Manager, Bureau of Land Management, P.O. Box 970, Moab, Utah 84532.

WILLIAM G. LEAVELL,
Associate State Director.

AUGUST 11, 1976.

[FR Doc.76-24288 Filed 8-18-76;8:45 am]

[U-34081]

UTAH

Application

Notice is hereby given that pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Northwest Pipeline Corporation has applied for a 4½-inch natural gas pipeline right-of-way across the following lands:

SALT LAKE MERIDIAN, UTAH

T. 19 S., R. 23 E.,
Sec. 28, SW¼SW¼;
Sec. 33, NW¼NW¼.
T. 20 S., R. 23 E.,
Sec. 5, lots 3 and 4, SW¼NW¼, NW¼SW¼.

The needed right-of-way is for a portion of applicant's gas gathering system located in Grand County, Utah.

The purpose of this notice is to inform the public that the Bureau will be proceeding with the preparation of environmental and other analyses necessary for determining whether the application should be approved, and if so, under what terms and conditions.

Interested persons should express their interest and views to the Moab District Manager, Bureau of Land Management, P.O. Box 970, Moab, Utah 84532.

WILLIAM G. LEAVELL,
Associate State Director.

AUGUST 11, 1976.

[FR Doc.76-24316 Filed 8-18-76;8:45 am]

Fish and Wildlife Service

ENDANGERED SPECIES PERMIT

Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: University of California, Department of Biology, Los Angeles, California 90024. James G. Miller, Sr.

DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE		APPLICATION FOR <input type="checkbox"/> IMPORT OR EXPORT LICENSE <input checked="" type="checkbox"/> PERMIT																						
 <p>FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION</p>		<p>APPLICANT: (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)</p> <p>James G. Miller Senior Museum Scientist Department of Biology University of California Los Angeles, Ca., 90024 (213) 825-1282</p>																						
<p>IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING</p> <table border="1"> <tr> <td>MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/></td> <td>HEIGHT</td> <td>WEIGHT</td> </tr> <tr> <td>Jan. 14, 1913</td> <td>5'8"</td> <td>150#</td> </tr> <tr> <td></td> <td>COLOR HAIR</td> <td>COLOR EYES</td> </tr> <tr> <td></td> <td>Brown</td> <td>Blue</td> </tr> <tr> <td>PHONE NUMBER WHERE EMPLOYED (213) 825-7969</td> <td colspan="2">SOCIAL SECURITY NUMBER 573-28-6566</td> </tr> <tr> <td colspan="3">OCCUPATION Museum Scientist</td> </tr> <tr> <td colspan="3">BY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT University of California Department of Biology</td> </tr> </table>		MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/>	HEIGHT	WEIGHT	Jan. 14, 1913	5'8"	150#		COLOR HAIR	COLOR EYES		Brown	Blue	PHONE NUMBER WHERE EMPLOYED (213) 825-7969	SOCIAL SECURITY NUMBER 573-28-6566		OCCUPATION Museum Scientist			BY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT University of California Department of Biology			<p>3. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING: EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION</p> <p>California Condor <i>Gymnogyps californianus</i> (Shaw)</p>	
MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/>	HEIGHT	WEIGHT																						
Jan. 14, 1913	5'8"	150#																						
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BY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT University of California Department of Biology																								
<p>LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED</p> <p>Collect feathers on cattle grazing grounds in California, with permission of owners.</p> <p>Possess and store at University of California.</p> <p>Research and study at University of California.</p>		<p>7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If yes, list license or permit number)</p> <p>1-SC-717</p>																						
<p>CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF \$</p>		<p>8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If yes, list jurisdiction and type of approval)</p> <p>Application to California, 3-3-76, has been referred to you by them. Would be contingent on your permit.</p>																						
<p>ATTACHMENTS: THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED, IF APPLICABLE, IS ATTACHED; IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 C.F.R. UNDER WHICH THIS PERMIT IS PROVIDED.</p> <p>Study of the fine structure of the feathers. Provide feather bank of this species for future research.</p>		<p>9. DESIRED EFFECTIVE DATE</p> <p>Soon as possible</p>																						
<p>HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 17, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER D OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.</p>		<p>11. DURATION NEEDED</p> <p>Indefinite. At least 5 years.</p>																						
<p>SIGNATURE (If individual)</p> <p><i>James G. Miller</i></p>		<p>DATE</p> <p>8-2-76</p>																						

December 3, 1975.

B. E. FAIST,
Chief, Wildlife Protection Branch, Department of Fish and Game, Sacramento, Calif.

DEAR SIR: Thank you for the "Permit to Possess Specimens of Wild Life," issued to the Chairman of our Department of Biology.

This permit specifies that a separate permit is required for each specimen of a rare or endangered species or fully protected species. For this reason I wish to know if it is possible for you to arrange a permit so that a cooperator with us may pick up condor feathers shed on his property.

The cooperator I would propose has a large cattle ranch and condors come there every year during calving season to clean up the stillborn and afterbirths. While there, they have been observed to sit on trees and preen, sometimes shedding feathers.

We would be pleased to receive these feathers for researchers who may wish to study the fine structure of the feathers, the mercury and heavy metal content, and future questions they may answer.

We have adequate facilities to protect and store such specimens.

If you can make such a permit possible, I would be glad to receive it before the next calving season the coming summer.

Yours very truly,

JAMES G. MILLER,
Senior Museum Scientist, University of California, Collections of Birds and Mammals.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. This application has been assigned File Num-

ber PRT 2-209-07; please refer to this number when submitting comments. All relevant comments received on or before September 20, 1976 will be considered.

Dated: August 13, 1976.

C. R. BAVIN,
Chief, Division of Law Enforcement
U.S. Fish and Wildlife
Service.

[FR Doc.76-24324 Filed 8-18-76;8:45 am]

National Park Service
OGLALA SIOUX CEDAR PASS
CONCESSION ENTERPRISE

Intention To Extend Concession Contract

Pursuant to the provisions of Section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that on or before September 20, 1976, the Department of the Interior, through the Director of the National Park Service, proposes to extend a concession contract with Oglala Sioux Cedar Pass Concession Enterprise, authorizing it to continue to provide concession facilities and services for the public at Badlands National Monument for a period of two (2) years from January 1, 1976, through December 31, 1977.

As assessment of the environmental impact of this proposed action has been made and it has been determined that it will not significantly affect the quality of the environment, and that it is not a major Federal action having a significant impact on the environment under the National Environmental Policy Act of 1969. The environmental assessment may be reviewed in the Office of the Superintendent, P.O. Box 72, Interior, South Dakota 57750.

The foregoing concessioner has performed its obligations to the satisfaction of the Secretary under an existing contract which expired by limitation of time on December 31, 1975, and therefore, pursuant to the Act of October 9, 1965, as cited above, is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract. However, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted on or before September 20, 1976.

Interested parties should contact the Assistant Director, Concessions Management, National Park Service, Washington, D.C. 20240, for information as to the requirements of the proposed contract extension.

Dated: August 12, 1976.

JOHN E. COOK,
Associate Director,
National Park Service.

[FR Doc.76-24312 Filed 8-18-76;8:45 am]

OVERTON BEACH RESORT, INC.

Intention To Extend Concession Contract

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat.

969; 16 U.S.C. 20), public notice is hereby given that on or before September 20, 1976, the Department of the Interior, through the Director of the National Park Service, proposes to extend a concession contract with Overton Beach Resort, Inc., authorizing it to continue to provide concession facilities and services for the public at Overton Beach, Lake Mead National Recreation Area, for a period of one (1) year and ten (10) months from January 1, 1977, through October 31, 1978.

An assessment of the environmental impact of this proposed action has been made and it has been determined that it will not significantly affect the quality of the environment, and that it is not a major Federal action having a significant impact on the environment under the National Environmental Policy Act of 1969. The environmental assessment may be reviewed in the Office of the Superintendent, Lake Mead National Recreation Area, 601 Nevada Highway, Boulder City, Nevada 89005.

The foregoing concessioner has performed its obligations to the satisfaction of the Secretary under an existing contract which expires by limitation of time on December 31, 1976, and, therefore, pursuant to the Act of October 9, 1965, as cited above, is entitled to be given preference in the extension of the contract. However, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted on or before September 20, 1976.

Interested parties should contact the Assistant Director, Concessions Management, National Park Service, Washington, D.C., 20240, for information as to the requirements of the proposed contract extension.

Date August 11, 1976.

JOHN E. COOK,
Acting Director,
National Park Service.

[FR Doc. 76-24313 Filed 8-18-76; 8:45 am]

Office of the Secretary
**OIL SHALE ENVIRONMENTAL
ADVISORY PANEL**

Meeting

Notice is hereby given in accordance with Public Law 92-463 that a meeting of the Oil Shale Environmental Advisory Panel will be held on September 9, 1976, at the Denver Downtown Holiday Inn, 15th Street and Glenarm Place, in Denver, Colorado. The meeting will begin at 8:30 a.m. on Thursday, September 9, in the Silver Heels and Cripple Creek rooms and conclude at 5:00 p.m. that afternoon.

The Panel was established to assist the Department of the Interior in the performance of its functions in connection with the supervision of oil shale leases issued under the Prototype Oil Shale Leasing Program. The purpose of this meeting is to adopt summary panel

advice on the Detailed Development Plan for Utah least tracts U-a and U-b, review seventh quarterly summary data reports for lease tracts C-a, C-b, and U-a and U-b (combined), to receive reports from Interior officials, and to consider any other matters which have come before the panel.

The meeting is open to the public. It is expected that space will permit at least 150 persons to attend the meeting in addition to the panel members. Interested persons may make brief presentations to the panel or file written statements. Requests should be made to Mr. William L. Rogers, Chairman, Office of the Secretary, Department of the Interior, Room 688, Building 67, Denver Federal Center, Denver, Colorado 80225.

Further information concerning this meeting may be obtained from Mr. Henry O. Ash, Office of the Oil Shale Environmental Advisory Panel, Room 690, Building 67, Denver Federal Center, Denver, Colorado 80225, Telephone No. (303) 234-3275. Minutes of the meeting will be available for public inspection 30 days after the meeting at the Panel office.

CHRIS FARRAND,
Deputy Assistant Secretary
of the Interior.

AUGUST 16, 1976.

[FR Doc. 76-24300 Filed 8-18-76; 8:45 am]

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

[Notice of Designation Number A361]

NORTH CAROLINA

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in Bladen County, North Carolina, as a result of a hard freeze April 10, 1976.

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 Pub. L. 94-68, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor James E. Holshouser Jr., that such designation be made.

Applications for emergency loans must be received by this Department no later than October 5, 1976, for physical losses and May 9, 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 12th day of August 1976.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc. 76-24298 Filed 8-18-76; 8:45 am]

Forest Service

ALPINE PLANNING UNIT

Availability of Draft Environmental Statement

The review period for the draft environmental statement and land use plan on the Alpine Planning Unit, Toiyabe National Forest, Nevada, has been extended. The new extension date is October 9, 1976; rather than August 9, 1976, as originally reported.

The Forest Service report number for these documents is USDA-FS-DES (Adm) R4-76-17.

Dated: August 12, 1976.

D. A. SCHULTZ,
Acting Director,
Regional Planning and Budget.

[FR Doc. 76-24314 Filed 8-18-76; 8:45 am]

**HUMBOLDT NATIONAL FOREST
LIVESTOCK ADVISORY BOARD**

Meeting

The Humboldt National Forest Livestock Advisory Board will meet at 10:00 A.M., P.d.t. at the Van Norman Ranch near Tuscarora, Nevada, on October 4, 1976. The Board will then tour the Schmidt Creek Allotment. The meeting is open to the public. The public is requested to furnish their own lunch and 4-wheel drive transportation.

The purpose of this meeting is to:

1. Review and discuss intensive grazing systems.
2. Discuss grazing problems and complaints.
3. Discuss Sorensen land exchange proposals.

Dated: August 11, 1976.

JOE L. FRAZIER,
Acting Forest Supervisor.

[FR Doc. 76-24262 Filed 8-18-76; 8:45 am]

LAKEVIEW PLANNING UNIT

Notice of Availability of Final Environmental Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for Lakeview Planning Unit, Forest Service Report Number USDA-FS-FES (Adm) R1-76-10.

The environmental statement concerns the proposed implementation of a revised land use plan for the Lakeview Planning Unit, Bonner County, Idaho. Approximately 63,060 acres are included in the planning unit of which 57,120 acres are National Forest land. The management plan allocates resources and specifies land use prescriptions for National Forest land only. Resource information for lands in other ownership also is included for owners to use as they wish.

With the exception of private holdings generally located along the lake face and several streams, most of the National Forest ownership in this planning unit is continuous. On most of the planning unit the selected plan emphasizes management for the high scenic quality of the lake face along Lake Pend Oreille, fisheries, domestic water, recreation, and wildlife uses. Timber and domestic livestock forage would be provided to the extent to which they would not degrade or detract from these emphasized uses.

This final environmental statement was transmitted to CEQ on -----
Copies are available for inspection during regular working hours at the following locations:

- USDA Forest Service, South Agriculture Bldg., Room 3230, 12th St. & Independence Ave., SW., Washington, D.C. 20250.
- USDA Forest Service, Northern Region, Federal Building, Missoula, MT 59801.
- USDA Forest Service, Idaho Panhandle National Forests, P.O. Box 310, Coeur d'Alene, ID 83814.
- USDA Forest Service, Sandpoint Ranger District, P.O. Box 490, Sandpoint, ID 83864.

A limited number of single copies are available upon request to Forest Supervisor Ralph Kizer, Idaho Panhandle National Forests, P.O. Box 310, Coeur d'Alene, ID 83814.

Copies of this final environmental impact statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

RALPH D. KIZER,
Forest Supervisor.

AUGUST 12, 1976.

[FR Doc.76-24284 Filed 8-18-76; 8:45 am]

MANTI DIVISION GRAZING ADVISORY BOARD

Meeting

AUGUST 13, 1976.

The Manti Division Grazing Advisory Board will hold a summer tour on Monday, September 13, 1976. The tour will begin at the junction of U.S. 50 and 89 and Diamond Fork Canyon at 10:00 a.m.

The Advisory Board will tour the Diamond Fork Cattle Allotment.

After lunch, a short formal meeting will be held to discuss the following topics:

1. Work impact from accelerated Comprehensive Land Use Planning on Ferron and Price Districts to provide input to coal mining Environmental Impact Statement.
2. Central Utah Coal Mining Environmental Impact Statement.
3. Controls and need for State license for use of pesticides on National Forest land.
4. Requirements for use of M-44 device to control animal damage (coyotes) on National Forest administered land.

The tour and meeting will be open to the public. Written statements concerning specific topics of discussion may be filed with the committee before or after the meeting. Public comments and dis-

ussion concerning agenda topics will be permitted to the extent time permits.

Persons wishing to attend the tour and meeting should furnish their own lunch. Mr. Vail Neilson, Advisory Board Chairman, Ephraim, Utah, telephone 801-283-4398, may be contacted for further information.

Dated: August 9, 1976.

REED C. CHRISTENSEN,
Forest Supervisor.

[FR Doc.76-24263 Filed 8-18-76; 8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

GEOLOGICAL SURVEY

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 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 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: 76-00309. Applicant: U.S. Geological Survey, Hawaiian Volcano Observatory, Hawaii National Park, Hawaii 96718. Article: VLF Electromagnetic Unit EM16, and (Attachment) Direct Reading Ground Resistivity Meter EM16R. Manufacturer: Geonics Ltd., Canada. Intended use of article: The article is intended to be used for monitoring of molten rock movement in order to predict pending eruptions of volcanoes. Experiments to be conducted will include: (a) Location and delineation of ponded molten lava bodies to be used as possible sources of thermal energy for generating electrical power.

(b) Detection of the subterranean flow path of molten lava in order to assess the possible threat of lava breakouts in populated areas.

(c) Detection of hidden pools or tubes of lava within recent lava flows where they have covered existing roads prior to any attempt to reopen road.

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 of using no ground contact in making measurements, short readout time (10-40 seconds), and one man portability. The National Bureau of Standards advises in its memorandum dated July 19, 1976 that

(1) the capability described above is pertinent to the applicant's intended purposes (2) it knows of no practical way to

accomplish the applicant's intended purpose by the use of a combination of domestic instruments and (3) it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

(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.76-24307 Filed 8-18-76; 8:45 am]

LOYOLA U. STRITCH 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 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 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: 76-00381. Applicant: Loyola University Stritch School of Medicine, Physiology Dept., 2160 South First Avenue, Maywood, Illinois 60153. Article: Veterinary equipment, consisting of stainless steel rods, clamps, pelvis clamps, spinal cord holders, electrode holders and positioners. Manufacturer: Elektro-Mechanik-Rockenber, West Germany. Intended use of article: When assembled the articles is a frame used to hold a cat in a rigid position for the introduction of electrodes in the spinal column to study the mechanisms of neurological control of respiration in cats.

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 is a unique assembly of stainless steel rods, and clamps, as well as, specially designed pelvis clamps, spinal cord holders, electrode holders and positioners designed to accurately position and hold both cats and electrodes. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated July 16, 1976 that the characteristics of the article described above are pertinent to the applicant's intended use in neurophysiological studies of respiration in cats. HEW further advises that it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for such purposes as the 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)

RICHARD M. SEPPA,
Director, Special Import
Programs Division.

[FR Doc.76-24304 Filed 8-18-76;8:45 am]

RENSSELAER POLYTECHNIC

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 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 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: 76-00164-65-46040. Applicant: Rensselaer Polytechnic Institute, Materials Engineering Department, Troy, New York 12181. Article: Electron Microscope, Model JEM 100C. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in research concerned with the investigation of the austenite variables of composition, defect structure, stacking fault energy, process history, and properties as coupled phenomena, and the relationship of these variables to the structure, transformation kinetics, and properties of the resultant martensite. Studies will be carried out in the area of corrosion fatigue of aluminum alloys and copper alloys requiring extensive transmission electron microscopy to determine changes in deformation substructures which accompany corrosive reactions. It is also planned to study phase separation in glasses and the graphite layer structure at the surface of high performance graphite fibers. Other studies to be carried out include: (1) The effects of localized strain fields on the mechanical behavior of two phase alloys, and (2) grain boundary precipitation studies. The article will also be used for demonstration to students taking course in which electron microscopy is an important instrumentation technique as it provides significant data for the course content.

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 is equipped with a eucentric tilt entry goniometer stage with $\pm 60^\circ$ tilt,

360° rotation holder and a guaranteed resolution of 5 Angstrom (point-to-point). The most closely comparable domestic instrument is the Model EMU-4C electron microscope supplied by the Adam David Company. We are advised by the National Bureau of Standards (NBS) in its memorandum dated July 15, 1976 that the characteristics of the article described above are pertinent to the applicant's intended purposes. NBS further advised that domestic instruments do not provide an equivalent eucentric goniometer stage. We, therefore, find that the EMU-4C 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)

RICHARD M. SEPPA,
Director, Special Import
Programs Division.

[FR Doc.76-24305 Filed 8-18-76;8:45 am]

SALK INSTITUTE

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 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 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: 74-00228-33-77040. Applicant: The Salk Institute for U.S. Govt. Contract # (AID/csd-2785), PO Box 1809, San Diego, California 92112. Article: Mass Spectrometer System, Model CH-5. Manufacturer: Varian, West Germany. Intended use of article: The article is intended to be used for research in population control. Intended application of the article will mainly be structural studies of peptides, particularly those derived from the hypothalamus. These studies can be grouped into four major areas:

- I. Direct Sequence Determination of Peptides.
- II. Precision Mass Determination.
- III. GC-MS Analysis of the PTH Derivatives of Amino Acids.
- IV. Direct Evaporation Analysis of the PTH Derivatives.

Comments: Comments dated January 21, 1974 have been received from E. I. DuPont De Nemours and Company (DuPont) which state *inter alia* the Mass

Spectrometer DuPont Type 21-492, in combination with Data Acquisition/Processing System (DuPont Catalogue Number 21-094) 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, could have been made available to the applicant without excessive delay within the meaning of § 301.11(c) of the regulations at the time the foreign article was ordered (May 12, 1970). Reasons: This application is a resubmission of Docket Numbers 71-00060-33-77040, 72-00050-33-77040, and 73-00337-33-77040 which were denied without prejudice to resubmission on April 26, 1971, October 18, 1972, and June 19, 1973, respectively, for informational deficiencies. Excessive delivery time is described in § 301.11(c) of the regulations as follows:

Excessive delivery time. Duty-free entry of the article shall be considered justified without regard to whether there is being manufactured in the United States an instrument, apparatus, or accessory of equivalent scientific value for the purposes described in response to question 7 of the application form, if the delay in obtaining such domestic instrument, apparatus, or accessory (as indicated by the difference between the delivery times quoted by domestic manufacturer and foreign manufacturer) will seriously impair the accomplishment of the purposes. In determining whether the difference in delivery times is excessive, the Deputy Assistant Secretary shall take into account the relevancy of the applicant's program to other research programs with respect to timing, the applicant's need to have such instrument, apparatus, or accessory available at the scheduled time for the course(s) in which the article is intended to be used, and other relevant circumstances.

The applicant sent a request for quotation to several domestic firms. One firm, Bell and Howell, a Division of CEC/Analytical Instruments, now doing business as E. I. DuPont De Nemours & Company (DuPont), submitted a quotation on March 20, 1970 for a Bell and Howell/CEC Data Acquisition and Processing System (Model 21-492 Mass Spectrometer and accessories) as meeting the applicant's specifications, with a total delivery time of nine months if ordered by April 15, 1970. On March 18, 1970, the foreign manufacturer submitted an oral quotation for the article (a complete system) with a delivery time of 60 days (2 months). The article was actually delivered on July 24, 1970 two months and 10 days after the order was placed and approximately two days prior to the specified delivery date. The applicant states that the planned research would require prompt delivery of the foreign article because a delay of approximately 7 months would seriously impair the accomplishment of all the intended purposes. The Department of Health, Education, and Welfare advises in its memorandum dated February 12, 1976 that timely delivery of an instrument was a prerequisite for timely performance of

the applicant's studies under its contract.

Accordingly, we find that the difference between the delivery time of the article and that of the equivalent domestic instrument to be "excessive" within the meaning of § 301.11(c) as it would seriously impair the accomplishment of the applicant's purposes 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.76-24306 Filed 8-18-76; 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 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 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: 76-00315. Applicant: University of Pennsylvania Department of Physiology, School of Medicine, 37th & Hamilton Walk (A303 Richards G4) Philadelphia, Pennsylvania 19174. Article: Coherent NMR Spectrometer, Model CPS-2 & Probe Head. Manufacturer: Spin-Lock Electronics Ltd., Canada. Intended use of article: The article is intended to be used to measure T_1 , T_2 , T_2^* , for 39K within a variety of cells, including those from human lymphocytes, the urinary bladder of the toad, frog striated muscle and rat lymphocytes. The relationship of the NMR properties of potassium to physiologically significant changes in tissue activity will be studied.

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: This application is a resubmission of Docket Number 76-00089-33-77030 which was denied without prejudice to resubmission on December 19, 1975 for informational deficiencies. The foreign article provides the capability for measurement of all three nuclear magnetic resonance relaxation times T_1 , T_2 and T_2^* . The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated July 2, 1976 that the capability described above is pertinent to the applicant's intended purposes. HEW also advises that it knows of no domestic instrument that provides the pertinent capability.

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.76-24308 Filed 8-18-76; 8:45 am]

UNIVERSITY OF WISCONSIN—OSHKOSH

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 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 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: 76-00413. Applicant: University of Wisconsin-Oshkosh, Dept. of Physics and Astronomy, Oshkosh WI 54901. Article: Spectrometer, Nuclear Magnetic Resonance Pulsed-including power supplies, Model CPS-2. Manufacturer: Spin-Lock Ltd., Canada. Intended use of article: The article is intended to be used for the study of slow molecular motion in tissues, protein water systems, liquid crystals and hydrogen-bonded and other nonmetallic solids by employing pulsed nuclear magnetic resonance techniques. Depending on the material under study, some or all of the following nuclear relaxation times will be measured:

(a) T_1 , the spin-lattice relaxation time in the laboratory frame.

(b) T_2 , the spin-spin relaxation time, using either Carr-Purcell or Gill-Melboom techniques.

(c) T_{2p} , the spin-lattice relaxation time in the rotating frame.

(d) T_{2D} , the dipolar spin-lattice relaxation time, using the three-pulse Jeener Broekhart technique.

The article will also be used in the following physics courses to introduce students to current research techniques in physics as well as for student research investigations:

82-391 Intermediate Laboratory II.
82-519 Graduate Laboratory.
82-401 and 405 Independent Study.
82-792 Research Techniques in Physics.
82-795 Thesis.

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 ar-

ticle is a coherent nuclear magnetic resonance spectrometer which provides pulsed sequences for relaxation times, such as, T_{rho} and Carr-Purcell. The National Bureau of Standards (NBS) advises in its memorandum dated July 22, 1976 that specification described above is pertinent to the applicant's intended purposes.

NBS also advises that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended purposes.

(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.76-24309 Filed 8-18-76; 8:45 am]

V.A. CENTER, DAYTON, OHIO

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 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 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: 76-00352. Applicant: Veterans Administration Center, 4100 West Third Street, Dayton, Ohio 45428. Article: Electron Microscope, Model EM 400. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for studies of the effects of virus infections on sensitive tissue culture cell lines. These studies will encompass the use of sophisticated techniques at the electron microscope level such as autoradiography, immunocytochemistry and histochemistry. The effects of toxic pharmaceuticals on neural tissues particularly on glial cells of the central nervous system will be studied and entail the use of the same techniques. In addition, the articles will be used to teach medical and graduate students as well as residents in various programs in fine structural techniques.

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 scanning transmission electron micrographs in a high resolution transmission electron microscope. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated July 15, 1976 that the capability described above is pertinent to the applicant's research studies.

The most closely comparable domestic instrument is the Model EMU-4C electron microscope produced by the Adam David Company. HEW further advises that the EMU-4C does not provide the pertinent scanning capability. We, therefore, find the EMU-4C 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)

RICHARD M. SEPPA,
Director, Special Import
Programs Division.

[FR Doc.76-24310 Filed 8-18-76; 8:45 am]

V.A. CENTER, DAYTON, OHIO
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 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 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: 76-00353. Applicant: Veterans Administration Center, 4100 West Third Street, Dayton, Ohio 45428. Article: Scanning Electron Microscope, Model PSEM 500 and accessory. Manufacturer: Philips Electronics Instrument⁸ NVD, The Netherlands. Intended use of article: The article is intended to be used in the general areas of surgical pathology, particularly in the diagnosis of tumors of uncertain histogenesis. In the diagnostic viral laboratory, the article will be used for viewing and diagnosing diseases of bacterial and viral origin. Projects in the areas of cancer will also be conducted in which tissue culture cells will be infected with oncogenic viruses. Other studies will involve the effects of toxic pharmaceuticals on neutral tissues particularly on the glial cells of the central nervous system. Another planned use of the article is in the training and teaching of resident physicians.

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 a motor driven fully-eucentric goniometer stage with a stage position reproducibility of 0.2 micron. The

Department of Health, Education, and Welfare (HEW) advises in its memorandum dated July 15, 1976 that the stage position reproducibility described above is pertinent to the applicant's intended use. HEW further advises that domestic instruments do not provide, equivalent specimen position reproducibility.

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 Education and Scientific Materials.)

RICHARD M. SEPPA,
Director,
Special Import Programs Division.

[FR Doc.76-24311 Filed 8-18-76; 8:45 am]

National Oceanic and Atmospheric
Administration
PRELIMINARY MANAGEMENT PLANS/
ENVIRONMENTAL ASSESSMENT
Public Meeting

The Fishery Conservation and Management Act of 1976 (P.L. 94-265, 16 U.S.C. § 1801; "the Act") requires the Secretary of Commerce to prepare a preliminary fishery management plan if an application is submitted by a foreign government to fish in a fishery for which no fishery management plan had been prepared by a Regional Council established by the Act. Any preliminary fishery management plan prepared by the Secretary of Commerce would apply only to foreign fishermen.

The National Marine Fisheries Service (NMFS) is presently working in a number of areas so that it may be prepared to act expeditiously should such a request be received. Among these, NMFS is studying billfishes and sharks in the Atlantic, Caribbean, and Gulf of Mexico areas.

In order to allow officials of interested States to orally comment on NMFS' efforts in regard to billfishes and sharks in the Atlantic, Caribbean, and Gulf of Mexico areas, and to provide sufficient information for the public to later submit written comments, the following public meeting will be held:

Date: September 2, 1976
Place: Holiday Inn—Airport, Atlanta, Georgia
Time: 9 a.m. to 12 p.m.; 2 p.m. to 5 p.m.

PROPOSED AGENDA

9 to 12: Discussion of Fishery Management Plan Preparations by NMFS personnel/environmental assessments

2 to 5: Comments from State officials

This meeting will be open to the public. Because of the Act's requirements for State-Federal cooperation, State officials responsible for the management of marine fisheries in the areas under consideration, including Puerto Rico and the Virgin Islands, will be given an op-

portunity to comment orally during the afternoon session. Comments of other interested persons should be submitted in writing to: Regional Director, National Marine Fisheries Service, Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702. Additional information concerning this meeting may be secured by writing to that address or by calling: 813-893-3141.

Dated: August, 1976.

JACK W. GEHRINGER,
Deputy Director,
National Marine Fisheries Service.
[FR Doc.76-24447 Filed 8-18-76; 8:45 am]

Office of Telecommunications
TELECOMMUNICATIONS SERVICE
CENTER

Cessation of Activities

Notice is hereby given that all activities of the Telecommunications Service Center will cease after September 30, 1976. The activities to be discontinued include ionospheric telecommunications forecasts and warnings distributed by announcements over radio station WWV, and by telephone, teletype and weekly mailings.

It is our understanding that ionospheric predictions are available to private parties, including radio amateurs, from a commercial source.

As other areas of radio communication technology become increasingly important, they require more of the Office's attention and resources. As a result, budgetary, personnel, administrative and technical considerations compel the termination of the above services.

DOUGLASS D. CROMBIE,
Associate Director for
Telecommunication Sciences.

[FR Doc.76-24328 Filed 8-18-76; 8:45 am]

Travel Service
TRAVEL ADVISORY BOARD
Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. IV, 1974), notice is hereby given that the Travel Advisory Board of the U.S. Department of Commerce will meet on September 21, 1976, at 9:30 a.m., in Room 4830, of the Main Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D.C. 20230.

Established in July, 1968, the Travel Advisory Board consists of senior representatives of 15 U.S. travel industry segments who are appointed by the Secretary of Commerce to serve two year terms.

Members advise the Secretary of Commerce and Assistant Secretary of Commerce for Tourism on policies and programs designed to accomplish the purposes of the International Travel Act of 1961, as amended. A detailed agenda for the meeting will be published in the

FEDERAL REGISTER in advance of the meeting.

A limited number of seats will be available to observers from the public and the press. The public will be permitted to file written statements with the Committee before or after the meeting. To the extent time is available the presentation of oral statements will be allowed.

Melinda Carr, Acting Director of Media Services Division, of the United States Travel Service, Room 1519, U.S. Department of Commerce, Washington, D.C. 20230 (telephone 202-377-4987) will respond to public requests for information about the meeting.

CREIGHTON HOLDEN,
Assistant Secretary for Tourism,
U.S. Department of Commerce.

[FR Doc.76-24482 Filed 8-18-76; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration DIAGNOSTIC PRODUCTS ADVISORY COMMITTEE

Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), the Food and Drug Administration announces the renewal of the Diagnostic Products Advisory Committee by the Secretary, Department of Health, Education, and Welfare for an additional period of 2 years beyond August 9, 1976.

Authority for this committee will expire August 9, 1978, unless the Secretary formally determines that continuation is in the public interest.

Dated: August 12, 1976.

JOSEPH P. HILE,
Acting Associate Commissioner
for Compliance.

[FR Doc.76-24280 Filed 8-18-76; 8:45 am]

Health Resources Administration NATIONAL ADVISORY COUNCIL ON NURSE TRAINING

Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following National Advisory body scheduled to meet during the month of September 1976:

Name: National Advisory Council on Nurse Training.

Date and Time: September 27-29, 1976, 10:30 a.m.

Place: Conference Room 6, Building 31, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20014.

Open 10:30 a.m. to 12:15 p.m.
Closed remainder of meeting.

Purpose: The Council advises the Secretary and Administrator, Health Resources Administration, concerning general regulations and policy matters arising in the administration of the Nurse Training Act of 1971. The Council also

performs final review of grant applications for Federal Assistance for capitation, construction and special projects for the improvement of nurse training, and research grants and makes recommendations to the Administrator, HRA.

Agenda: Agenda items for the open portion of the meeting will cover announcements; consideration of minutes of previous meetings; discussion of future meeting dates; and administrative and staff reports. The remainder of the meeting will be closed to the public for the review of grant applications for Federal assistance in accordance with the provisions set forth in section 552(b) (5) and (6), Title 5, U.S. Code and the Determination by the Administrator, Health Resources Administration, pursuant to Public Law 92-463.

Anyone wishing to obtain a roster of members, minutes of meeting, or other relevant information should contact Dr. Mary S. Hill, Room 6008, Federal Building, 9000 Rockville Pike, Bethesda, Maryland 20014, Telephone (301) 496-6985.

Agenda items are subject to change as priorities dictate.

Dated: August 16, 1976.

JAMES A. WALSH,
Associate Administrator
for Operations and Management.

[FR Doc.76-24343 Filed 8-18-76; 8:45 am]

Office of Education

NATIONAL ADVISORY COUNCIL ON VOCATIONAL EDUCATION

Public Meeting

Notice is hereby given, pursuant to Pub. L. 92-463, that the next meeting of the National Advisory Council on Vocational Education will be held on September 8, 1976 from 4 p.m. to 5:30 p.m., local time and on September 9, 1976 from 9 a.m. to 5 p.m., local time and on September 10, 1976 from 9 a.m. to 12 Noon, local time at the Hyatt Regency Hotel, 400 New Jersey Avenue, NW., Washington, D.C.

The National Advisory Council on Vocational Education is established under section 104 of the Vocational Education Amendments of 1968 (20 U.S.C. 1244). The Council is directed to advise the Commissioner of Education concerning the Administration of preparation of general regulations for, and operation of, vocational educational programs, supported with assistance under the act; review the administration and operation of vocational education programs under the act, including the effectiveness of such programs in meeting the purposes for which they are established and operated, make recommendations with respect thereto, and make annual reports of its findings and recommendations to the Secretary of HEW for transmittal to the Congress, and conduct independent evaluation of programs carried out under the act and publish and distribute the results thereof.

The meeting of the Council shall be open to the public. The proposed agenda includes:

SEPTEMBER 8, 1976

4 p.m. to 5:30 p.m.—Welcome and Introduction of New Council Members; Chairman's Report.

7 p.m. to 9:30 p.m.—Review Program of Work.

SEPTEMBER 9, 1976

9 a.m. to 12 Noon—Report from the U.S. Office of Education. Legislative Report. Report on OE Management Evaluation Review Teams. Status report on National Bicentennial Conference on Vocational Education.

1:30 p.m. to 5 p.m.—Presentation by Members of National Advisory Council on Adult Education. Discussion of NACVE Work Plans. Appointment of Task Force.

SEPTEMBER 10, 1976

9 a.m. to 12 Noon—Task Force organizational meetings.

Records shall be kept of all Council proceedings and shall be available for public inspection at the office of the Council's Executive Director, located in Suite 412, 425-13th Street, NW., Washington, D.C. 20004.

Signed at Washington, D.C. on August 16, 1976.

REGINALD PETTY,
Executive Director.

[FR Doc.76-24340 Filed 8-18-76; 8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

[N-AR 76-34]

ACCIDENT REPORTS; AIRCRAFT ACCIDENT BRIEFS; SAFETY RECOMMENDATIONS AND RESPONSES

Availability and Receipt

Aircraft Accident Report.—According to the National Transportation Safety Board, the loss of directional control during taxi as a result of ice on the taxiway and strong, direct crosswinds probably caused a Japan Air Lines Boeing 747, Flight 422, to skid off the taxiway and slide backward down a snow-covered embankment. The accident occurred last December 16 at Anchorage International Airport in Alaska. As noted in the report, No. NTSB-AAR-76-12, contributing to the accident were (1) the captain's decision to take off from runway 6R after receiving reports that taxiing conditions were deteriorating, and (2) failure of airport management to anticipate predictable unsafe icing conditions on the airport. This failure to anticipate these conditions resulted in delayed and insufficient preventive action. The report was released August 12.

Although the evacuation of Flight 422 was successful, some of the problems identified in the Safety Board's special study, "Safety Aspects of Emergency Evacuations from Air Carrier Aircraft" (No. NTSB-AAS-74-3, released January 5, 1975), were present in this accident. Under slightly different circumstances of a greater passenger load and a postcrash fire, lives may have been lost. Accordingly, recommendations A-74-105 through A-74-114 from that study and the Federal Aviation Administration's response of May 9, 1975, with updated in-

formation as of April 1, 1976, merited repeating in the Anchorage accident report.

Pipeline Accident Report.—A report of the investigation of the May 12, 1975, rupture of an 8-inch pipeline near Devers, Texas, was released by the Safety Board on August 5. The report, No. NTSB-PAR-76-5, indicates that natural gas liquids at 1,425-psig pressure erupted from a fracture near the top of the pipe; the liquids vaporized, mixed with air, and formed a cloud which drifted to the southwest over U.S. Highway 90. An automobile entered the vapor cloud and ignited the ethane-propane vapors. The resulting explosion and fire killed the four persons in the automobile, melted telephone and electric power lines, warped railroad tracks, burned and scorched adjacent woodlands, and interrupted rail and highway traffic. The Safety Board determined that the probable cause of the accident was the rupturing of the pipe where it had been gouged by a backhoe during installation of the pipeline's valve assemblies. The 70-inch-long rupture was caused by a combination of reduction in wall thickness, residual bending and tensile stresses, and fatigue due to the cyclic loading of the pipe, the Board held.

As a result of its investigation of the explosion, the Safety Board by letter of August 5 recommended that Dow Chemical U.S.A., owner of the pipeline, (1) initiate necessary equipment changes to provide data necessary for safe operation of the pipeline continuously to the dispatch centers (recommendation P-76-39); (2) review periodically with local fire departments and other interested agencies the pipeline location, basic pipeline operations, materials transported, hazards encountered, and procedures to follow during leaks (P-76-40); and (3) use the total system concept to review day-to-day operations, new projects, and maintenance operations in order to assist in recognizing and controlling potentially hazardous conditions (P-76-41). The recommendations are designated Class II, for priority followup.

Also on August 5, the Safety Board by separate recommendation letter asked the American Petroleum Institute to implement on a priority followup basis a 1972 recommendation to develop system safety guidelines for liquid pipeline operators; the recommendation, No. P-72-21, was directed to the Institute in the Board's special study, "A Systematic Approach to Pipeline Safety," report No. NTSB-PSS-72-1. In noting that the Devers explosion was the type of accident which the 1972 recommendation was intended to prevent, the Board stated that utilization of the techniques of system safety would have pointed out the problems which led to this accident. The request for implementation was made by recommendation P-76-42.

Aircraft Accident Briefs.—Issue No. 5, "Aircraft Accident Reports, Brief Format, U.S. Civil Aviation—1975," was released August 6. This volume, report No. NTSB-BA-76-4, contains the synoptic,

computer-printed reports of the findings and probable cause(s) of 509 general aviation accidents and 15 air carrier accidents which occurred in the United States last year. In press release No. SB 76-61 announcing the availability of this publication, the Board indicates that encounters with vortex turbulence generated by preceding aircraft, particularly large multi-engine prop or jet types, can cause involuntary loss of control in smaller and lighter following aircraft. The Safety Board, the Federal Aviation Administration, and the industry have issued repeated warnings to pilots, particularly general aviation pilots, on the potential dangers inherent in such situations, the press release noted.

The brief reports in this publication contain essential information concerning the accidents reported; more detailed data may be obtained from the original factual reports on file in the Washington Office of the Safety Board. Upon request, factual reports will be reproduced commercially at an average cost of 23¢ per page for printed matter, \$1.25 per page for black and white photographs, and \$4.00 per page for color photographs, plus postage. Minimum reproduction charge is \$2.00; an additional \$4.00 user-service charge will be made for each order. Requests should be directed to the Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594. The requester must provide this information concerning the accident: (1) Date and place of occurrence, (2) type of aircraft and registration number, and (3) name of pilot.

The 1975 Issue No. 5 volume may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

Aviation Safety Recommendations.—Last March 28, near Pullman, Washington, a Piper PA23-250-C struck the ground in a high-speed spiral. During its investigation of the crash, the Safety Board discovered that a major structural alteration had been approved and accomplished without proper engineering evaluation. The major alteration was an extension of the fuselage nose by installing P/N 32958-00—section assembly-fuselage nose. In the belief that Federal Aviation Administration inspectors should thoroughly investigate the extent of an alteration so that approval is based on approved technical data, the Safety Board by letter issued August 10 recommended that FAA (1) review fuselage nose alteration approvals on all PA 23 aircraft and determine that the modifications are based on approved technical data (A-76-116); (2) review applicability of AD 72-21-07 for PA 23 models other than the -250 and extend the applicability as necessary (A-76-117); (3) alert GADO inspectors and holders of Inspection Authorizations to the interrelationship between configuration modifications, possible associated stability problems, and weight and balance changes which can require control system changes—Ref. 8310.4A, Paragraph 68, e (A-76-118); and (4) remind the holders of Inspection Authorizations of FAR Part 43.5(a)(4) which requires recording of weight and balance changes resulting from aircraft alterations (A-76-119). Recommenda-

tions A-76-116 and A-76-117 are Class I, asking urgent followup; A-76-118 and A-76-119 are Class II, for priority followup.

A Class I recommendation, A-76-120, was issued to the FAA by letter of August 13, after the Safety Board learned that the provisions of 14 CFR 121.318, which require an operational public address system aboard airplanes with a seating capacity of more than 19 passengers, are being negated by modifications to aircraft master minimum equipment lists. The Safety Board urges that the master minimum equipment lists of passenger-carrying airplanes be standardized to require that the public address system be operable from the cockpit and from at least one flight attendant station at all times.

Pipeline Safety Recommendations.—Four recommendations—two, Nos. P-76-43 and P-76-44, to Lehigh Utilities, Inc., of Lehigh Acres, Florida, and two, Nos. P-76-45 and P-76-46, to the U.S. Department of Transportation—were issued on August 11 by the Safety Board following investigation of the rupture of a 1,000-gallon liquefied petroleum gas (LPG) tank owned by Lehigh Utilities. The accident occurred last March 23 in a residential neighborhood of Lehigh Acres. The Safety Board's investigation disclosed that a truck had backed over the buried LPG tank and had struck the tank's manhole, which extended 12 to 14 inches above ground level. The impact ruptured the tank's fill pipe, its relief valve, and its liquid-level gauge. The escaping liquid vaporized, formed a white, fog-like cloud near the ground, and ignited. The ensuing fire and explosion killed one person, destroyed one truck, and damaged another. The Safety Board's recommendations are that Lehigh Utilities, on an "urgent followup basis," (1) mark the location of all buried LPG tanks, which may be damaged by vehicles, to alert drivers that they are driving near a buried tank (P-76-43), and (2) protect the manhole of and piping connections to all LPG tanks which may be damaged by vehicles (P-76-44).

In the letter to the Secretary of Transportation, the Safety Board noted that the Department's Office of Pipeline Safety Operations (OPSO) has not determined whether OPSO has jurisdiction over LPG tanks which are connected to pipeline systems. This jurisdictional problem might be detrimental to the safety of persons who live adjacent to these systems since operators of the systems may be unsure whether 49 CFR 192 applies to their systems. The Board stated that the impact of this problem is great since there are hundreds of such systems in Florida and thousands in the Nation. Accordingly, the Board recommended that OPSO (1) clarify its jurisdiction with respect to LPG tanks which are connected to a pipeline system that transports LPG vapor (P-76-45), and (2) modify the exemption from 49 CFR 192 for pipelines with less than 10 customers to include systems that have pipeline facilities which expose a substantial

part of a community or neighborhood to a potential hazard. (P-76-46). Priority followup is asked for both recommendations.

Letters in Response to Safety Board Recommendations.—Addressees of earlier Board recommendation letters in the aviation, marine, highway, and railroad transportation modes have recently supplied responses as follows:

Federal Aviation Administration letter of August 2 is in response to recommendations A-76-20 through A-76-28 concerning chemically generated, passenger emergency supplemental oxygen systems. (See 41 FR 18730, May 6, 1976.) FAA does not concur with recommendation A-76-20 which asked that supplemental oxygen systems have readily discernable means to indicate that oxygen is flowing. FAA states that a flow detector to be recognizable to passengers would need to be very sensitive and reliable to indicate the extremely low oxygen flow rate of the lower cabin altitudes. Regardless of flow indicators, according to FAA, at low cabin altitudes, lay passenger may not be aware that they are receiving a normal flow of oxygen, and the current reservoir bag will give a good flow indication as the cabin altitude is increased to the higher levels where the need for supplemental oxygen is greatest. FAA suggests that as an alternative, means may have to be developed to acquaint passengers regarding oxygen flow by way of cabin crew briefing/or briefing cards/or placards.

Concerning A-76-21 and A-76-22, FAA does not concur that the absence of headband adjustment tabs is a hazardous condition. The FAA does feel that the proposal to "AD" all masks with adjustable tabs, now in service and in stock, is essential to safety in view of the fact that the proper procedure for mask use is to first, handhold the mask over the nose and mouth; then, for comfort, place the headband over one's head and adjust. FAA is working with the Society of Automotive Engineers in the revision of TSO-C64, and will consider inclusion of adjustable tabs on those masks where applicable.

Concerning A-76-23, FAA notes that service life and periodic inspection requirements for oxygen mask reservoir bans are now being met. FAA indicates that action is being taken to determine what inspection procedures are being used by the airline for the total fleet, since the plastic reservoir bag is common to other aircraft as well as the DC-10 and L-1011. FAA concurs in recommendations A-76-24 through A-76-26, noting that an Air Carrier Operations Bulletin will be issued and incorporate guidance material relative to: Crewmember training in the operational characteristics of chemically generated passenger supplemental oxygen systems on DC-10 and L-1011 aircraft; improved passenger briefings and printed instructions on the use of the subject system; and review and evaluation of oral briefings and passenger safety information cards to assure the incorporation of clear, factual data on the use of the subject system. FAA plans

to issue an operations bulletin covering these recommendations.

Specific to A-76-27, FAA indicates that it is not clear as to what the Safety Board expects as an end product in recommending development of standards for using "accepted human factors engineering principles and system design concepts in the design of passenger supplemental oxygen systems." FAA states, "Human factors are the prime consideration in the design of systems such as oxygen systems. We cannot see that these considerations were neglected in the DC-10 or L-1011 systems." Regarding A-76-28—to develop standards for type certification demonstration tests—FAA does not believe that there is a need for any additional demonstration since this is covered at the time of aircraft certification under provisions of 25.1301(d). "If a system is new and novel, then we will consider whatever additional tests may be required in the form of special conditions," FAA stated.

FAA letter of August 3 relates to recommendations A-76-71 and A-76-72 concerning surveillance of certificated repair stations. (See 41 FR 22427, June 3, 1976.) FAA states, re A-76-71, that it is currently revising the procedures used for certification and surveillance of certificated repair stations, and that review of the random sampling findings in the program now being conducted indicates need for improvement of surveillance techniques and inspection procedures used by certificated repair stations. According to FAA, a complete revision of its order, used by field inspectors during certification and surveillance of repair stations, is in progress. Regulatory changes are also being considered to improve repair station inspection systems. Re A-76-72, calling for FAA review of policies relative to users' compliance with manufacturers' service bulletins which may have safety of flight implications and issuance of AD's soon after service difficulties are discovered, FAA states that it continually monitors and evaluates service difficulties. According to FAA, as soon as it has been determined that an unsafe condition exists in a particular product and if this condition is likely to exist or develop in another product of the same type, it is current FAA practice to implement corrective action through the issuance of an airworthiness directive.

United States Coast Guard letter of August 6 provides an update on recommendation 71-M-20 which was issued as a result of the Safety Board's special study, "Effectiveness of Investigation of Recreational Boating Accidents" (NTSB-MSS-71-7, released August 24, 1971). The letter indicates that Coast Guard and State officials investigating boating accidents are according high priority to developing information which will be useful in formulating preventive measures. Such information includes: Detailed description of the boat and its equipment; weather and sea conditions, including wave length and height, forecasted weather, if weather forecast was known or sought, and methods of dis-

semination of weather forecast; and the operator's experience in boating and boating safety courses completed by the operator, swimming ability of persons involved, the reason for the boating trip, physical condition of occupants, and maintenance of an adequate lookout. The Coast Guard's Boating Accident Investigator's Manual (CG-472) has been completed and was distributed for use on June 25, 1976.

Coast Guard letter of August 6 addresses recommendation 72-M-20 which was issued as a result of the Board's special study "Analysis of the Safety of Transportation of Hazardous Materials on the Navigable Waters of the United States" (NTSB-MSS-72-2, released May 22, 1972). The recommendation asked for revision of regulations concerning qualifications of tankerman and licensed officers who handle extremely hazardous materials to require special qualifications and endorsements for these specific materials. Coast Guard indicates that the notice of proposed rulemaking spoken to in its response of last November 24 (40 FR 57726, December 11, 1975) is in its final drafting stages, publication expected by the end of this year.

National Highway Traffic Safety Administration letter of August 6 concerns recommendations H-76-25 and H-76-26 resulting from the Board's special investigation of the Metropolitan Coach Corporation charter bus accident last October 12 in Bethesda, Maryland. (See 41 FR 30215, July 22, 1976.) NHTSA concurs with recommendation H-76-25, stating that its programmed research effort for FY 77 includes the initiation of traction evaluation of commercial type tires, and that its FY 78 research budget indicates that traction has the highest priority within NHTSA's tire research program. NHTSA states, "The elimination of poor traction and safety-related subsystem parameters that may cause or contribute to motor vehicle accidents is the ultimate objective of this research effort." But, NHTSA adds, "Unfortunately, the current state-of-the-art of traction testing for vehicle tires other than passenger car types has not progressed as well as passenger care tire methodology." NHTSA also concurs with recommendation H-76-26, calling for a Federal Motor Vehicle Safety Standard to require a minimum frictional coefficient for all commercial motor vehicle tires. The letter indicates that amendment of NHTSA's Federal Motor Vehicle Safety Standard 119, "New Pneumatic Tires for Vehicles Other than Passenger Cars," will be the first major upgrading since the effective date of March 1975. The research program will be the pacing item for the promulgation of minimum traction requirements, according to NHTSA.

Massachusetts Bay Transportation Authority (MBTA), letter of August 5, and **Port Authority Trans-Hudson Corporation (PATH)**, letter of July 30, concern automatic train control—recommendations R-76-42 through R-76-44. (See 41 FR 34125, August 12, 1976.) MBTA said that, although it has an automatic train operation-automatic train control (ATO-

ATC) operation on its South Shore extension, the operation is strictly "manual block operation," and it is not necessary to remove trains from service with ATO-ATC or cab signal failures en route, as the manual block operation provides adequate protection. MBTA presently has an adequate radio communication system for operational control and all rapid transit trains are equipped with two-way radio communication. MBTA states that procedures for radio communications have been developed and employees are periodically instructed in these procedures.

PATH's letter states that as its trains are not operated with automatic train control or cab signals, the recommendations are not applicable to the Corporation.

Safety Board Letters in Reply to Recommendation Responses.

To Coast Guard, Board letter of August 11 is in reply to Coast Guard's letter of July 20, and indicates that recommendations M-74-7 and M-74-8 will be continued in open status until Coast Guard advises the Board of publication of standards and "A Guide to Safety in Towing." (See 41 FR 32796, August 5, 1976.)

To Materials Transportation Bureau, Board letter of August 10 is in reply to MTB's letter of July 19, and indicates that recommendations P-75-7 and P-75-8 which related to the June 9, 1974, pipeline accident near Bealeton, Virginia, will be held in open status by the Board pending MTB's evaluation.

The accident reports, the safety recommendation letters, and the press release herein referred to are available to the general public; single copies may be obtained without charge. Copies of the letters responding to recommendations, and Safety Board replies thereto, may be obtained at a cost of \$4.00 for reproduction. All requests must be in writing, identified by report or recommendation number and date of publication of this FEDERAL REGISTER notice. Address inquiries to: Publications Unit, National Transportation Safety Board, Washington, D.C. 20594.

Multiple copies of the accident reports may be purchased by mail from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

(Secs. 304(a)(2) and 307 of the Independent Safety Board Act of 1974 (Pub. L. 93-633, 88 Stat. 2169, 2172 (49 U.S.C. 1903, 1907)).)

MARGARET L. FISHER,

Federal Register Liaison Officer.

AUGUST 16, 1976.

[FR Doc.76-24351 Filed 8-18-76;8:45 am]

National Highway Traffic Safety Administration

NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE

Public Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I), notice is hereby given of a meeting of the National Highway Safety Advisory Committee to be

held on September 8, 9 and 10, 1976, at the DOT Headquarters Building, 400 Seventh Street, SW., Washington, D.C.

The agenda for this meeting is as follows:

On September 8, 1976, at 8:30 a.m., in room 2230, there will be a briefing for new members on the organization and structure of the Department and the highway safety programs and standards, followed at 9:40 a.m., with a general session for the full Advisory Committee with the following agenda:

Briefings on the proposed National Data Center
Briefing on Highway Safety Standards Revision
Briefing on Evaluation of Standards under Section 402, Title 23

Also on September 8, 1976, from 10:45 a.m. until 12:30 p.m., and from 1:30 p.m. until 2:30 p.m., in room 6200, there will be a meeting of the Adjudication and Alcohol Subcommittee, with the following agenda:

Status of April 1 Adjudication Task Force Report
Report of July 16 Meeting with Deputy Secretary John Barnum on April 1 Task Force Report
Alcohol Safety Adjudication and Referral Plan
Subcommittee's Long-Range Plans
New Business—Old Business

Further, on September 8, 1976, from 2:30 p.m. until 5:00 p.m., in room 2230, there will be a meeting of the Driver Subcommittee, with the following agenda:

Report on Pedalcyclist Standard
Briefing on Driver Behavior Research
Review of April Subcommittee Resolutions
New Business—Old Business

On September 9, 1976, from 8:30 a.m. until 12:30 p.m., in room 2230, there will be a meeting of the Highway Environment Subcommittee, with the following agenda:

Briefing on Rail-Highway Grade Crossing Problem
Discussion of Plans for Site Visit to Division Safety Coordinators
Long-Term Safety Issues—Subcommittee Positions
New Business—Old Business

Also on September 9, 1976, from 1:30 p.m. until 5:00 p.m., in room 6200, there will be a meeting of the Vehicle Subcommittee, with the following agenda:

Update on Proposed Standard on Motorized Bicycles
Discussion of International Laws on Motorized Bicycles
Discussion of 55 MPH Speed Limit—Committee Contribution to Achieving Compliance
Status of Standards Revision—Specifically FMVI and Motor Vehicle Registration
Presentation on Severity of Heavy Truck Accidents (1971-75 Data)
New Business—Old Business

On September 10, 1976, beginning at 9:00 a.m. and adjourning at noon, in room 2230, the full Committee will meet with the following agenda:

Swearing in of New Members
Report of Adjudication and Alcohol Subcommittee

Report of Driver Subcommittee
Report of Highway Environment Subcommittee
Report of Vehicle Subcommittee
New Business—Old Business

The meeting is subject to the approval of the Secretary of Transportation. Attendance is open to the interested public but limited to the space available. With the approval of the Chairman, members of the public may present oral statements at the meeting. Additional information may be obtained from the NHTSA Executive Secretary, Room 5215, 400 Seventh Street, SW., Washington, D.C. 20590, telephone 202-426-2872.

Any member of the public may present a written statement to the Committee at any time.

The National Highway Safety Advisory Committee is composed of 35 members appointed by the President in accordance with the Highway Safety Act of 1966 (23 U.S.C. 401 et seq.). The Committee consists of representatives of State and local governments, State legislatures, public and private interests contributing to, affected by, or concerned with highway safety, other public and private agencies, organizations, and groups demonstrating an active interest in highway safety, and research scientists and other experts in highway safety.

The Advisory Committee advises, consults with, and makes recommendations to the Secretary of Transportation on matters relating to the activities of the Department in the field of highway safety. The Committee is specifically authorized (1) to review research projects or programs, and (2) to review, prior to issuance, standards proposed to be issued by the Secretary under the national highway safety programs. Issued in Washington, D.C. on August 13, 1976.

WM. H. MARSH, .
Executive Secretary.

[FR Doc.76-24177 Filed 8-18-76;8:45 am]

**FEDERAL RESERVE SYSTEM
DAKOTA BANCORPORATION**

Acquisition of Bank

Dakota Bancorporation, Rapid City, South Dakota, 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 80 percent or more of the voting shares of First National Bank of Crosby, Crosby, North Dakota, a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Dakota Bancorporation is also engaged in the following nonbank activities: general insurance agency activities. In addition to the factors considered in section 3 of the Act (banking factors), the Board will consider the proposal in the light of the company's nonbanking activities and the provisions and prohibitions in section 4 of the Act (12 U.S.C. 1843).

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 Reserve Bank to be received not later than September 7, 1976.

Board of Governors of the Federal Reserve System, August 13, 1976.

GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-24326 Filed 8-18-76;8:45 am]

M & D HOLDING CO.

Formation of Bank Holding Company

M & D Holding Company, Spring Lake Park, Minnesota, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 92 percent or more of the voting shares of First State Bank of Spring Lake Park, Spring Lake Park, Minnesota. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the 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 Reserve Bank, to be received not later than September 9, 1976.

Board of Governors of the Federal Reserve System, August 13, 1976.

GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-24327 Filed 8-18-76;8:45 am]

TENNESSEE NATIONAL BANCSHARES, INC.

Order Approving Acquisition of Banks

Tennessee National Bancshares, Inc., Maryville, Tennessee, a bank holding company within the meaning of the Bank Holding Company Act, has applied in two separate applications for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of Citizens State Bank, McMinnville, Tennessee ("McMinnville Bank") and Bank of Cannon County, Woodbury, Tennessee ("Woodbury Bank").¹

Notice of the applications, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired and the Board has considered the applications and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the fourteenth largest banking organization in Tennessee, con-

trols two banks with aggregate deposits of \$77.7 million, representing 0.6 percent of the total deposits in commercial banks in the State.² Acquisition of McMinnville Bank (deposits of \$9.0 million) and Woodbury Bank (deposits of \$4.3 million) would not result in a significant increase in the concentration of banking resources in the State.

Woodbury Bank is the second largest of four banks located in the Cannon County banking market, and controls 14 percent of market deposits. McMinnville Bank is the third largest of four banks located in the Warren County banking market, which is southeast of Cannon County, and controls 9 percent of market deposits. Applicant's nearest subsidiary is in Maryville, 130 miles from Woodbury Bank and 155 miles from McMinnville Bank. Although Woodbury Bank and McMinnville Bank are 21 miles apart and operate in contiguous markets, neither derives a significant amount of loans or deposits from the service area of the other. In view of the substantial distances involved and the number of other banks in the relevant markets, it is the Board's judgment that approval of these applications would not have any significant adverse effects on competition in any relevant area.

The financial and managerial resources and future prospects of Applicant, its subsidiaries, Woodbury Bank and McMinnville Bank are regarded as satisfactory, particularly in view of Applicant's commitment to provide additional capital to McMinnville Bank and to strengthen the managements of each of the banks. Therefore, banking factors are regarded as being consistent with approval. As a result of affiliation with Applicant, Banks will be able to expand and improve the services offered to the public. Therefore, factors relating to the convenience and needs of the community to be served lend weight for approval. It is the Board's judgment that the proposed acquisitions would be in the public interest and that the applications should be approved.

On the basis of the record, the applications are approved for the reasons summarized above. The transactions shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) 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 Atlanta pursuant to delegated authority.

By order of the Board of Governors,³ effective August 13, 1976.

GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-24325 Filed 8-18-76;8:45 am]

¹ Unless otherwise indicated, all banking data are as of December 31, 1975.

² Voting for this action: Chairman Burns and Governors Wallich, Coldwell, Jackson, Partee, and Lilly. Absent and not voting: Governor Gardner.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COTTON, WOOL AND MAN-MADE FIBER APPAREL FROM HONG KONG

Export Visa Requirement

August 16, 1976.

Under the terms of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of July 25, 1974, as amended, between the Governments of the United States and Hong Kong, the Government of Hong Kong has undertaken to limit the export of cotton, wool and man-made fiber textile products to the United States to certain designated levels. Pursuant to Paragraph 13 of this agreement, the Governments of the United States and Hong Kong have established an administrative mechanism intended to preclude circumvention of the licensing system for exports to the United States of cotton, wool and man-made fiber apparel, produced or manufactured in Hong Kong. The purpose of this notice is to announce the implementation of the administrative mechanism.

Effective on September 6, 1976, entry into the United States for consumption and withdrawal from warehouse for consumption of any cotton, wool and/or man-made fiber apparel in Categories 39-63, 111-125, and 214-240, produced or manufactured in Hong Kong and exported from Hong Kong on and after that date, for which Hong Kong has not issued a visa, will be prohibited. Shipments of cotton, wool and/or man-made fiber apparel in Categories 39-63, 111-125, and 214-240 which have been exported from Hong Kong before September 6, 1976 will not be denied entry until December 6, 1976.

The export visa requirement will not apply to shipments that are valued at \$250 or less.

The visa will be a signed copy of the Hong Kong Export License (Textiles), Forms 4 or 5, stamped on the front side, "Approved for Export to the U.S.A." Facsimiles of both forms accompany this notice.

Interested parties are advised to take all necessary steps to insure that cotton, wool and man-made fiber apparel, produced or manufactured in Hong Kong, which is to be entered into the United States for consumption or withdrawn from warehouse for consumption, will meet the stated requirement.

There is published below a letter of August 16, 1976 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs implementing the administrative mechanism.

ALAN POLANSKY,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance, U.S. Department of Commerce.

EXPORT LICENCE (TEXTILES) FORM 4

COPY

Exporter (Name & Address)		HONG KONG GOVERNMENT Import and Export Ordinance (Cap. 60) Import and Export (General) Regulations			
B.R. No.	Tel. No. Licence No. and Date of Issue. Receipt No. and Amount Receipt.		
Consignee		Issue of this licence is approved. for Director of Commerce & Industry			
		Name and Address of Hong Kong Manufacturer or Country of Manufacture (if not Hong Kong)			
		C.O./C.P.C. Number Tel. No.			
Carrier		Date of Departure	Country of Destination		
FOR CONDITIONS OF ISSUE PLEASE SEE OVERLEAF		WARNING:—All alterations must be carried out by authorized officers. Heavy penalties are provided for false declarations and information, manufactured alterations and misuse of this licence.			
Mark(s) and Number(s)	No. of packages	Full Description of Goods (State Country of Origin of raw materials)	No. of Units	Value f.o.b. HK\$	c.i.f. Value in currency of payment
SPECIMEN			Approved for export to the USA for Director of Commerce and Industry, Hong Kong.		
Item No.	Commodity Item Code No.	EXPORTER'S DECLARATION		Total Amount	Total Amount
		I,, principal official of (Name and Address of Exporter's Co.) hereby declare that I am the exporter of the packages of goods in respect of which this application is made and that the particulars given herein are true, Date Signature and Chop.			

C.51. 393 (REV.1971)

CROWN COPYRIGHT RESERVED

COPY

Audit No. B 033729

EXPORT LICENCE (TEXTILES) FORM 5

HONG KONG GOVERNMENT
 Import and Export Ordinance (Cap. 60)
 Import and Export (General) Regulations

Exporter (Name & Address)		Licence No. and Date of Issue*		Receipt No. and Date of Receipt.	
E.R. No.		Tel. No.			
Consignee		Issue of this licence is approved,			
		for Director of Commerce & Industry.			
		MANUFACTURER'S DECLARATION			
		I, principal official of (Name and Address of Manufacturer's Co.) hereby declare that I am the manufacturer of the goods in respect of which this application is made, ** and that I agree to supply the quota as stated below. ** Delete if not applicable.			
		C.O./C.P.C. Number			
		Tel. No.			
		Date		Signature and Chop.	
Carrier		Date of Departure		Country of Destination	
FOR CONDITIONS OF ISSUE PLEASE SEE OVERLEAF		WARNING - All applications must be carried out by authorized officers. It is a condition of this licence that the goods described and authorized quantities are for the use of the consignee.			
Mark(s) and Number(s)	No. of packages	Full Description of Goods (State Country of Origin of raw materials)	No. of Units	Value In U.S. DOLLARS	c.i.f. value in currency of payment
SPECIMEN					
			Approved for export to the USA by: Director of Commerce & Industry, Hong Kong		
Item No.	Category/Sub-Category or Commodity Item Code No.	Name of Quota/Export Authorization/Permit Holder	Quota Reference (see * below)	Quantity Shipped in Quota Units	Total Amount
					Total Amount
					EXPORTER'S DECLARATION
					I, principal official of (Name and Address of Exporter's Co.) hereby declare that I am the exporter of the packages of goods in respect of which this application is made and that the particulars given herein are true.
* Insert here:--Type of Quota: Export Authorization Number; Swing Transfer or A-Type Transfer Number or Quota Permit Number as appropriate.					Date Signature and Chop.

COMMITTEE FOR THE IMPLEMENTATION
OF TEXTILE AGREEMENTS
August 16, 1976.

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C.

DEAR MR. COMMISSIONER: Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, pursuant to the bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of July 25, 1974, as amended, between the Governments of the United States and Hong Kong, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective on September 6, 1976 and until further notice, entry into the United States for consumption of cotton textile products in Categories 39-63; wool textile products in Categories 111-125; and man-made fiber textile products in Categories 214-240, produced or manufactured in Hong Kong and exported to the United States on and after that date for which Hong Kong has not issued an appropriate visa. Cotton, wool and/or man-made fiber textile products in the categories specified, produced or manufactured in Hong Kong and exported to the United States before that date, shall not be denied entry until December 6, 1976.

The export visa requirement will not apply to shipments that are valued at \$250 or less.

The visa will be a signed copy of a Hong Kong Export License (Textiles), stamped on the front side, "Approved for Export to the U.S.A."

You are directed to permit entry into the United States for consumption and withdrawal from warehouse for consumption of designated shipments of cotton, wool and man-made fiber textile products, produced or manufactured in Hong Kong and exported to the United States, notwithstanding the designated shipment or shipments do not meet the aforementioned visa requirements, whenever requested to do so in writing by the Chairman of the Committee for the Implementation of Textile Agreements.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on February 3, 1975 (40 FR 5010), as amended on December 31, 1975 (40 FR 60220).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Hong Kong and with respect to imports of cotton, wool and man-made fiber textile products from Hong Kong have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

ALAN POLANSKY,
Chairman, Committee for the Im-
plementation of Textile Agree-
ments, and Deputy Assistant Sec-
retary for Resources and Trade
Assistance, U.S. Department of
Commerce.

[FR Doc. 76-24303 Filed 8-18-76; 8:45 am]

ENVIRONMENTAL PROTECTION
AGENCY

[FRL 602-2]

APPROVAL AND PROMULGATION OF
IMPLEMENTATION PLANS

Proposed Revision of the New Jersey
State Implementation Plan

On June 8, 1976 New Jersey submitted to EPA a proposed revision to the New Jersey State Implementation Plan. The

1. They clarify by modification the definition of two terms contained in Subsection 8.1, "Definitions." The existing and proposed definitions of these terms are as follows:

Existing Definition

"Particles" means any material, except uncombined water; which exists in finely divided form as liquid particles or solid particles at standard conditions.

"Stack or chimney" means a flue, conduit or opening designed and constructed for the purpose of emitting air contaminants into the outdoor air.

Proposed Definition

"Particles" means any material, except uncombined water, which exists as liquid particles or solid particles at standard conditions.

"Stack or chimney" means a flue, conduit or opening designed constructed, and/or utilized for the purpose of emitting air contaminants into the outdoor air.

2. They add to Subsection 8.1 definitions for three new terms as follows:

"Alteration" means any change made to equipment or control apparatus or the use thereof, or in a process; including but not limited to any physical change, change in material being processed or a change in the rate of production except where such a production rate change does not increase the quantity of air contaminant emitted or does not change the quality or nature of the air contaminant emitted.

"Equivalent stack diameter" means the diameter of a circular cross section having the same area as the non-circular cross sections at the point of emission discharge.

"Stack diameter" means the internal diameter of a circular stack at the point of emission discharge.

3. They clarify by modification the wording found at subparagraph (a) (5) (ii) of Subsection 8.2, "Permits and Certificates Required." The existing and proposed wording is as follows:

Existing Wording

Solid particles in finely divided or powdered form including, but not limited to, binders, fillers, foodstuffs, detergents, fluxes, catalysts, mineral wools, resins, plastics, pigments, construction materials and solid fuels; and having a capacity in excess of 2,000 cubic feet.

Proposed Wording

Solid particles including, but not limited to, binders, fillers, foodstuffs, detergents, fluxes, catalysts, mineral wools, resins, plastics, pigments, construction materials and solid fuels; and having a capacity in excess of 2,000 cubic feet.

4. They modify the wording found at subparagraph (e) of Subsection 8.3, "General Provisions." The existing and proposed wording is as follows:

Existing Wording

(e) No person shall use or cause to be used any equipment or control apparatus unless all components connected or attached to, or serving the equipment and/or control apparatus are functioning properly and are in use in accordance with the "Permit to Construct, Install or Alter Control Apparatus or Equipment" and "Certificate to Operate Control Apparatus or Equipment."

Proposed Wording

(e) No person shall use or cause to be used any equipment or control apparatus unless:

1. all conditions and provisions of the "Permit to Construct, Install or Alter Control Apparatus or Equipment" and "Certificate to Operate Control Apparatus or Equipment" are fulfilled, and

2. all components connected or attached to, or serving the equipment and/or control apparatus are functioning properly and are in use in accordance with the "Permit to Construct, Install or Alter Control Apparatus or Equipment" and Certificate to Operate Control Apparatus or Equipment."

The Region II Office of EPA has reviewed the State's rationale for this proposed revision, as presented in the Public Hearing Report, and has made the preliminary determination that it should be included as part of the New Jersey State Implementation Plan.

This notice is issued, as required by section 110 of the Clean Air Act, to advise the public that comments may be submitted on or before September 20, 1976 as to whether the proposed revision of N.J.A.C. 7:27-8 should be approved or disapproved. Only comments received during the 30-day public comment period hereby established will be considered. The Administrator's decision to approve or disapprove the proposed plan revision will be based on whether the revision meets the requirements of section 110 (a) (2) (A)-(H) of the Clean Air Act and EPA regulations in 40 CFR Part 51.

Copies of the proposed plan revision are available for public inspection during normal business hours at the Air Branch, EPA, Region II, 26 Federal Plaza, New York, New York 10007, and at the New Jersey State Department of Environmental Protection, Bureau of Air Pollution Control, John Fitch Plaza, Trenton, New Jersey 08625. Additional copies are available for inspection at the Public Information Reference Unit, 401 M Street, SW., Washington, D.C. 20460. All comments should be addressed to the Regional Administrator, Environmental Protection Agency, Region II, 26 Federal Plaza, New York, New York 10007.

Dated: August 9, 1976.

ERIC B. OUTWATER,
Acting Regional Administrator,
Environmental Protection Agency.

[FR Doc.76-24341 Filed 8-18-76;8:45 am]

[FRL 601-5; PP5G1627/T76]

PESTICIDE PROGRAMS

Extension of a Temporary Tolerance for the Pesticide Chemical Paraquat

On September 3, 1975, the Environmental Protection Agency (EPA) announced (40 FR 40574) that in response to a pesticide petition (PP 5G1627) submitted by Chevron Chemical Co., 940 Hensley St., Richmond CA 94804, a temporary tolerance was established for residues of the desiccant, defoliant, and herbicide paraquat (1,1'-dimethyl-4,4'-bipyridinium) derived from application of either the dichloride or the bis(methyl sulfate) salt, calculated in both cases as the cation, in or on the raw agricultural commodity dry beans at 05 part per million (ppm). This temporary tolerance is scheduled to expire August 28, 1976.

Chevron Chemical Co. has requested a nine-week extension of this temporary tolerance both to permit continued testing to obtain additional data and to permit the marketing of the above raw agricultural commodity when treated in accordance with the provisions of an experimental use permit that is being extended concurrently under the Federal Insecticide, Fungicide, and Rodenticide Act.

The scientific data reported and all other relevant material having been evaluated, it has been determined that an extension of the temporary tolerance will protect the public health, and it is concluded, therefore, that the temporary tolerance be extended on condition that the pesticide be used in accordance with the experimental use permit 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 October 31, 1976. Residues not in excess of 0.5 ppm remaining in or on dry beans 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.

Statutory Authority: Section 408(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(j)).

Dated: August 10, 1976.

JOHN B. RITCH, JR.,
Director, Registration Division.

[FR Doc.76-24256 Filed 8-18-76;8:45 am]

[FRL 601-8; OPP-50055A]

PERMIT TO CLEMSON UNIVERSITY

Issuance of Experimental Use

On January 28, 1976, the Environmental Protection Agency (EPA) announced in the FEDERAL REGISTER (41 FR 4063) the receipt of an application from Clemson University, South Carolina, for an experimental use permit allowing the use of a DDT formulation to evaluate the effectiveness of the formulation in controlling the cotton bollworm and the tobacco budworm (*Heliothis* spp.). Since the Administrator, EPA, determined that issuance of the permit might be of regional or national significance, interested parties were invited to submit written comments regarding the application. Approximately 30 comments were received; it was determined that no public hearing was necessary (40 CFR Part 172.11 (b)).

The comments were received from farmers, industrial organizations, State agencies, one Federal agency, non-profit organizations, and others. A concern common to all commenters was that sound scientific information must be developed to support sound pest management concepts. It was the consensus that the proposed program would generate data which might be useful; in fact, such data may provide both favorable and unfavorable comparisons regarding the use of the DDT/toxaphene/methyl parathion formulation. Since the cancellation of the use of DDT, there has been essentially no new information generated comparing DDT with insecticide formulations in current use.

A number of commenters objected to the proposed program on the grounds that it did not protect either man or the environment; the program has been modified to satisfy these objections, subsequently minimizing adverse effects. In addition, the program will allow only certified applicators in the State of South Carolina to apply the formulation.

Based on the comments received and other available information, and pursuant to section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act

(FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136), an experimental use permit has been issued to Clemson University, Clemson, South Carolina 29631. Such permit is in accordance with, and subject to, the provisions of 40 CFR Part 172; Part 172 was published in the FEDERAL REGISTER on April 30, 1975 (40 FR 18780), and defines EPA procedures with respect to the use of pesticides for experimental purposes.

This experimental use permit (No. 38158-EUP-1) allows the use of DDT formulated in a mixture with toxaphene and methyl parathion (2:4:1). The quantity of material authorized is as follows: 95 pounds DDT; 190 pounds toxaphene; and 47.5 pounds methyl parathion. A total of 4 acres is involved; the program is authorized only in the State of South Carolina. The experimental use permit is effective from May 28, 1976, to May 28, 1977. Permanent tolerances for residues of the active ingredients in or on cottonseed have been established (40 CFR 180.121; 180.138; and 180.147). This permit is being issued solely for the purpose of using the subject insecticide formulation as a base line against which to evaluate the effectiveness of alternative pesticides for the control of the cotton bollworm and the tobacco budworm.

Interested parties wishing to review the experimental use permit are referred to Room E-315, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M St., S.W. Washington, D.C. 20460. It is suggested that such interested persons call 202/755-4851 before visiting the EPA Headquarters Office, so that the appropriate permit may be made conveniently available for review purposes. This file will be available for inspection from 8:30 a.m. to 4:00 p.m. Monday through Friday.

Dated: August 12, 1976.

JOHN B. RITCH, JR.,
Director, Registration Division.

[FR Doc.76-24259 Filed 8-18-76;8:45 am]

[FRL 601-7; OPP-30119]

PESTICIDE PROGRAMS

Receipt of Application To Register a Pesticide Product Containing a New Active Ingredient

Ottawa Chemical Div., Ferro Corp., 100 N. Wheeling St., Toledo OH 43605, has submitted to the Environmental Protection Agency (EPA) an application to register the pesticide product OTTAFORM 204 (EPA File Symbol 4026-A), containing 33.4% of the new active ingredient 1,3-di(hydroxyethyl)-5-(3-methoxypropyl)-s-hexahydrotriazine 1-(hydroxyethyl)-3,5-di (3-methoxypropyl)-s-hexahydrotriazine, and 23.5% of the new active ingredient 1,3,5-tris (3-methoxypropyl)-s-hexahydrotriazine which have not been included in any previously registered pesticide products. The application received from Ottawa Chem. Div., Ferro Corp. proposes that the product be classified for general use as a cutting oil preservative PM34

Application was made pursuant to the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973, 7 U.S.C. 136 et seq.), and the regulations thereunder (40 CFR 162). Notice of receipt of this application is made in accordance with the provisions of Section 3(c)(4) of FIFRA [40 CFR 162.2(b)(6)] and does not indicate a decision by the Agency on the application.

Any Federal agency or other interested persons are invited to submit written comments on this application to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, 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 of others interested in inspecting them. The comments must be received on or before September 20, 1976, and should bear a notation indicating the EPA File Symbol "4026-A." Comments received within the specified time period will be considered before a final decision is made with respect to the pending application. Comments received after the specified time period will be considered only to the extent possible without delaying processing of the application. Specific questions concerning this application should be directed to the designated Product Manager (PM), Registration Division (WH-567), Office of Pesticide Programs, at the above address or by telephone at 202/426-9490.

Notice of approval or denial of this application to register CTTAFORM 204 will be announced in the FEDERAL REGISTER. The label furnished by Ottawa Chemical Div., Ferro Corp., as well as 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 4:30 p.m. Monday through Friday.

Dated: August 12, 1976.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.76-24258 Filed 8-18-76; 8:45 am]

[FRL 601-6, OPP-31008]

PESTICIDE PROGRAMS

Receipt of Application To Register a Pesticide Product Entailing a Changed Use Pattern

Thompson-Hayward Chemical Co., P.O. Box 2383, Kansas City KS 66110, has submitted to the Environmental Protection Agency (EPA) an application to register the pesticide product DIMILIN W-25 FOR SOYBEANS (EPA File Symbol 148-REAE), which contains 25.0% of the active ingredient N-[[4-chlorophenyl]amino]-carbonv[1]-2,6 - difluorobenzamide. The application received from Thompson-Hayward Chemical Co. proposes that the use pattern of this pesticide be changed from forest control of gypsy moth larvae to agricultural use to

include control of velvetbean caterpillar, green clovermoth, and Mexican bean beetle larvae on soybeans. The application also proposes that the product be classified for general use. PM17

Application was made pursuant to the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 136 et seq.) and the regulations thereunder. Notice of receipt of this application is given in accordance with the provisions of section 3(c)(4) of FIFRA [40 CFR 162.2(b)(6)] and does not indicate a decision by this Agency on the application.

Any Federal Agency or other interested persons are invited to submit written comments on this application to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, 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 of others interested in inspecting them. The comments must be received on or before September 20, 1976, and should bear a notation indicating the EPA File Symbol "148-REAE." Comments received within the specified time period will be considered before a final decision is made with respect to the pending application. Comments received after the specified time period will be considered only to the extent possible without delaying processing of the application. Specific questions concerning this application should be directed to the designated Product Manager (PM), Registration Division (WH-567), Office of Pesticide Programs, at the above address or by telephone at 202/426-9425.

Notice of approval or denial of this application to register DIMILIN W-25 FOR SOYBEANS will be announced in the FEDERAL REGISTER. The labeling furnished by Thompson-Hayward Chemical Co. as well as all written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

Dated: August 12, 1976.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

[FR Doc.76-24257 Filed 8-18-76; 8:45 am]

[FRL 602-8; OPP-42022A]

VIRGIN ISLANDS

Approval of Territorial Plan for Certification of Pesticide Applicators

Section 4(a)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136b) and the implementing regulations of 40 CFR Part 171 require each State desiring to certify applicators to submit a plan for its certification program. Any State certification program under this section shall be maintained in accordance with the State Plan approved under this section.

On June 3, 1976, notice was published in the FEDERAL REGISTER (41 FR 22414) of the intent of the Regional Administrator, Environmental Protection Agency (EPA) Region II, to approve, on a contingency basis, the Virgin Islands Territorial Plan for Certification of Commercial and Private Applicators of Restricted Use Pesticides (Virgin Islands Territorial Plan). Contingency approval was requested by the Virgin Islands pending approval of implementing regulations. Complete copies of the Virgin Islands Territorial Plan were made available for public inspection at the Bureau of Pesticides, Division of Natural Resources Management, Department of Conservation and Cultural Affairs, St. Thomas, U.S. Virgin Islands; Pesticides Branch, Environmental Programs Division, EPA Region II, New York, New York and the Federal Register Section, Technical Services Division, Office of Pesticide Programs, EPA Headquarters, Washington, D.C.

There were no comments received concerning the State Plan during the thirty (30) day public comment period.

The Virgin Islands Territorial Plan will remain available for public inspection at the Bureau of Pesticides, Division of Natural Resources Management, Department of Conservation and Cultural Affairs, Building 129, Subbase, Charlotte Amalie, St. Thomas, U.S. Virgin Islands.

It has been determined that the Virgin Islands Territorial Plan will satisfy the requirements of section 4(a)(2) of the amended FIFRA and of 40 CFR Part 171 if necessary implementing regulations are promulgated by the Department of Conservation and Cultural Affairs in accordance with and as prescribed in the Virgin Islands Territorial Plan. Accordingly, the Virgin Islands Territorial Plan is approved contingent upon approval of implementing regulations.

This contingency approval shall expire one (1) year from its effective date if these terms and conditions are not satisfied by that time. On or before the expiration of the period of contingency approval, a notice shall be published in the Federal Register concerning the extent to which these terms and conditions have been satisfied, and the approval status of the Virgin Islands Territorial Plan as a result thereof.

Effective date, Pursuant to section 4(d) of the Administrative Procedure Act, 5 U.S.C. 553(d), the Agency finds that there is good cause for providing that the one year contingency approval granted herein to the Virgin Islands Territorial Plan shall be effective immediately. Neither the Virgin Islands Territorial Plan itself nor this Agency's contingency approval creates any direct or immediate obligations on pesticide applicators or other persons in the Virgin Islands. Delays in starting the work necessary to implement the plan, such as may be occasioned by providing some later effective date for this contingency approval, are inconsistent with the public interest. Accordingly, this contin-

gent approval shall become effective immediately.

Dated: August 12, 1976.

GERALD M. HANSLER,
Regional Administrator, U.S.
Environmental Protection
Agency, Region II.

[FR Doc. 76-24342 Filed 8-18-76; 8:45 am]

[FCC 76-774]

FEDERAL COMMUNICATIONS COMMISSION

TARIFF FILINGS

Temporary Procedures

AUGUST 13, 1976.

On August 4, 1976, the President signed Pub. L. 94-376. This legislation, sponsored by the Commission, amends sections 203 and 204 of the Communications Act which involve the regulation of communications common carriers. In general the new legislation: 1) Establishes a 90 day period for public notice of proposed tariff changes; 2) extends the period for suspension of new or revised tariff provisions from three to five months; 3) authorizes the Commission to allow part of a tariff filing to go into effect; and 4) gives the Commission authority to allow tariff filings to go into effect temporarily pending a further order.

Although this legislation became effective upon the President's signature, it would be appropriate to allow the carriers a short period of time in which to adjust to this increase in the period for public notice of proposed tariff changes. Substantial confusion could result from the failure to allow for such a period of adjustment. Thus, in order to ensure the orderly transaction of the Commission's business, the carriers are hereby authorized to continue the use of the periods for public notice specified in Part 61 of the Commission's rules through August 31, 1976. Tariff filings made on or before this date will not be rejected as unlawful for failure to provide for 90 days public notice. However, the Commission reserves the right, through the Chief, Common Carrier Bureau, to require the extension, in individual cases, of the effective date of tariff filings made during this interim period so as to allow 90 days public notice. All tariff changes filed after August 31, 1976 are to provide for 90 days public notice until the Commission has an opportunity to revise its Rules to specify appropriate periods of public notice for various types of tariff filings. During this period Special Permissions will continue to be granted, as provided in Part 61 of the Commission's rules, to allow the carriers to file tariff changes on less than the full statutory notice for good cause shown. In all other respects, the Commission will begin to exercise immediately the new authority granted to it by this legislation.

Our action in this regard is consistent with section 203(b) (2) of the Communications Act, as amended by Pub. L. 94-376 which states that

[t]he Commission may, in its discretion and for good cause shown, modify any requirement made by or under the authority of this section either in particular instances or by general order applicable to special circumstances or conditions except that the Commission may not require the notice period specified in paragraph (1) to be more than ninety days.

Action by the Commission August 13, 1976. Commissioners Wiley (Chairman), Lee, Hooks and Washburn.

FEDERAL COMMUNICATIONS
COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc. 76-24332 Filed 8-18-76; 8:45 am]

FEDERAL ENERGY ADMINISTRATION

CONSTRUCTION ADVISORY COMMITTEE Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given that the Construction Advisory Committee will meet Wednesday, September 8, 1976, at 10 a.m., Room 5041B, FEA Headquarters, 12th and Pennsylvania Avenue, NW., Washington, D.C.

The Committee was established to advise the Administrator, FEA, with respect to the interests and problems of the construction industry as they relate to the policy and implementation of programs to meet the current and continuing national energy shortage.

The agenda for the meeting is as follows:

1. FEA EPCA Programs
 - a. Materials Allocation
 - b. Conservation Programs
 - c. Energy Supply & Environmental Coordination Act
2. Impact of Clean Air Act Amendments
3. NSF/ERDA/FEA Model of Projected Construction Resources
4. Solar Heating and Cooling
5. Socio-Economic Impact Financing
6. Reports by Subcommittees
 - a. Energy Conservation
 - b. Oil and Gas Regulation
 - c. Construction Labor Availability
 - d. Construction Material Availability
 - e. Central Clearinghouse for Construction Projects

Subcommittees may meet informally in Washington, D.C. the preceding evening, at the discretion of the Subcommittee Chairmen; the meetings will be open to the public. For further information on Subcommittee activities, call Lois G. Weeks, Director, Advisory Committee Management, at (202) 961-7022.

The Committee 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 the Director, Advisory Committee Management, at least 5 days prior to 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 in the Freedom of Information Office, Room 2107, Federal Energy Administration, 12th and Pennsylvania Avenue, NW., Washington, D.C.

Issued at Washington, D.C., on August 16, 1976.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc. 76-24337 Filed 8-16-76; 3:53 pm]

ENERGY SUPPLY AND ENVIRONMENTAL COORDINATION ACT

Extension of Comment Period Concerning Draft Environmental Impact Statement on Coal Conversion at Schiller Generat- ing Station

The Federal Energy Administration (FEA) announced by notice in the FEDERAL REGISTER of July 1, 1976 (41 F.R. 27127), the availability to the public of a draft environmental impact statement concerning the issuance of a Notice of Effectiveness to powerplants number 4 and 5 of the Schiller Generating Station, owned by the Public Service Company of New Hampshire and located in Portsmouth, New Hampshire. The Notice of Effectiveness would make effective a prohibition order issued to the powerplants on June 30, 1975, under the authority of Section 2 of the Energy Supply and Environmental Coordination Act of 1974. The order would prohibit the burning of petroleum products or natural gas by the powerplants as their primary energy source.

The notice invited the submission of written data, views, or arguments concerning the draft impact statement, but stipulated that they should be received by FEA by August 15, 1976, in order to receive full consideration. The FEA hereby extends the period of comment to August 31, 1976; all comments received by that date will receive full consideration in the drafting of the final environmental impact statement.

Persons desiring to submit comments with respect to the draft statement should direct them to Executive Communications, Room 3309, Federal Energy Administration, Box HT, Washington, D.C. 20461. Comments should be identified on the outside of the envelope and on documents submitted to FEA Executive Communications with the designation "Draft EIS—Schiller Generating Station." Fifteen copies should be submitted.

Any information or data considered by the person submitting it to be confidential must be so identified and submitted in one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to that determination.

Issued in Washington, D.C., August 16, 1976.

MICHAEL F. BUTLER,
General Counsel,
Federal Energy Administration.

[FR Doc.76-24283 Filed 8-16-76; 11:44 am]

**DISTRIBUTION AND TRANSPORTATION
SUBCOMMITTEE OF THE FOOD INDUS-
TRY ADVISORY COMMITTEE**

Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given that the Distribution and Transportation Subcommittee of the Food Industry Advisory Committee will meet Friday, September 10, 1976, 1:30 p.m., Room 5041B, FEA Headquarters, 12th & Pennsylvania Avenue, NW., Washington, D.C.

The objectives of this Subcommittee are to make recommendations to the parent Committee with respect to matters concerning food industry aspects of FEA policies and programs falling within the interests of this Subcommittee.

The agenda for the meeting is as follows:

1. Discussion of cost justified backhaul issue
2. Review of ICC Mitre Study, "Preliminary Assessment of Empty Miles Traveled by Selected Regulated Motor Carriers," January 1976
 - a. Relationship to section 382(a) (3) of EPCA
 - b. General outline and time schedule
3. Progress report on ICC "Motor Carrier Empty/Loaded Survey"
4. Proposed recommendations to FEA
5. General discussion—public comment

The meeting is open to the public. The Chairman of the Subcommittee 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 Subcommittee 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 least 5 days prior to the meeting and reasonable provisions 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 in the Freedom of Information Office, Room 2107, Federal Energy Administration, 12th and Pennsylvania Avenue, NW., Washington, D.C.

Issued at Washington, D.C. on August 16, 1976.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.76-24338 Filed 8-16-76; 3:45 pm]

[Docket OFU-047, Edge Moor Powerplant No. 4]

**ENERGY SUPPLY AND ENVIRONMENTAL
COORDINATION ACT OF 1974**

**Issuance of Order Modifying Prohibition
Order**

On June 1, 1976, the Federal Energy Administration (FEA) published in the FEDERAL REGISTER (41 F.R. 22132) a notice of its intention to modify the prohibition order issued to powerplant No. 4 at the Edge Moor Generating Station, which is owned and operated by the Delmarva Power and Light Company, located in Wilmington, Delaware. The notice invited interested persons to submit written data, views and arguments regarding the proposed order of modification.

After evaluating the comments received, the FEA has determined to issue the order of modification substantially as proposed, and such order was issued on August 16, 1976. The modification will permit the burning of petroleum products by powerplant No. 4 to the extent necessary to permit the undertaking of a solid waste energy and materials recovery project, known as the Delaware Reclamation Project, designed to demonstrate the feasibility of co-firing processed solid waste with fuel oil in existing steam-electric boilers.

Issued at Washington, D.C., August 16, 1976.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.76-24339 Filed 8-16-76; 3:53 pm]

**GOVERNMENT POLICIES & REGULATIONS
SUBCOMMITTEE OF THE LP-GAS INDUS-
TRY ADVISORY COMMITTEE**

Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given that the Government Policies and Regulations Subcommittee of the LP-Gas Industry Advisory Committee will meet Wednesday, September 15, 1976, at 9 a.m., in the Founders Room, Mayo Hotel, 115 West 5th Street, Tulsa, Oklahoma.

The Subcommittee was established to make recommendations to the parent Committee with respect to policy and implementation of programs that affect the LP-Gas industry.

The agenda for the meeting is as follows:

1. Organizational Structure of Government Policies and Regulations Subcommittee of the LP-Gas Industry Advisory Committee
2. Review of Current Allocation and Pricing Regulations on Propane, Butane, and Natural Gas Liquids and Recommended Changes—Administrative and Legislative
3. Selective Exemption of Controlled Products in Item 2 Above From Pricing and/or Allocation Regulations

The meeting is open to the public. The Chairman of the Subcommittee is em-

powered 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 Subcommittee 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 least 5 days prior to 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 in the Freedom of Information Office, Room 2107, Federal Energy Administration, 12th and Pennsylvania Avenue, NW., Washington, D.C.

Issued at Washington, D.C., on August 16, 1976.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.76-24336 Filed 8-16-76; 3:53 p.m.]

**FEDERAL PREVAILING RATE
ADVISORY COMMITTEE**

NOTICE OF COMMITTEE MEETINGS

Pursuant to the provisions of section 10 of Public Law 92-463, effective January 5, 1973, notice is hereby given that meetings of the Federal Prevailing Rate Advisory Committee will be held on: Thursday, September 2, 1976, Thursday, September 9, 1976, Thursday, September 30, 1976.

The meetings will convene at 10 a.m. and will be held in Room 5A06A, Civil Service Commission Building, 1900 E Street NW., Washington, D.C.

The committee's primary responsibility is to study the prevailing rate system and from time to time advise the Civil Service Commission thereon.

At these scheduled meetings, the committee will consider proposed plans for implementation of Public Law 92-392, which law establishes pay systems for Federal prevailing rate employees.

The meetings will be closed to the public on the basis of a determination under section 10(d) of the Federal Advisory Committee Act (Public Law 92-463) and 5 U.S.C., section 552(b) (2), that the closing is necessary in order to provide the members with the opportunity to advance proposals and counter-proposals in meaningful debate on issues related solely to the Federal Wage System with the view toward ultimately formulating advisory policy recommendations for the consideration of the Civil Service Commission.

However, members of the public who wish to do so, are invited to submit material in writing to the Chairman concerning matters felt to be deserving of the committee's attention. Additional information concerning these meetings

may be obtained by contacting the Chairman, Federal Prevailing Rate Advisory Committee, Room 1338 1900 E Street, NW., Washington, D.C. 20415.

DAVID T. ROADLEY,
Chairman, Federal Prevailing
Rate Advisory Committee.

AUGUST 16, 1976.

[FR Doc.76-24273 Filed 8-18-76; 8:45 am]

FEDERAL POWER COMMISSION

[Docket No. CP70-196; CP73-135, et al.]

DISTRIGAS CORP. AND DISTRIGAS OF MASSACHUSETTS

Hearing

In accordance with the Commission's Order in the above captioned proceeding issued August 12, 1976, a hearing session is hereby scheduled to commence at 9:30 a.m. on September 3, 1976 at the U.S. Tax Court, U.S. Customs House, 2 India Street, Boston, Mass. 02109.

This session will cover submittals * * * "concerning the LNG tanks proposed to be constructed in Docket No. CP74-137, and related activities proposed in Docket Nos. CP70-196, CP73-135, and CP74-227 * * *"

Interested parties may make submittals in the form of unsworn statements of position or opinion which may be read or copied into the record in order to reflect the concerns of local citizens with the safety and environmental impacts of the project. However, the unsworn statements will be considered as opinions, but not as evidence in the proceeding, unless the submittals are made under oath and an opportunity is accorded all parties for cross-examination thereon. Sworn submittals, if any, should be mailed to the parties in the DISTRIGAS case by August 27, 1976.

This notice is to be published in the FEDERAL REGISTER.

Dated this 13th day of August 1976 at Washington, D.C.

NAHUM LITT,
Presiding Administrative Law Judge.

[FR Doc.76-24417 Filed 8-18-76; 8:45 am]

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt and Approval of a Proposed Report

A request for clearance of a proposed report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO, on July 23, 1976. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this notice is to inform the public of such receipt and the action taken by GAO.

FEDERAL ENERGY ADMINISTRATION

FEA requests emergency clearance of a new form FEA-P112-M-1: No. 2 Heating Oil Supply/Price Monitoring Report. This report is in response to a commitment made to Congress by the FEA to monitor price movements of No. 2 heat-

ing oil in the event decontrol of middle distillates was effected by Congress. Decontrol became effective July 1, 1976.

This report will be mailed to and required to be filed by a scientifically selected sample of 600 firms chosen from a universe consisting of refiners, retailers, resellers and reseller/retailers of No. 2 heating oil. The average response time is expected to be six hours per monthly report.

A detailed cover letter and the FEA-P112-M-1 form and instructions will be mailed to every selected firm. June data, which will establish the base month, will initially be reported telephonically to FEA. This data includes certain items from the cover page and Schedule A-1. During July, August and September the selected firms will report to FEA by telephone the estimated unit price for sales to residential customers and rack sales to other than ultimate consumers from Schedule A-1. During the same months and for June these firms will file the completed FEA-P112-M-1 according to the instructions. Beginning on approximately September 15, 1976, and ending April 1, 1977, FEA will conduct weekly telephonic surveys of the selected firms to determine the change in price of No. 2 heating oil during the winter heating season.

This information is collected under the authority vested in the Federal Energy Administration by Public Laws 93-159, 93-225, 93-319, and 94-163.

GAO accepted and reviewed FEA's emergency request and found no unnecessary duplication or excessive burden. Clearance was provided on August 5, 1976, under number B-181254 (RO388). The clearance expires June 30, 1979.

NORMAN F. HEYL,
Regulatory Reports, Review Officer.

[FR Doc.76-24320 Filed 8-18-76; 8:45 am]

REGULATORY REPORTS REVIEW

Receipt of Report Proposals

The following request for clearance of reports intended for use in collecting information from the public were received by the Regulatory Reports Review Staff, GAO, on August 10, 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 each 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.

Written comments on the proposed ICC forms 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 September 7, 1976, and should be addressed to Mr. John M. Lovelady, Acting Assistant Director, Reg-

ulatory 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.

INTERSTATE COMMERCE COMMISSION

ICC requests clearance of a new confidential annual report supplement to the railroad annual report in accordance with the order of the Interstate Commerce Commission in Docket No. 36216 approved April 9, 1976. The disclosure of Federal income tax information will be filed by the following carriers:

Railroads (class I)
Electric railways
Express companies
Pipeline carriers
Refrigerated car lines
Motor carriers of property (class I)
Motor carriers of passengers (class I)
Inland and coastal waterways carriers (class A and B)
Maritime carriers
Freight forwarders (class A)

The annual report supplement will be filed by all carriers with annual operating revenues of \$10 million, or more, subject to sections 2, 220, 13 and 412 of the Interstate Commerce Act. The supplemental report will enable the Commission to effectively evaluate and interpret the financial condition of the responding carriers. The tax information requested is readily available from tax returns and supporting information, therefore, any additional burden incurred will be insignificant. Reports are mandatory and shall be of a confidential nature and not available for public inspection. ICC estimates there are approximately 517 respondents and that the burden is four hours annually for each respondent.

ICC requests clearance of a revision of Railway Tax Accruals, railroad annual report Form R-1. ICC Order in Docket No. 36126 approved April 9, 1976, provides for the reinstatement of Schedule 350(c), Railway Tax accruals, Analysis of Federal Income Taxes. The additional information includes the distribution of tax expense and the method elected by carriers as provided in the Revenue Act of 1971, to account for the investment tax credit. The information will be available for public inspection in the annual report. ICC estimates there are 105 respondents and that the burden on the reinstated Schedule 350(c) will be 5 minutes per response.

NORMAN F. HEYL,
Regulatory Reports Review Staff.
[FR Doc.76-24318 Filed 8-18-76; 8:45 am]

REGULATORY REPORTS REVIEW

Receipt and Approval of a Proposed Report

A request for clearance of a proposed report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO, on July 27, 1976. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this notice is to inform the public of

such receipt and the action taken by GAO.

FEDERAL ENERGY ADMINISTRATION

Request for clearance on an emergency basis for a new form, P128-S-O, Reporting Form on Passthrough of Non-product Costs. The form will gather information to determine the extent to which deviations for the period January 1, 1975, through January 31, 1976, have occurred from the sequential recovery of non-product costs specified in the refiners passthrough rules contained in §§ 212.83(c), 212.87(b) and 212.83(d) of Title 10, Code of Federal Regulations of the EPCA (Pub. L. 94-163). The data collected will determine the cost consequences to purchasers of a proposed FEA class exception which would authorize the proportional cost recovery approach for refiners not constrained by FEA's profit margin limitation rule. The FEA estimated that there would be 141 respondents and the burden would average 2 hours per response.

According to FEA an emergency clearance of the form was necessary in order to prevent apparent serious adverse effects on the refinery and inventory levels of petroleum products. If refiners must continue to wonder if reductions in "banked costs" (or price rollbacks) will occur, they will be assuming tremendous risk if they now set prices based on those "banked costs." If a refiner is unwilling to assume the risk of using the "bank," its only alternative would be to cut back production, thus possibly causing shortages of gasoline during this peak demand period or increasing gasoline imports which is directly contrary to national policy.

GAO accepted FEA's emergency request and found no unnecessary duplication or excessive burden. Clearance was provided on August 3, 1976, under number B-181254 (S76032). The clearance expires September 30, 1976.

NORMAN F. HEYL,

Regulatory Reports, Review Officer.

[FR Doc.76-24319 Filed 8-18-76; 8:45 am]

NATIONAL COMMISSION ON ELECTRONIC FUND TRANSFERS

PROVIDERS, REGULATORS AND USERS COMMITTEES

Change of Meeting Place

The Providers Committee, the Regulators Committee and the Users Committee of the National Commission on Electronic Fund Transfers, which were previously scheduled to meet in Philadelphia on August 25, 26 and 27, 1976, respectively, will meet instead at the Hunt Valley Inn, Shawan Road, Cockeysville, Maryland, which is near Baltimore. The dates of the meetings are unchanged. Each meeting begins at 9:30 a.m.

The Providers Committee will examine issues concerning access, use, ownership, and control of automated clearing house and point-of-sale switches. The Regulators Committee will begin an examination of the legal, technological, and op-

erational questions that surround the issue of the potential competitive impact of electronic terminal devices in the delivery of financial services. The Users Committee will examine the major types of concerns that individual consumers may have regarding EFT systems and services.

Each meeting will be open to public attendance on a first-call basis to the extent that limited space permits. Any person interested in attending should first call Ms. Janet Miller at 202/254-7400 to check on the availability of space.

Dated: August 17, 1976.

HENRY POLMER,
Acting Advisory Committee
Management Officer.

[FR Doc.76-24448 Filed 8-18-76; 8:45 am]

NATIONAL ENDOWMENT FOR THE HUMANITIES

ADVISORY COMMITTEE EDUCATION PANEL

Meeting

AUGUST 11, 1976.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Education Panel will meet in Room 1025, 806 15th Street, N.W., Washington, D.C. at 9 A.M. to 5 P.M., on September 28 and 9 A.M. to 1 P.M., on September 29, 1976.

The purpose of the meeting is to review Institutional Grant applications submitted to the National Endowment for the Humanities for grants to educational institutions and non-profit organizations.

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 on 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.76-24275 Filed 8-18-76; 8:45 am]

ADVISORY COMMITTEE FELLOWSHIPS PANEL

Meeting

AUGUST 11, 1976.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that meet-

ings of the Summer Seminars for College Teachers Panel will be held at 806 15th Street, N.W., room 314, Washington, D.C. on September 10, 11, 13, 15, 17, 18, 20, 24, and 25, 1976.

The purpose of the meetings is to examine dossiers of individuals recommended to the Endowment as possible seminar directors in the Summer Seminar program.

Because the proposed meetings 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 meetings would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meetings 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.76-24276 Filed 8-18-76; 8:45 am]

ADVISORY COMMITTEE FELLOWSHIPS PANEL

Meeting

AUGUST 11, 1976.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that meetings of the Summer Seminars for College Teachers Panel will be held at 806 15th Street, N.W., room 1025, Washington, D.C. on September 10 and 24, 1976.

The purpose of the meetings is to examine dossiers of individuals recommended to the Endowment as possible seminar directors in the Summer Seminar program.

Because the proposed meetings 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 meetings would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meetings 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.76-24277 Filed 8-18-76; 8:45 am]

ADVISORY COMMITTEE PUBLIC PROGRAMS PANEL

Meeting

AUGUST 16, 1976.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Public Programs Panel will meet at Washington, D.C. on September 14, 1976, commencing at 9:30 a.m., in Room 1200, at 806 15th Street NW., Washington, D.C.

The purpose of the meeting is to review Humanities Program Development Grant proposals that have been submitted to the Endowment for possible grant funding.

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 NW., Washington, D.C. 20506, or call Area Code 202-382-2031.

JOHN W. JORDAN,
Advisory Committee
Management Officer.

[FR Doc.76-24274 Filed 8-18-76; 8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-10]

COMMONWEALTH EDISON CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 17 to Facility Operating License No. DPR-2, issued to the Commonwealth Edison Company (the licensee), which revised Technical Specifications for operation of Unit No. 1 of the Dresden Nuclear Power Station (the facility) located in Grundy County, Illinois. The amendment is effective as of its date of issuance.

This amendment consists of changes to the Technical Specifications regarding the requirements for primary containment integrity.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR

Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated March 11, 1976, (2) Amendment No. 17 to License No. DPR-2, and (3) the Commission's concurrently issued Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 9th day of August, 1976.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors
Branch No. 2, Division of Operating Reactors.

[FR Doc.76-23979 Filed 8-18-76; 8:45 am]

[Docket Nos. 50-237 and 50-249]

COMMONWEALTH EDISON CO.

Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment Nos. 23 and 20 to Facility Operating License Nos. DPR-19 and DPR-25, respectively, issued to the Commonwealth Edison Company (the licensee), which revised Technical Specifications for operation of the Dresden Nuclear Power Station Units 2 and 3 (the facilities), located in Grundy County, Illinois. The amendments are effective as of their date of issuance.

These amendments revised the Technical Specifications to change the operating environment temperature limit for main steam isolation valve pilot valves from 150° F to 170° F.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of these amendments was not required since these amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will

not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of the amendments.

For further details with respect to this action, see (1) the application for the amendments dated April 22, 1976, (2) Amendment No. 23 to License No. DPR-19, (3) Amendment No. 20 to License No. DPR-25, and (4) the Commission's concurrently issued Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Morris Public Library, 604 Liberty Street, Morris, Illinois 60451. A single copy of items (2) through (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this ninth day of August, 1976.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors
Branch No. 2, Division of Operating Reactors.

[FR Doc.76-23977 Filed 8-18-76; 8:45 am]

[Docket Nos. 50-254 and 50-265]

COMMONWEALTH EDISON CO. AND IOWA-ILLINOIS GAS & ELECTRIC CO.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment Nos. 29 and 28 to Facility Operating License Nos. DPR-29 and DPR-30, respectively, issued to the Commonwealth Edison Company (acting for itself and on behalf of the Iowa-Illinois Gas and Electric Company) which revised Technical Specifications for operation of the Quad Cities Nuclear Power Station Unit Nos. 1 and 2 (the facilities), located in Rock Island County, Illinois. The amendments are effective as of their date of issuance.

These amendments revised the Technical Specifications to change the operating environment temperature limit for main steam isolation valve pilot valves from 150° F to 170° F.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will

not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d) (4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of the amendments.

For further details with respect to this action, see (1) the application for the amendments dated April 22, 1976, (2) Amendment No. 29 to License No. DPR-29, (3) Amendment No. 28 to License No. DPR-30, and (4) the Commission's concurrently issued related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Moline Public Library, 504 17th Street, Moline, Illinois 60265. A single copy of items (2) through (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this ninth day of August, 1976.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors
Branch No. 2, Division of
Operating Reactors.

[FR Doc.76-23978 Filed 8-18-76; 8:45 am]

[Docket Nos. 50-254 and 50-265]

**COMMONWEALTH EDISON CO. AND
IOWA-ILLINOIS GAS AND ELECTRIC CO.**

**Issuance of Amendments to Facility
Operating Licenses**

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment Nos. 26 and 27 to Facility Operating License Nos. DPR-29 and DPR-30, respectively, issued to Commonwealth Edison Company (acting for itself and on behalf of the Iowa-Illinois Gas and Electric Company), which revised Technical Specifications for operation of the Quad Cities Station Unit Nos. 1 and 2 (the facilities) located in Rock Island County, Illinois. The amendments are effective as of their date of issuance.

The amendments changed the surveillance frequency of the core and containment cooling system logic system functional tests from once each six months to once per each refueling outage.

The application for these amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of the amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will

not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d) (4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of the amendments.

For further details with respect to this action, see (1) the application for the amendments dated January 9, 1976, (2) Amendment Nos. 26 and 27 to License Nos. DPR-29 and DPR-30, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Moline Public Library, 504 17th Street, Moline, Illinois 60265. A single copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this ninth day of August, 1976.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors
Branch No. 2, Division of
Operating Reactors.

[FR Doc.76-23978 Filed 8-18-76; 8:45 am]

[Docket No. 50-335]

FLORIDA POWER & LIGHT CO.
**Issuance of Amendment to Facility
Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 7 to Facility Operating License No. DPR-67, issued to Florida Power & Light Company (the licensee), which revised Enclosure 1 of the license for operation of the St. Lucie Plant Unit No. 1 (the facility) located in St. Lucie County, Florida. The amendment is effective as of its date of issuance.

The amendment permits removal of the shutdown cooling system from operation for periods up to 4 hours in duration for inspections within the reactor vessel while the reactor is in the refueling mode. The authority is granted only through August 31, 1976, and is restricted by provisions of the amendment.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d) (4) an environmental impact

statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated July 30, 1976, and supplement dated August 3, 1976, (2) Amendment No. 7 to License No. DPR-67, and (3) the Commission's concurrently issued Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Indian River Junior College Library, 3209 Virginia Avenue, Ft. Pierce, Florida 33450. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 5th day of August, 1976.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors
Branch No. 2, Division of
Operating Reactors.

[FR Doc.76-23973 Filed 8-18-76; 8:45 am]

[Docket No. 50-250]

FLORIDA POWER AND LIGHT CO.
**Proposed Issuance of Amendment to
Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-31 issued to Florida Power and Light Company (the licensee) for operation of the Turkey Point Nuclear Generating Unit No. 3, located near Dade County, Florida.

In accordance with the licensee's application for license amendment dated July 30, 1976, the proposed amendment would allow the installation of temporary fuel storage racks within the Turkey Point Nuclear Generating Unit No. 3 spent fuel storage pool. The installation of these racks would increase the spent fuel storage pool capacity from 217 to 235 fuel assemblies. The temporary racks are expected to be needed for a period of less than one year.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By September 20, 1976, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the

proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Mr. Jack R. Newman, Esquire, Lowenstein, Newman, Reis & Axelrad, 1025 Connecticut Avenue, N.W., Washington, D.C. 20036, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application for amendment dated July 30, 1976, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Environmental & Urban Affairs Library, Florida International University, Miami, Florida 33199. The license amendment and the Safety Evaluation, when issued, may be inspected at the above locations and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 16th day of August 1976.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch
No. 3, Division of Operating
Reactors.

[FR Doc.76-24388 Filed 8-18-76; 8:45 am]

[Docket Nos. 50-516, 50-517]

LONG ISLAND LIGHTING CO. (JAMESPORT NUCLEAR POWER STATION, UNITS 1 AND 2)

Order Relating to the Evidentiary Hearing

Before the Atomic Safety and Licensing Board.

The evidentiary hearing will begin on August 24, 1976 at 9:30 a.m. in the Holiday Inn of Riverhead, Exit 72, Long Island Expressway, Riverhead Long Island, New York, to receive evidence regarding the application of the Long Island Lighting Company for a license to construct the proposed Jamesport Nuclear Power Station, Units 1 and 2. The hearing will proceed on successive week days, and will resume on August 31 and on September 7. No hearing will be held during the week of September 13th, but will be resumed, if necessary, on September 21st and on such other subsequent dates as may be ordered by the Atomic Safety and Licensing Board.

The public is invited to attend. Limited appearance statements will be accepted after opening statements by the parties have been concluded. Oral statements will be limited to ten (10) minutes each but written statements may be submitted without limitation on length.

Dated at Bethesda, Maryland, this 3d day of August 1976.

For the Atomic Safety and Licensing Board.

SHELDON J. WOLFE,
Chairman.

[FR Doc.76-24131 Filed 8-18-76; 8:45 am]

[Docket No. 50-289]

METROPOLITAN EDISON CO. ET AL.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 18 to Facility Operating License No. DPR-50 issued to Metropolitan Edison Company, Jersey Central Power and Light Company, and Pennsylvania Electric Company which revised Technical Specifications for operation of the Three Mile Island Nuclear Station, Unit 1, located in Dauphin County, Pennsylvania. The amendment is effective as of its date of issuance.

This amendment authorizes miscellaneous changes to the Environmental Technical Specifications. These changes involve (a) correction of typographical errors; (b) wording changes for clarification of intent; (c) administrative changes and titles; (d) location of radiological monitoring stations; (e) monitoring conditions; and (f) sensitivity of radiological analyses.

The applications for the amendment comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Com-

mission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with the issuance of this amendment.

For further details with respect to this action, see (1) the applications for amendment submitted by letters dated January 31, July 31, August 21, September 4, and October 29, 1975, and (2) Amendment No. 18 to License No. DPR-50. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the State Library of Pennsylvania, Government Publications Section, Education Building, Harrisburg, Pennsylvania.

A copy of item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors
Branch No. 4, Division of
Operating Reactors.

[FR Doc.76-23972 Filed 8-18-76; 8:45 am]

[Docket No. 50-245]

NORTHEAST NUCLEAR ENERGY CO. ET AL.

Issuance of Amendment to Provisional Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 29 to Provisional Operating License No. DPR-21 issued to Northeast Nuclear Energy Company, The Hartford Electric Light Company, Western Massachusetts Electric Company, and Connecticut Light and Power Company, which revised Technical Specifications for operation of the Millstone Nuclear Power Station, Unit No. 1, located in Waterford, Connecticut. The Amendment is effective as of its date of issuance.

The amendment will (1) delete the "Extended Maintenance" provision from the Technical Specifications and (2) revise the Limiting Conditions for Operation and License Restriction for the Isolation Condenser.

The applications for the amendment comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings

as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the License amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d) (4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the applications for amendment dated April 6, 1976 and June 9, 1976, (2) Amendment No. 29 to License No. DPR-21, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut 06385.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 6th day of August 1976.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors
Branch No. 3, Division of Operating Reactors.

[FR Doc.76-24132 Filed 8-18-76; 8:45 am]

[Dockets Nos. 50-259 and 50-260]

TENNESSEE VALLEY AUTHORITY Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 26 to Facility Operating License No. DPR-33 and Amendment No. 23 to Facility Operating License No. DPR-52 issued to Tennessee Valley Authority (the licensee) which revised the Technical Specifications of the Browns Ferry Nuclear Plant, Units Nos. 1 and 2, located in Limestone County, Alabama. The amendments are effective as of the date of issuance.

These amendments revise the Technical Specifications to allow the withdrawal of one control rod at a time to perform functional testing of the control rod drive or control rod drive maintenance. The NCR staff has been authorized to issue these amendments by the August 4, 1976 Order of the Atomic Safety and Licensing Board presiding in the ongoing Browns Ferry, Units Nos. 1 and 2 proceeding.

The application for these amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's

rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d) (4) an environmental impact statement, negative declaration, or environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated July 23, 1976, and (2) Amendment No. 26 to License No. DPR-33 and Amendment No. 23 to License No. DPR-52. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555, and at the Athens Public Library, South and Forrest, Athens, Alabama 35611. A copy of item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 5th day of August 1976.

For the Nuclear Regulatory Commission.

THOMAS V. WAMBACH,
Acting Chief, Operating Reactors
Branch No. 1, Division of Operating Reactors.

[FR Doc.76-23974 Filed 8-18-76; 8:45 am]

REGULATORY GUIDE Issuance and Availability

The Nuclear Regulatory Commission has issued a new guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 10.3, "Guide for the Preparation of Applications for Special Nuclear Material Licenses of Less than Critical Mass Quantities," describes the type of information needed by the NRC staff to evaluate an application for a specific license for receipt, possession, use and transfer of special nuclear material of less than critical mass quantities.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Public com-

ments on Regulatory Guide 10.3 will, however, be particularly useful in evaluating the need for an early revision if received by October 15, 1976.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a).)

Dated at Rockville, Maryland this 10th day of August 1976.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director,
Office of Standards Development.

[FR Doc.76-23975 Filed 8-18-76; 8:45 am]

REGULATORY GUIDE Issuance and Availability

The Nuclear Regulatory Commission has issued a new guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 1.108, "Periodic Testing of Diesel Generators Used as On-site Electric Power Systems at Nuclear Power Plants," describes a method acceptable to the NRC staff for complying with the Commission's regulations with regard to periodic inspection and testing of diesel electric power units to ensure that the diesel electric power systems will meet their availability requirements.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Public comments on Regulatory Guide 1.108 will, however, be particularly useful in evaluating the need for an early revision if received by October 18, 1976.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a).)

Dated at Rockville, Maryland this 11th day of August 1976.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director,

Office of Standards Development.

[FR Doc.76-24134 Filed 8-18-76;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 28194]

EASTERN AIR LINES, INC.-PIEDMONT AVIATION, INC.

Hearing Regarding Route Exchange Agreement

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding is assigned to be held on September 14, 1976, at 9:30 a.m. (local time) in Room 1003, Hearing Room B, Universal North Building, 1875 Connecticut Avenue, N.W., Washington, D.C., before the undersigned Administrative Law Judge.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the various documents which are in the docket of this case on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., August 13, 1976.

ARTHUR S. PRESENT,
Administrative Law Judge.

[FR Doc.76-24334 Filed 8-18-76;8:45 am]

SMALL BUSINESS ADMINISTRATION

MADISON DISTRICT ADVISORY COUNCIL

Public Meeting

The Small Business Administration Madison District Advisory Council will hold a public meeting at 10:00 a.m., Friday, September 17, 1976, in the Boardroom at the Greater LaCrosse Area Chamber of Commerce, 710 Main Street, Lacrosse Wisconsin, to discuss such matters as may be presented by members, staff of the Small Business Administration, or others present. For further information, write or call Lucian G. Schlimgen, Jr., District Director, Small

Business Administration, 122 West Washington Avenue, Room 700, Madison, Wisconsin 53703, 608/252-5267.

Dated: August 10, 1976.

HENRY V. Z. HYDE, JR.,
Deputy Advocate for
Advisory Councils.

[FR Doc.76-24291 Filed 8-18-76;8:45 am]

[License No. 04/05-0086]

MARKET CAPITAL CORPORATION

Filing of Application for Approval of Conflict of Interest Transaction

Notice is hereby given that Market Capital Corporation (MCC), 1102 N. 28th Street, P.O. Box 22667, Tampa, Florida 33622, a Federal Licensee under the Small Business Investment Act of 1958, as amended, (Act), has filed an application with the Small Business Administration (SBA) pursuant to Section 312 of the Act and covered by Section 107.1004 of the SBA Rules and Regulations, governing Small Business Investment Companies (13 CFR 107.1004 (1976)) for approval of the Conflict of Interest Transaction falling within the scope of the above Section of the Act and Regulations.

Subject to such approval, MCC proposes to invest \$100,000 in Supermarket Development, Inc. (Supermarket), which was incorporated in the State of Florida in 1975. The purpose of the corporation was to acquire leases on retail grocery locations abandoned by A&P, purchase the existing equipment in the locations from A&P, stock the stores with fresh inventory, and operate the stores as independent retail grocery supermarkets. The small business concern operates three (3) retail grocery supermarkets within the State of Florida. The addresses of the stores are:

1. Inverness Foodway, 104 South Pine Street, Inverness, Florida 32650.
2. Punta Gorda Foodway, 915 Taylor Street, Punta Gorda, Florida 33950.
3. Monticello Foodway, 575 South Jefferson Street, Monticello, Florida 32344.

The proposed financing is brought within the purview of Section 107.1004 of the SBA Regulations since, seven of the stockholders in Supermarket are members of the Board of Directors of Affiliated of Florida, Inc. (Affiliated). The Officers and Directors of Affiliated have been determined by SBA to be "Associates" of MCC since, when MCC finances a small firm the funds are frequently passed through Affiliated to various wholesalers to purchase store equipment and groceries in order to obtain discounts from suppliers. Also, Mr. Burton Polk, a member of the Board of Directors of MCC, is the sole owner of Whiting & Polk, Inc. a corporation which presently owns 10 percent of Supermarket. Therefore, eight of the nine owners of Supermarket are "Associates" of MCC as defined by SBA.

The following is a list of the present stockholders of Supermarket:

	Percent
James A. Sapp.....	13.33
Robert Hitchcock, Jr.....	13.33
Loy L. Carroll.....	6.66
Edward Lawhon.....	6.66
Arnold Stanaland.....	10.00
J. A. Alge.....	13.33
Whiting & Polk, Inc.....	10.00
Lee M. Shackelford.....	13.33
Joe L. Davis.....	13.33

The following is a list of members of the Board of Directors of Affiliated:

Robert Hitchcock, Jr....	President
J. A. Alge.....	Vice President
James A. Sapp.....	Secretary
Lee M. Shackelford....	Assistant Secretary
Loy L. Carroll.....	
Edward Lawhon.....	
Arnold Stanaland.....	

Notice is hereby given that any interested person may, not later than ten days from the date of publication of this Notice, submit written comments on the proposed transaction to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: August 11, 1976.

DANIEL SCHLESINGER,
Acting Deputy Associate
Administrator for Investment.

[FR Doc.76-24272 Filed 8-18-76;8:45 am]

[Declaration of Disaster Loan Area 1262; Amdt. 1]

PENNSYLVANIA

Declaration of Disaster Loan Area

The above numbered Declaration (See 41 F.R. 29233) is hereby amended to include Wayne County and adjacent counties, within the State of Pennsylvania, and to extend the filing date for physical damage until the close of business on October 4, 1976, and for economic injury until the close of business on May 5, 1977.

Dated: August 11, 1976.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.76-24294 Filed 8-18-76;8:45 am]

SAN DIEGO DISTRICT ADVISORY COUNCIL

Public Meeting

The Small Business Administration San Diego District Advisory Council will hold a public meeting at 4:00 p.m., Thursday, September 16, 1976 in the conference room of the Federal Building, 880 Front Street, Suite 33, 4th Floor, San Diego, California to discuss such matters as may be presented by members, staff of the Small Business Administration, or others present. For further information, write or call Fred D. Sergent, District Director, Small Business Administration,

880 Front Street, Suite 33, 4th Floor, San Diego, California 92188, 714/895-5430.

Dated: August 10, 1976.

HENRY V. Z. HYDE, Jr.,
Deputy Advocate for
Advisory Councils.

[FR Doc.76-24292 Filed 8-18-76;8:45 am]

[Declaration of Disaster Loan Area No. 1270]

VERMONT

Declaration of Disaster Loan Area

As a result of the President's declaration I find that Bennington, Orange, Rutland and Windsor Counties, and adjacent counties within the State of Vermont, constitute a disaster area because of damage resulting from severe storms, high winds and flooding beginning on July 11, 1976. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on October 4, 1976, and for economic injury until the close of business on May 5, 1977, at:

Small Business Administration, District Office, 87 State Street, Montpelier, Vermont 05602.

or other locally announced locations.

Dated: August 11, 1976.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.76-24293 Filed 8-18-76;8:45 am]

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

[Docket No. 76-2]

TRADE POLICY STAFF COMMITTEE

Notice of Hearing on Proposed Duty Increase on Certain Brandy

By FEDERAL REGISTER notice of Monday, August 2, 1976 (41 FR Page 32298) notice was given of a proposed action increasing the duties on certain brandy and giving an opportunity for requests for a public hearing. That notice tentatively set the date of the proposed hearing for September 1, 1976. In response to requests for a public hearing on the proposed duty increase on certain brandy, and after taking into consideration the views of various interested parties, the public hearing date has been changed. The public hearing will now be held at 10:00 a.m. on September 21, 1976 in Room 730, Office of the Special Representative for Trade Negotiations, 1800 G Street N.W., Washington, D.C., 20506.

This action is proposed pursuant to section 125 of the Trade Act of 1974 (19 U.S.C. 2135), to restore the balance of benefits of trade agreement concessions.

By Proclamation No. 3564 of December 4, 1963 the United States suspended the application of certain trade agreement concessions on certain brandy valued over \$9 per gallon (TSUS items 168.20 and 168.22). The action resulted in the placing of an additional duty on such brandy, raising the tariff from \$1.25

and \$1.00 per gallon, respectively, to \$5.00 per gallon. This action was one of a group of actions taken in response to unreasonable restrictions maintained by the European Community (EC) on imports of poultry from the United States.

On July 16, 1974, in order to encourage the resolution of trade disputes between the European Community and the United States, and to obtain the removal of unreasonable import restrictions maintained by the EC on poultry imported from the United States, the United States provisionally restored prior trade agreement concession rates of duty on imports of brandy valued at over \$9 but not more than \$17 per gallon (Proclamation No. 4304 of July 16, 1974). It was the intention of the United States to provide a temporary adjustment for a limited period of time during which a satisfactory solution to the problem of EC poultry import restrictions could be found.

No solution having been reached on this problem in the intervening period, it is proposed that the \$17/gallon price-break (above which the \$5/gallon duty has applied) be changed to \$9, the level set when the concessions were suspended in 1963. It is proposed that the tariff on brandy (provided for in TSUS items 168.28 and 168.32) valued at over \$9, per gallon be increased to not less than \$5.00 per gallon.

PROCEDURES FOR TESTIMONY AND SUBMISSION OF WRITTEN BRIEFS

A request by an interested party to present oral testimony at the public hearing on September 21 must be submitted in writing before the close of business September 13, 1976 and shall state briefly the interest of the applicant and the position to be taken by the applicant. Written briefs accompanying oral testimony shall state clearly the position taken and shall describe with particularity the evidence supporting such position. Written briefs accompanying oral testimony must be submitted in 20 copies which should be legibly typed, printed or duplicated to the Chairman, Trade Policy Staff Committee, Office of the Special Representative for Trade Negotiations, 1800 G Street, N.W., Room 729, Washington, D.C. 20506 before the close of business Monday, September 13, 1976.

Written briefs may also be submitted in addition to or in lieu of testimony. To be fully considered by the Committee written briefs not accompanying oral testimony should be received by September 17, 1976. Written briefs should be addressed to Chairman, Trade Policy Staff Committee, 1800 G Street, N.W., Room 729, Washington, D.C., 20506.

In order to assure each party an opportunity to contest the information provided by other interested parties in the written briefs and in the public testimony, the Committee will entertain rebuttal briefs filed by any party. To be fully considered by the Committee rebuttal briefs must be received in the Office of the Special Representative for

Trade Negotiations on or before the close of business on Monday, September 27. Rebuttal briefs should be addressed to the Chairman, Trade Policy Staff Committee, Office of the Special Representative for Trade Negotiations, 1800 G Street N.W., Room 729, Washington, D.C., 20506.

After receipt and consideration of a request to present oral testimony at the public hearing on September 21, the Secretary of the Committee shall notify the applicant whether the request conforms to the requirements of the regulations of the Office of the Special Representative for Trade Negotiations and if so, the time and amount of time allotted for his oral testimony and, if not, the reasons why the request does not conform to the requirements.

In presenting testimony the interested party should supplement the information contained in the written brief and should be prepared to answer questions relating to such information.

The rules and regulations for hearings held by the Trade Policy Staff Committee are included in full in the FEDERAL REGISTER of Monday, April 28, 1975 (40 FR 18421).

RICHARD HEIMLICH,
Acting Chairman,
Trade Policy Staff Committee.

[FR Doc.76-24443 Filed 8-18-76;8:45 am]

RAILROAD RETIREMENT BOARD

RAILROAD RETIREMENT SUPPLEMENTAL ANNUITY PROGRAM

Determination of Quarterly Rate of Excise Tax

In accordance with directions in section 3221(c) of the Railroad Retirement Tax Act (26 U.S.C. 3221(c)), the Railroad Retirement Board has determined that the excise tax imposed by such Section 3221(c) on every employer, with respect to having individuals in his employ, for each man-hour for which compensation is paid by such employer for services rendered to him during the quarter beginning October 1, 1976, shall be at the rate of twelve cents.

In accordance with directions in section 15(a) of the Railroad Retirement Act of 1974, the Railroad Retirement Board has determined that for the quarter beginning October 1, 1976, 12.8 percent of the taxes collected under sections 3211(b) and 3221(c) of the Railroad Retirement Tax Act shall be credited to the Railroad Retirement Account and 87.2 percent of the taxes collected under such sections 3211(b) and 3221(c) plus one hundred percent of the taxes collected under section 3221(d) of the Railroad Retirement Tax Act shall be credited to the Railroad Retirement Supplemental Account.

Dated: August 12, 1976.

By Authority of the Board.

R. F. BUTLER,
Secretary of the Board.

[FR Doc.76-24296 Filed 8-18-76;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 121]

ASSIGNMENT OF HEARINGS

AUGUST 16, 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.

I & S 9132, Wheat, Kansas and Oklahoma to Texas Gulf ports now being assigned October 13, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

I & S M 29115, Motor Classification ratings on candy or confectionery, now being assigned September 21, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

I & S M 29129, Joint routings and pickup or delivery within commercial zones, now being assigned September 29, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 59135 Sub 32, Red Star Express Lines of Auburn, Inc., dba Red Star Express Lines, now assigned September 13, 1976, at Montpelier, Vt., will be held in Courtroom, 3rd floor, Federal Bldg., U.S. Post Office and Courthouse, 87 State Street.

MC 730 Sub 373, Pacific Intermountain Express, Co., now being assigned November 8, 1976, (2 weeks), at Des Moines, Iowa, in a hearing room to be later designated.

MC 59120 (Sub-No. 38), Eazor Express, Inc., now assigned September 20, 1976, at Pittsburgh, Pa., is canceled and application dismissed.

MC 126899 (Sub-No. 98), Usher Transport, Inc., transferred to Modified Procedure.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-24349 Filed 8-18-76;8:45 am]

[Notice No. 122]

ASSIGNMENT OF HEARINGS

AUGUST 16, 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.

Correction: ¹

MC-C-9006, J. & P Properties, Inc., investigation and revocation of certificates, and MC 136363 Sub 7, J & P Properties, Inc., now being assigned November 9, 1976 (1 Day), at Miami, Fla., in a hearing room to be later designated.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-24350 Filed 8-18-76;8:45 am]

[Sec. 5b Application No. 3]

EASTERN RAILROADS Agreement

AUGUST 9, 1976.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of Section 5b of the Interstate Commerce Act.

Filed, as Amended, June 20, 1976, by: Charles L. Smith, Chairman, Traffic Executive Association, Eastern Railroads, Suite 500, Two Pennsylvania Plaza, New York, NY 10001 (Attorney-in-Fact).

Andrew C. Armstrong, 171 Main Street, Hyannis, MA 02601 (of Counsel).

Agreement involves: Organization, practices and procedures between and among rail common carrier members of the Presidents Traffic Conference—Eastern Railroads and the Traffic Executive Association—Eastern Railroads for the joint consideration, initiation, or establishment of rates, classifications, divisions, allowances, or charges, or rules and regulations, pertaining thereto, applicable to the transportation of property in interstate or foreign commerce, from, to, and between points in Eastern Territory.

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 within 30 days from the date of publication of this notice in the FEDERAL REGISTER. 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.76-24345 Filed 8-18-76;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

AUGUST 16, 1976.

An application, as summarized below, has been filed requesting relief from the

¹ This notice corrects the hearing date. November 9, 1976 instead of September 9, 1976.

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 September 3, 1976.

FSA No. 43214—*Joint Water-Rail Container Rates—Barber Blue Sea Line*. Filed by Barber Blue Sea Line, (No. 2), for itself and interested rail carriers. Rates on general commodities, from rail stations on the U.S. Gulf Seaboard, to ports in The Federation of Malaysia and the Republic of Singapore. Grounds for relief—Water competition.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-24348 Filed 8-18-76;8:45 am]

[Notice No. 13]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

The following publications include motor carrier, water carrier, broker, and freight forwarder transfer applications filed under section 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act.

Each application (except as otherwise specifically noted) contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application.

Protests against approval of the application, which may include a request for oral hearing, must be filed with the Commission on or before September 20, 1976. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest must be served upon applicants' representative(s), or applicants (if no such representative is named), and the protestant must certify that such service has been made.

Unless otherwise specified, the signed original and six copies of the protest shall be filed with the Commission. All protests must specify with particularity the factual basis, and the section of the Act, or the applicable rule governing the proposed transfer which protestant believes would preclude approval of the application. If the protest contains a request for oral hearing, the request shall be supported by an explanation as to why the evidence sought to be presented cannot reasonably be submitted through the use of affidavits.

The operating rights set forth below are in synopsis form, but are deemed sufficient to place interested persons on notice of the proposed transfer.

No. MC-FC-76561, filed July 15, 1976. Transferee: TACKNEY'S EXPRESS.

INC., 274 Great Road, Action, Mass. 01720. Transferor: Robert J. Daigle, doing business as Tackney's Express, 274 Great Road, Action, Mass. 01720. Applicants' Representative: Dean E. Nicholson, P.O. Box 433, 19 Muzzey St., Lexington, Mass. 02173. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificate of Registration No. MC 75654 (Sub-No. 2), issued January 10, 1964, to Robert J. Daigle, doing business as Tackney's Express, Action, Massachusetts, evidencing a right to engage in transportation in interstate commerce corresponding in scope to Irregular Route Common Carrier Certificate No. 1056, dated January 28, 1958, issued by the Massachusetts Department of Public Utilities; and Certificate No. MC 75654 issued November 4, 1958, authorizing the transportation of general commodities between Boston, Mass., and Maynard, Mass., serving all intermediate points.

Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-76605, filed July 23, 1976. Transferee: M. L. HATCHER PICK UP AND DELIVERY SERVICES, INC., P.O. Box 7362, 3818 Patterson Street, Greensboro, N.C. 27407. Transferor: F & B Truck Line, Inc., P.O. Box 4258, High Point N.C. 27263. Applicants' Representative: Ralph McDonald, P.O. Box 2246, Raleigh, N.C. 27602. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificate of Registration No. MC 98817 (Sub-No. 1), issued September 7, 1967, evidencing a right to engage in transportation in interstate commerce corresponding in scope to Common Carrier Certificate No. C-415 dated July 12, 1951, transferred and reissued May 2, 1966, by the North Carolina Utilities Commission authorizing the transportation of *general commodities*, except those requiring special equipment and except leaf tobacco, between all points and places within a radius of 75 miles of Spray; and between Leaksville, Spray and Draper on the one hand and Charlotte on the other; and *bagging*, from Leaksville, Spray and Draper to Henderson. Transferee is presently authorized to operate as a common carrier under Certificate No. MC 126574. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-76629, filed June 13, 1976. Transferee: STEINWAY VAN & STORAGE CORP., 42-45 12th Street, Long Island City, N.Y. 11101. Transferor: Columbia Moving & Storage, Inc., 6 Chivalry Lane, Nesconset, N.Y. 11767. Applicant's representative: Arthur J. Piken, Esq., Piken & Robbins, One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought for purchase by transferee of a portion of the operating rights of transferor, as set forth in Certificate No. MC 118945, issued July 12, 1973, as follows: Household goods, as defined by the Commission, between New York, N.Y., on the one hand, and, on the other, points in Delaware, Maryland, and the

District of Columbia. Transferee is presently authorized to operate as a common carrier under Certificate No. MC 19878. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-76663, filed July 14, 1976. Transferee: TRANSPORT EXPRESS, INC., 211 Yacht Club Way, No. 153, Redondo Beach, Calif. Transferor: Dockside Transportation, 4311 Wilshire Blvd. No. 300, Long Beach, Calif. 90813. Applicants' representative: Milton W. Flack, 4311 Wilshire Blvd., No. 300, Los Angeles, Calif. 90010. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificate No. MC-138790, issued April 12, 1974, as follows: *General commodities* with the usual exceptions between Los Angeles, Calif., on the one hand, and, on the other, Los Angeles Harbor and Long Beach, Calif.; *Non-alcoholic beverages and waste paper materials*, from Vernon, Calif., to Los Angeles Harbor and Long Beach, Calif.; and *Fibre boxes*, from South Gate, Calif., to Los Angeles Harbor and Long Beach, Calif. Transferee presently holds no authority from this Commission. Applicant has not filed for temporary authority under Section 210a(b).

No. MC-FC-76674, filed July 26, 1976. Transferee: LOUISIANA - PACIFIC TRUCKING COMPANY (a corporation), P.O. Drawer AB, New Waverly, Tex. 77358. Transferor: Louisiana-Pacific Trucking Company, Southern Division, a division of Louisiana Pacific Corporation, P.O. Drawer AA, New Waverly, Tex. 77358. Applicant's Representative: Harold R. Ainsworth, 2307 American Bank Building, New Orleans, Louisiana 70130. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Permit No. MC 136749 (Sub-No. 1), issued March 6, 1975, as follows: *Lumber*, from the plant site of Boise Southern Company near DeQuincy, La., to points in Texas, with no transportation for compensation on return except as otherwise authorized. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under section 210a(b).

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-24346 Filed 8-18-76; 8:45 am]

[Notice No. 14]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 19, 1976.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-76694. By application filed August 11, 1976, SPEED MOTOR EXPRESS OF WESTERN NEW YORK,

INC., 11 Botsford Place, Buffalo, N.Y. 14216, seeks temporary authority to lease the operating rights of Kendall's Express, Inc., 99 John Street, Arkon, N.Y. 14001, under section 210a(b). The transfer to Speed Motor Express of Western New York, Inc., of the operating rights of Kendall's Express, Inc., is presently pending.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76 24347 Filed 8-18-76; 8:45 am]

[Volume No. 43]

PETITIONS FOR MODIFICATION, INTERPRETATION, JR REINSTATEMENT OF OPERATING RIGHTS AUTHORITY

Correction

In FR Doc. 76-24307, appearing at page 34142 of the issue for Thursday, August 12, 1976:

At the top of the middle column on page 34145, the MC Number for Freeman Truck Line, Inc., now reading "MC 222179 (Sub-No. 19)", should read "MC 22179 (Sub-No. 19)"; and

In the left column on page 34156, the MC Number for Juergens Produce & Feed Company, now reading "MC 142261", should read "MC 142216".

[Volume No. 44]

TABLE OF CONTENTS LISTING

Notices

AUGUST 13, 1976.

Permanent authority petitions and applications; finance matters (including temporary authorities); railroad abandonments; alternate route deviation letter-notices; and intrastate applications concurrently seeking authority on interstate or foreign commerce.

PETITIONS FOR MODIFICATION, INTERPRETATION OR REINSTATEMENT OF OPERATING RIGHTS AUTHORITY

NOTICE

The following petitions seek modification or interpretation of existing operating rights authority, or reinstatement of terminated operating rights authority.

An original and one copy of protests to the granting of the requested authority must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such protest shall comply with Special Rule 247(d) of the Commission's General Rules of Practice (49 CFR 1100.247) and shall include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition should not be tendered at this time. A copy of the protest shall be served concurrently upon petitioner's

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

representative, or petitioner in no representative is named.

No. MC 15155 (Notice of filing of petition for modification of territorial description), filed July 6, 1976. Petitioner: H. & W. MOTOR LINES, INC., P.O. Box 138, New Rochelle, N.Y. 10805. Petitioner's representative: David M. Marshall, 135 State St., Suite 200, Springfield, Mass. 01103. Petitioner holds a motor common carrier Certificate in No. MC 15155, issued January 27, 1954, authorizing transportation over irregular routes, of alcoholic beverages and such commodities as are dealt in by wholesale, retail, and chain liquor business houses, and in connection therewith, equipment, materials and supplies used in the conduct of such business, between points in Hampden County, Mass., on the one hand, and, on the other, New York, N.Y., and points in New York and New Jersey within 15 miles of New York, N.Y.

By the instant petition, petitioner seeks to broaden the territorial scope of the radial area of its Certificate to include South Volney, N.Y.

No. MC 42487 (Sub-No. 783), (notice of filing of petition to change base radial point), filed July 23, 1976. Petitioner: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Petitioner's representative: William L. Phillips, Suite 1100, 1660 L St., N.W., Washington, D.C. 20036. Petitioner holds a motor common carrier 783), issued September 25, 1972, authorizing transportation over irregular routes, of (1) general commodities, (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the terminal site of Consolidated Freightways Corporation of Delaware, in Stroud Township, (Monroe County), Pa., on the one hand, and, on the other, Ackermanville, Bangor, Bath, Bartonville, Belfast, Cresco, Delaware Water Gap, East Stroudsburg, Mountainhome, Mt. Bethel, Mt. Pocono, Nazareth, Pen Argyl, Portland, Roseto, Saylorsburg, Sciota, Slateford, Snydersville, Stockertown, Stroudsburg, Swiftwater, Tatamy, and Wind Gap, Pa.; and (2) general commodities, (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the terminal site of Consolidated Freightways Corporation of Delaware, in Stroud Township (Monroe County), Pa., on the one hand and on the other, points in New Jersey and Pennsylvania within 25 miles of Allentown.

By the instant petition, petitioner seeks to modify its Certificate by substituting Tobyhanna Township (Monroe County), Pa. as the terminal site in lieu of Stroud Township (Monroe County), Pa.

No. MC 52781 and (Sub-No. 2) (notice of filing of petition to modify commodity description), filed July 27, 1976. Petitioner: OVERCASH TRANSFER, INC.,

P.O. Box 3117, C.R.S. Rock Hill, S.C. 29730. Petitioner's representative: Archie B. Culbreth, Suite 246, 1252 West Peachtree St., N.W., Atlanta, Ga. 30309. Petitioner holds motor contract carrier Permits in No. 52781 and (Sub-No. 2), issued May 1, 1963 and December 6, 1973, respectively, authorizing transportation (1) in 52781, over irregular routes, of pipe, pipe fittings, and such materials, supplies and equipment as are used in the installation and maintenance of sprinkler, heating, and power piping systems, and also such tools and equipment as are used for installing and maintaining the aforementioned installations, (a) between Charlotte, N.C., on the one hand, and, on the other, points in North Carolina and South Carolina within 150 miles of Charlotte, N.C.; and (b) between Charlotte, N.C., on the one hand, and, on the other, points in South Carolina (except those within 150 miles of Charlotte, N.C.), and points in Virginia, under special and individual contracts or agreements with persons (as defined in Section 203(a) of the Interstate Commerce Act) who are engaged in the installation and maintenance of sprinkler, heating, and power piping systems, for the transportation of the commodities indicated and in the manner specified; and (2) in MC 52781 (Sub-No. 2) as pertinent, over irregular routes, of pipe, pipe fittings, and materials, supplies, and equipment used in the installation and maintenance of sprinkler, heating, and power piping systems, between points in North Carolina, South Carolina, Virginia, Georgia (except Catham County), Alabama (except (a) between points on the Tennessee River and Ragland, Ala., on the one hand, and, on the other, points in Georgia and Tennessee, and (b) from points in Talladega County, Ala., and Tennessee (except (a) from points in Roane County, and (b) between points on the Mississippi and Tennessee Rivers, on the one hand, and, on the other, points in Alabama and Georgia), under a continuing contract, or contracts, with the following shippers: ITT Grinnell Corporation, of Providence, R.I.; ITT Grinnell Industrial Piping, Inc.; Grinnell Fire Protection Systems Company, Inc.; General Supply & Equipment Corp., of Charlotte, N.C.; and Monarch Sprinkler Co., of Charlotte, N.C.

By the instant petition, petitioner seeks to modify the commodity description in both Permits to read as follows: "Pipe, tubing and conduit, fabricated or not fabricated, pipe, tubing and conduit fittings, and articles, materials, tools, equipment, supplies and accessories used in the construction, installation, maintenance, operation, and repair of sprinkler systems, fire prevention systems, heating systems, piping systems, irrigation systems, plumbing systems, water systems, sewage systems and drainage systems."

No. MC 52781 (Sub-No. 2) (notice of filing of petition to add additional shippers), filed July 29, 1976. Petitioner: OVERCASH TRANSFER, INC., P.O.

Box 3117, C.R.S. Rock Hill, S.C. 29730. Petitioner's representative: Archie B. Culbreth, 1252 West Peachtree St., N.W., Atlanta, Ga. 30309. Petitioner holds a motor contract carrier Permit in No. MC 52781 (Sub-No. 2), issued December 6, 1973, authorizing transportation, as pertinent, over irregular routes, of lumber (except plywood and veneer), from points in South Carolina, to points in North Carolina, under a continuing contract, or contracts, with Forest Lumber Company, Inc., of Charlotte, N.C.

By the instant petition, petitioner seeks to add Holly Hill Lumber Company, Holly Hill, S.C.; McCoy Lumber Industries, Greensboro, N.C.; and Southern Forest Products Company, Paw Creek, N.C. as additional shippers to the above authority.

No. MC 109538 (notice of filing of petition to remove restriction), filed August 3, 1976. Petitioner: CHIPPEWA MOTOR FREIGHT, INC., 2645 Harlem St., P.O. Box 269, Eau Claire, Wis. 54701. Petitioner's representative: James L. Nelson, Suite 500, 325 Cedar St., St. Paul, Minn. 55101. Petitioner holds a motor common carrier Certificate in No. MC 109538, issued January 11, 1968, authorizing transportation, as pertinent, over regular routes, of general commodities, (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all intermediate points, and the off-route points of Arland, Broadman, Burkhardt, Canton, Cylon, Huntington, Jewett, Ubet, and Wanderoos, Wis., in connection with the regular-routes authorized below: Between Eau Claire, Wis., and Mondovi, Wis.: from Eau Claire over Wisconsin Highway 37 to Mondovi, and return over the same route; Between Eau Claire, Wis., and Eleva, Wis.: from Eau Claire over Wisconsin Highway 93 to Eleva, and return over the same route; Between Eau Claire, Wis., and Black River Falls, Wis.: from Eau Claire over U.S. Highway 53 to junction U.S. Highway 10, thence over U.S. Highway 10 to junction Wisconsin Highway 27, thence over Wisconsin Highway 27 to Black River Falls, and return over the same route; Between Mondovi, Wis., and Fairchild, Wis.: from Mondovi over U.S. Highway 10 to Fairchild, and return over the same route; Between Hixton, Wis., and Neillsville, Wis.: from Hixton over Wisconsin Highway 95 to Neillsville, and return over the same route; Between Hudson, Wis., and Frederic, Wis.: from Hudson over Wisconsin Highway 35 to Frederic, and return over the same route; Between Roberts, Wis., and junction Wisconsin Highways 46 and 35 near Milltown, Wis.: From Roberts over U.S. Highway 12 to junction Wisconsin Highway 65, thence over Wisconsin Highway 65 to junction U.S. Highway 8, thence over U.S. Highway 8 to junction Wisconsin Highway 46, thence over Wisconsin Highway 46 to junction Wisconsin Highway 35 near Milltown, and return over the same

route; Between Somerset, Wis., and junction Wisconsin Highway 64 and County Highway M near Sand Creek, Wis.:

From Somerset over Wisconsin Highway 64 to junction County Highway M, and return over the same route; Between Star Prairie, Wis., and Osceola, Wis.: from Star Prairie over County Highway M to Osceola, and return over the same route; Between St. Croix Falls, Wis., and Hawkins, Wis.: from St. Croix Falls over U.S. Highway 8 to Hawkins, and return over the same route; Between Baldwin, Wis., and Spooner Wis.: from Baldwin over U.S. Highway 63 to Spooner, and return over the same route; Between junction Wisconsin Highways 64 and 46, and junction Wisconsin Highway 46 and U.S. Highway 8: from junction Wisconsin Highways 64 and 46 over Wisconsin Highway 46 to junction U.S. Highway 8, and return over the same route; Between Luck, Wis., and Rice Lake, Wis.: from Luck over Wisconsin Highway 48 to Rice Lake, and return over the same route; Between Cameron Wis., and Spooner, Wis.: from Cameron over U.S. Highway 53 to Spooner, and return over the same route; Between Menomonie, Wis., and junction Wisconsin Highways 43 and 25 (near Rice Lake, Wis.): from Menomonie over Wisconsin Highway 25 to junction Wisconsin Highway 48, and return over the same route; Between Colfax, Wis., and Glenwood City, Wis.: from Colfax over Wisconsin Highway 170 to Glenwood City, and return over the same route; Between Connorsville, Wis., and Turtle Lake, Wis.: from Connorsville over County Highway K to Turtle Lake, and return over the same route; Between Woodville, Wis., and junction County Highway D and Wisconsin Highway 64: from Woodville over County Highway D to junction Wisconsin Highway 64, and return over the same route; Between junction Wisconsin Highway 46 and County Highway F (near Amery, Wis.), and junction County Highway F and Wisconsin Highway 65: from junction Wisconsin Highway 46 and County Highway F over County Highway F to junction Wisconsin Highway 65, and return over the same route; Between Deronda, Wis., and junction County Highway C and Wisconsin Highway 65: from Deronda over County Highway P to junction County Highway C, thence over County Highway C to junction Wisconsin Highway 65, and return over the same route; Between Clayton, Wis., and Range, Wis.:

From Clayton over County Highway D to Range, and return over the same route; Between Chetek, Wis., and Prairie Farm, Wis.: from Chetek over County Highway 1 to junction County Highway A, thence over County Highway A to Prairie Farm, and return over the same route; Between Connorsville, Wis., and Menomine, Wis.: from Connorsville over Wisconsin Highway 79 to junction U.S. Highway 12, thence over U.S. Highway 12 to Mononome, and return over the same route; Between junction U.S. Highway 12 and Wisconsin Highway 128 (near Hersey, Wis.), and junction Wisconsin High-

ways 128 and 64: from junction U.S. Highway 12 and Wisconsin Highway 128 over Wisconsin Highway 128 to junction Wisconsin Highway 64, and return over the same route; Between junction U.S. Highway 8 and County Highway F near Poskin, Wis., and junction County Highway F and Wisconsin Highway 64: from junction U.S. Highway 8 and County Highway F over County Highway F to junction Wisconsin Highway 64, and return over the same route; Between Dallas, Wis., and Holcombe, Wis.: from Dallas over County Highway U to Sand Creek, Wis., thence over County Highway M to Holcombe, and return over the same route; Between Chippewa Falls, Wis., and junction Wisconsin Highway 29 and U.S. Highway 12: from Chippewa Falls over Wisconsin Highway 29 to junction U.S. Highway 12, and return over the same route; Between junction Wisconsin Highways 64 and 40, and Bruce, Wis.: from junction Wisconsin Highways 64 and 40 over Wisconsin Highway 40 to Bruce and return over the same route; Between junction Wisconsin Highways 64 and 27, and Gilman, Wis.: from junction Wisconsin Highways 64 and 27 over Wisconsin Highway 64 to Gilman, and return over the same route, restricted to the transportation of (a) traffic moving from, to, or through Eau Claire, Wis., or (b) traffic originating in or destined to points in Wisconsin within 60 miles of Cameron, Wis., and moving from or to Cameron or through Cameron and all intermediate points on U.S. Highway 53 between Cameron and the northern-most junction of said highway with Wisconsin Highway 64.

By the instant petition, petitioner seeks to delete from its authority the above restriction.

No. MC 124472 (Sub-No. 3) (notice of filing of petition to modify commodity description and contract shippers), filed June 21, 1976. Petitioner: HARDING TRANSPORTATION, INC., 6875 East Evans, Denver, Colo. 80224. Petitioner's representative: Clayton C. Koster (same address as applicant). Petitioner holds a motor contract carrier Permit in No. MC 124472 (Sub-No. 3), issued July 5, 1968, authorizing transportation over irregular routes, of (1) *polished plate glass*, from Crystal City, Mo., Toledo, Ohio, and Nashville and Greenland, Tenn., to Fort Smith and Fayetteville, Ark., Colorado Springs, Denver, Pueblo, Longmont, Boulder, Greeley, and Grand Junction, Colo., Sioux City, Iowa, Garden City, Manhattan, Topeka, Salina, and Hays, Kans., Kansas City, Joplin, St. Louis, and Springfield, Mo., Kearney, Lincoln, Norfolk, Omaha, and Gering, Nebr., Farmington, N. Mex., and Tulsa, Okla.; (2) *paint* (except in bulk), from Pueblo, Colo., to Fort Smith and Fayetteville, Ark., Alton, Ill., Sioux City, Iowa, Garden City, Manhattan, Topeka, Salina, and Hays, Kans., Kansas City, Springfield, Joplin, and St. Louis, Mo., Kearney, Lincoln, Norfolk, Omaha, and Gering, Nebr., Farmington, N. Mex., and Tulsa, Okla.; (3) *putties and caulking*

compounds, from Denver, Colo., to Fort Smith and Fayetteville, Ark., Alton, Ill., Sioux City, Iowa, Garden City, Manhattan, Topeka, Salina, and Hays, Kans., Kansas City, Springfield, Joplin, and St. Louis, Mo., Kearney, Lincoln, Norfolk, Omaha, and Gering, Nebr., Farmington, N. Mex., and Tulsa, Okla.; and (4) *rolled glass, polished wire glass, and glazing units*, from Kingsport, Tenn., St. Louis, Mo., and Toledo, Ohio, to Fayetteville and Fort Smith, Ark., Colorado Springs, Denver, Pueblo, Longmont, Boulder, Greeley and Grand Junction, Colo., Sioux City, Iowa, Garden City, Manhattan, Topeka, Salina, and Hays, Kans., Joplin, Kansas City, St. Louis and Springfield, Mo., Kearney, Lincoln, Norfolk, Omaha, and Gering, Nebr., Farmington, N. Mex., and Tulsa, Okla., under a continuing contract, or contracts, with the following shippers: Harding Glass of Missouri; Harding Glass of Kansas; Harding Glass of Colorado; Interstate Glass Co.; and Thermoglas, Inc. By the instant petition, petitioner seeks (a) to modify the commodity description in parts (1) and (4) above to read: "*Glass and glass products*"; and (b) to reflect the correct name of the contract shipper through merger as Harding Glass Industries, Inc. in lieu of the (5) companies listed above.

No. MC 139193 (Sub-No. 21) (Notice of filing of petition for modification of permit), filed August 5, 1976. Petitioner: ROBERTS & OAKE, INC., 208 South LaSalle St., Chicago, Ill. 60604. Petitioner's representative: Terrence D. Jones, 2033 K St., NW., Washington, D.C. 20006. Petitioner holds a motor contract carrier Permit in No. MC 139193 (Sub-No. 21), issued June 8, 1976, authorizing transportation over irregular routes, of (1) *meats, meat products, meat by-products, and articles distributed by meat packing-houses*, as defined by the Commission in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquid commodities in bulk), from the plantsite and storage facilities of John Morrell & Company, located at Arkansas City, Kan., to points in Iowa, Maryland, Minnesota, Nebraska, Illinois, Kansas, Massachusetts, Missouri, New Jersey, New York, Ohio, Tennessee (except Memphis), and Sioux Falls, S. Dak.; and (2) *such commodities* (except commodities in bulk), as are used by meat packers in the conduct of their business, from Elmhurst, Ill.; East St. Louis, Ill.; Estherville, Iowa; Sioux City, Iowa; Humboldt, Iowa, and Sioux Falls, S. Dak., to Arkansas City, Kan., under a continuing contract, or contracts, with John Morrell & Company. By the instant petition, petitioner seeks (a) to add the storage facilities utilized by John Morrell & Company located in Wichita, Kan. as an additional origin point with respect to part (1) of the above authority; and (b) to add Chicago, Ill. as an additional origin point and Wichita, Ka. as an additional destination point with respect to part (2) of the above authority.

No. MC 141192 (notice of filing of petition to add an additional contracting shipper, filed August 3, 1976. Petitioner: DI CENSO TRANSPORT, INC., 35 Lyncrest Avenue, New York City, N.Y. 10956. Petitioner's representative: Ronald I. Shapss, 450 Seventh Ave., New York, N.Y. 10001. Petitioner holds a motor contract carrier Permit in No. MC 141192, issued April 14, 1976, authorizing transportation over irregular routes, of horticultural commodities and such other commodities as are sold or used by nurseries, plant centers, and greenhouses (except commodities in bulk), between Park Ridge, N.J., Pearl River, N.Y., and points in that part of the New York, N.Y. Commercial Zone as defined in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted pursuant to the partial exemption of section 203(b)(8) of the Interstate Commerce Act (the "exempt" zone), on the one hand and, on the other, points in Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Michigan, Wisconsin, Illinois, Indiana, Ohio, Maryland, Delaware, Virginia, West Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida, and the District of Columbia, under a continuing contract, or contracts, with the Langeveld Bulb Co., Inc. located at Park Ridge, N.J. By the instant petition, petitioner seeks to add Continental Pottery, Inc. as an additional contract shipper to the above authority.

REPUBLICATIONS OF GRANTS OF OPERATING RIGHTS AUTHORITY PRIOR TO CERTIFICATION

NOTICE

The following grants of the operating rights authorities are republished by Order of the Commission to indicate a broadened grant of authority over that previously noticed in the FEDERAL REGISTER.

An original and one copy of protests to the granting of the authority must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such protests shall comply with Special Rule 247(d) of the Commission's General Rules of Practice (49 CFR § 1100.247) addressing specifically the issue(s) indicated as the purpose for republication, and including a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition shall not be tendered at this time. A copy of the protest shall be served concurrently upon the carrier's representative, or carrier if no representative is named.

No. MC 27500 (Sub-No. 11) (Republication), filed July 7, 1975, and published in the FEDERAL REGISTER issue of August 7, 1976, and republished this issue. Applicant: MISHAK TRUCK LINE, INC., 320 7th Avenue North, Clear Lake, Iowa 50428. Applicant's representative: Larry D. Knox, 900 Hubbell Bldg., Des Moines, Iowa 50309. An Order of the Commis-

sion, Review Board Number 3, dated July 15, 1976 and served August 4, 1976, finds that the present and future public convenience and necessity require operations by applicant, in interstate or foreign commerce, as a common carrier, by motor vehicle, over irregular routes, in the transportation of (1) (a) trailers, recreational and commercial, and structures designed for attachment to motor vehicles, (b) parts and attachments for the commodities in (a) above; and (c) parts and attachments for motor homes; (2) equipment, materials, and supplies, used in the manufacture or distribution of the above-mentioned products (except commodities in bulk); and (3) aluminum extrusions, between points in Winnebago County, Iowa, on the one hand, and, on the other, points in Nebraska, Wisconsin, Illinois (except points in Grundy County, East St. Louis and points in its Commercial Zone, and Alton, Ill.), Indiana, Michigan, and points in Ohio on and west of a line commencing at Toledo, Ohio, thence south over U.S. Highway 23 to Columbus, Ohio, and thence southwest over Interstate Highway 71, to Cincinnati, Ohio, restricted to the transportation of traffic originating at or destined to, the facilities of Winnebago Industries, Inc. located in Winnebago County, Iowa; that applicant is fit, willing, and able, properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is (1) to indicate applicant's broadened commodity description; and (2) to indicate applicant's use of Interstate Highway 71 as a boundary of the radial area of Ohio in lieu of Interstate Highway 70.

No. MC 48501 (Sub-No. 18) (Republication), filed March 17, 1975, and published in the FEDERAL REGISTER issue of April 17, 1975 and republished this issue. Applicant: INDIANA MOTOR BUS COMPANY, a Corporation, 715 South Michigan St., South Bend, Ind. 46624. Applicant's representative: Harry J. Harman, 8130 South Meridian St., Indianapolis, Ind. 46217. An order of the Commission, Division 1, Acting as an Appellate Division, dated July 14, 1976 and served July 21, 1976, finds that the present and future public convenience and necessity require operations by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle over irregular routes in the transportation of passengers and their baggage in the same vehicle with passengers, in special operations, in round trip, sightseeing and pleasure tours, beginning and ending at points in St. Joseph, Marshall, Fulton, Cass, Miami, Howard, Tipton, Hamilton, Marion, Boone, Clinton, Tippecanoe, Carroll, White, Jasper, Pulaski, Starke, La Porte, Porter, Elkhart, Kosciusko, Whitley, Huntington, Wabash, Grant, Delaware, and Allen Counties, Ind., and points in Berrien, Cass, St. Joseph, Kalamazoo, and Van Buren Counties, Mich. and extending to points in the United States, including Alaska, but excluding Hawaii; that ap-

plicant is fit, willing and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate applicant's grant of authority to include service beginning and ending at points in Pulaski County, Ind.

No. MC 72442 (Sub-No. 44) (Republication), filed June 4, 1974, published in the FEDERAL REGISTER issue of March 20, 1975, and republished this issue. Applicant: AKERS MOTOR LINES, INCORPORATED, P.O. Box 10303, Charlotte, N.C. 28237. Applicant's representative: Leonard A. Jaskiewicz, Suite 501, 1730 M Street, NW., Washington, D.C. 20036. An Order of the Commission, Review Board Number 1, dated June 28, 1976, and served July 6, 1976, finds that applicant's regular route authority in MC 72442 (Sub-No. 32) between specified termini, located at Georgia, North Carolina and South Carolina, restricted (A) such that service at authorized points in South Carolina (other than those in Anderson, Oconee, Pickens, Greenville, Spartanburg, Cherokee, Laurens, Union, York, Greenwood, and Abbeville Counties) is restricted to traffic moving to or from points north of the North Carolina-Virginia State line; (B) such that service at authorized points in Georgia (except for the pickup of cotton piece goods) is restricted to traffic moving (a) from, to, or through points in the 11 South Carolina Counties named above, or (b) from, to, or through Gastonia, N.C. and points in North Carolina within 25 miles of Gastonia, or (c) points north of the North Carolina-Virginia State line; and (C) such that shipments moving between points in Georgia, on the one hand, and, on the other, points in North Carolina on and west of U.S. Highway 29 are restricted to movements through Gastonia, N.C., or points within 25 miles thereof, in the transportation of, General commodities (except those of unusual value, Classes A and B explosives, tobacco, liquor, commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment), to be modified as follows:

(1) Points in Chesterfield, Marlboro, Dillon, Marion, Florence, Darlington, Lee, and Kershaw Counties, S.C., are to be added to applicant's present off-route point authority. (2) The first and third restrictions (designated above as restrictions (A) and (C)) now appearing are to be deleted. (3) The words "the 11 South Carolina Counties named above" are to be deleted from the second restriction (designated above as restriction (B)) and in lieu thereof the words "Anderson, Oconee, Pickens, Greenville, Spartanburg, Cherokee, Laurens, Union, York, Greenwood, and Abbeville Counties, S.C.," are to be inserted. (4) The following restriction is to be added: "The authority granted herein shall not be severable by sale or otherwise from the authority held by applicant in Certificates Nos. MC-72442 (Sub-No. 7) and

MC-72442 (Sub-No. 12). Conditions: The authority granted herein is subject (1) to prior publication in the Federal Register of the authority actually granted, and (2) to insertion in Certificates Nos. MC-72442 (Sub-No. 7) and MC-72442 (Sub-No. 12), at applicant's written request, of a restriction providing that applicant shall not, pursuant to the irregular-route authority contained in each certificate, serve any two points authorized in Certificate No. MC-72442 (Sub-No. 32) to be served by it in regular-route operations, that applicant is fit, willing, and able, properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations, thereunder. The purpose of this republication, is to indicate applicant's grant of off-route points in (1) above.

No. MC 115322 (Sub-No. 111) (Republication), filed October 29, 1974, and published in the FEDERAL REGISTER issue of November 21, 1974 and republished this issue. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: J. V. McCoy, P.O. Box 426, Tampa, Fla. 33601. On Order of the Commission, Review Board Number 1, dated July 27, 1976, and served August 2, 1976, finds that the present and future public convenience and necessity require operations by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, in the transportation of *foodstuffs* (except frozen or in bulk), from Egypt, Fairport, Lyons, Newark, Red Creek, Rushville, Syracuse, and Waterloo, N.Y., to points in Alabama, Delaware, Florida, Georgia, Maryland, North Carolina, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia, restricted to the transportation of traffic originating at the plantsite or storage facilities of Comstock Foods, Borden, Inc., Foods Division, located at the named origins and destined to the indicated destinations; that applicant is fit, willing and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is (1) to indicate applicant's commodity exception; (2) to indicate Newark, N.Y. as an additional origin point; (3) to indicate the District of Columbia as an additional destination point; and (4) to indicate applicant's restriction.

No. MC 128146 (Sub-No. 6), filed December 22, 1975. Applicant: TED W. BETLEY, INC., P.O. Box 196, Amberg, Wis. 54102. Applicant's representative: Ted W. Betley (same address as applicant). By Order of the Commission, Review Board Number 2, dated June 24, 1976, and served July 21, 1976, the Commission finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes,

transporting (1) *repair parts, accessories, tools and equipment*, restricted against the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignee to one consignee on any one day, between Chicago, Ill., Minneapolis, Minn., and Green Bay and Milwaukee, Wis., on the one hand, and, on the other points in Minnesota, Wisconsin, and the Upper Peninsula of Michigan; (2) *film, photographic materials, and film dealer supplies*, between Green Bay and Milwaukee, Wis., on the one hand, and, on the other, points in the Upper Peninsula of Michigan; (3) *audit media and business records*, between Minneapolis, Minn., on the one hand, and, on the other, points in Eau Claire County, Wis.; and (4) *audit media and business records*, between Green Bay, Wis., on the one hand, and, on the other, Chicago, Ill. Inasmuch as this matter has not previously been noticed in the FEDERAL REGISTER, any proper party may file an initial protest against the granting of any segment of this authority within 30 days after the date of this notice in the FEDERAL REGISTER.

No. MC 133485 (Sub-No. 16) (Republication), filed May 14, 1975, and published in the FEDERAL REGISTER issue of June 12, 1975, and republished this issue. Applicant: INTERNATIONAL DETECTIVE SERVICE, INC., 1828 Westminster Street, Providence, R.I. 02909. Applicant's representative: Morris J. Levin, 1620 Eye Street, N.W., Washington, D.C. 20006. An Order of the Commission, Review Board Number 1, dated July 25, 1976 and served August 4, 1976, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of *precious metals* (except new coins), *precious stones, jewelry, and rare and valuable objects*, in armored motor vehicles escorted by armed guards, (a) between points in Delaware, on the one hand, and, on the other, points in New York and New Jersey and those in Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa., (b) between points in New York, on the one hand, and, on the other, points in Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa., and (c) between points in Delaware, on the one hand, and, on the other, points in Rhode Island; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate the modification in commodity description and the service between Delaware and Rhode Island.

No. MC 141113 (Republication), filed July 3, 1975, published in the FEDERAL REGISTER issue of September 25, 1975, and republished this issue. Applicant: MONSEY TRANSPORTATION CORP., 94 Washington Avenue, New Square, Spring Valley, N.Y. 10977. Applicant's represent-

ative: Harvey L. Sterlzin, 253 Broadway, New York, N.Y. 10007. A Stay Decision and Order of the Commission, Review Board Number 3, dated June 22, 1976, and served July 20, 1976, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, of *passengers and their baggage* in the same vehicle with passengers, in special and charter operations, beginning and ending at Monsey, N.Y., and extending to points in New York and Kings Counties, N.Y., that applicant is fit, willing and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate applicant's grant of common carrier authority in lieu of contract carrier authority as originally sought.

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER OPERATING RIGHTS APPLICATIONS

NOTICE

The following applications are governed by Special Rule 247 of the Commission's *General Rules of Practice* (49 CFR § 1100.247). These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after the date of notice of filing of the application is published in the FEDERAL REGISTER. Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearings, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) further provides, in part, that an applicant who does not intend timely to prosecute its application shall promptly request dismissal thereof,

and that failure to prosecute an application under procedures ordered by the Commission will result in dismissal of the application.

Further processing steps will be by Commission order which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the Federal Register of a notice that the proceeding has been assigned for oral hearing.*

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

No. MC 6607 (Sub-No. 17) filed July 13, 1976. Applicant: J. J. MINNEHAN, INC., Rockingham Road, P.O. Box 369, Bellows Falls, Vt. 05101. Applicant's representative: Frederick T. O'Sullivan, 622 Lowell Street, P.O. Box 2184, Peabody, Mass. 01960. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Products* derived from corn and blends containing products derived from corn, in bulk, in tank vehicles, from the Clinton Corn Processing Company plant site located at Montezuma, N.Y., to points in the United States (except Alaska and Hawaii), restricted to traffic originating at the above described facilities, under a continuing contract, or contracts, with Clinton Corn Processing Company.

NOTE.—Applicant holds common carrier authority in MC 139624 and subs thereunder; therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held on a consolidated record with several similar applications at Washington, D.C.

No. MC 14107 (Sub-No. 3), filed July 2, 1976. Applicant: W. M. GIRVAN, INC., 65 Railroad Ave., Albany, N.Y. 12205. Applicant's representative: Neil D. Breslin, 99 Washington Ave., Suite 1111, Albany, N.Y., 12210. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, and, in connection therewith, *equipment, materials and supplies* used in the conduct of such business, between East Hartford, Conn., on the one hand, and, on the other, points in Albany, Clinton, Columbia, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Montgomery, Otsego, Rensselaer, Saratoga, Schoenectady, Schoharie, Ulster, Warren, Washington and Sullivan Counties, N.Y.; Berkshire and Franklin Counties, Mass.; and Bennington, Rutland, Addison, Chittenden, Franklin, Orleans, Lamolles, Washington, Orange, Windsor, Windham and Caledonia Counties, Vt., under a continuing contract, or contract with Great Atlantic & Pacific Tea Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Albany, N.Y., or Boston, Mass.

No. MC 35807 (Sub-No. 60), filed July 13, 1976. Applicant: WELLS FARGO

ARMORED SERVICE CORPORATION, P.O. Box 4313, Atlanta, Ga. 30302. Applicant's representative: Harry J. Jordan, 1000 16th St. NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Currency and coin*, between Birmingham, Ala., on the one hand, and, on the other, Jay, Fla., under a continuing contract, or contracts with Federal Reserve Bank of Atlanta, Birmingham Branch.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Atlanta, Ga., or Birmingham, Ala.

No. MC 43038 (Sub-No. 457), filed July 12, 1976. Applicant: Commercial Carriers, Inc., 10701 Middlebelt Road, Romulus, Mich. 48174. Applicant's representative: Paul H. Jones, 29725 Shacket Ave., Madison Heights, Mich. 48071. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles*, in initial movements, from the plantsites of General Motors Corporation located at Los Angeles and South Gate, Calif., to points in Arizona and points in Coos, Curry, Douglas, Jackson, Josephine, Klamath and Lane Counties, Ore.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Los Angeles or San Francisco, Calif. or Washington, D.C.

No. MC 43038 (Sub-No. 459), filed July 13, 1976. Applicant: COMMERCIAL CARRIERS, INC., 10701 Middlebelt Road, Romulus, Mich. 48174. Applicant's representative: Paul H. Jones, 29725 Shacket Avenue, Madison Heights, Mich. 48071. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles*, in initial movements, from the General Motors assembly plant located at or near Fremont, Calif., to points in Arizona, Nevada and Coos, Curry, Douglas, Jackson, Josephine, Klamath and Lane Counties, Ore.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Los Angeles or San Francisco, Calif. or Washington, D.C.

NO. MC 47583 (Sub-No. 30), filed July 6, 1976. Applicant: TOLLIE FREIGHTWAYS, INC., 1020 Sunshine, Kansas City, Kans. 66115. Applicant's representative: D. S. Hults, P.O. Box 225, Lawrence, Kans. 66044. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Waste paper or scrap paper*, from points in Iowa and Nebraska to the plant sites and storage facilities of GAF Corporation, Packaging Corporation of America and U.S. Gypsum Co., all located within the Kansas City, Mo.-Kans. Commercial Zone.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Kans.

No. MC 47583 (Sub-No. 31), filed July 2, 1976. Applicant: TOLLIE FREIGHTWAYS, INC., 1020 Sunshine, Kansas City, Kans. 66115. Applicant's

representative: D. S. Hults, P.O. Box 225, Lawrence, Kans. 66044. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vermiculite*, from the plantsite and storage facilities of Diversified Insulation, located at or near Wellsville, Kans., to points in Arkansas, Colorado, Illinois, Iowa, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, South Dakota, Tennessee, Texas and Wyoming; and (2) *materials, equipment and supplies*, used in the manufacturing and distribution of cellulose and vermiculite products (except commodities in bulk), from the destination points named in (1) above to the plantsite and storage facilities of Diversified Insulation, located at or near Wellsville, Kans.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Kans.

No. MC 52579 (Sub-No. 156), filed July 6, 1976. Applicant: GILBERT CARRIER CORP., One Gilbert Drive, Secaucus, N.J. 07094. Applicant's representative: Fred L. Cardascia (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, on hangers, from Burkesville, Ky., to points in Atlanta, Ga.; Dallas, Tex.; Los Angeles, Calif., and points in the New York, N.Y., Commercial Zone, as defined by the Commission.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y. or Newark, N.J.

No. MC 59150 (Sub-No. 95), filed July 14, 1976. Applicant: PLOOF TRUCK LINES, INC., 1414 Lindrose Street, Jacksonville, Fla. 32206. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building and construction materials, and materials, equipment and supplies*, used in the manufacture, packaging, distribution, or installation thereof (except commodities in bulk), between Jacksonville, Fla., on the one hand, and, on the other, points in Alabama, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 61231 (Sub-No. 93), filed July 14, 1976. Applicant: ACE LINES, INC., 4143 East 43rd Street, Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from the plantsites of Northwestern Steel and Wire Company, located at Rock Falls and Sterling, Ill., to points in Arizona, Colorado, Montana, New Mexico, Oklahoma, Texas and Wyoming; and (2) *materials and supplies*

used in the manufacture and distribution of iron and steel articles, from the above named destination points to the plantsites of Northwestern Steel and Wire Company, located at Rock Falls and Sterling, Ill.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 61592 (Sub-No. 391), filed July 15, 1976. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, R.R. No. 3, Jeffersonville, Ind. 47130. Applicant's representative: E. A. DeVine, 101 First Avenue, P.O. Box 737, Moline, Ill. 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors, mowers, tractor cultivators, agricultural implements, trailers, and attachments, accessories and parts* for use with tractors and snow removal equipment, from Waukesha, Wis., to points in the United States, including Alaska but excluding Hawaii; and (2) *equipment, materials and supplies* used in the manufacture of the above commodities (except commodities in bulk, in tank vehicles), from points in the United States, including Alaska but excluding Hawaii, to Waukesha, Wis.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 67450 (Sub-No. 58), filed July 15, 1976. Applicant: PETERLIN CARTAGE CO., 9651 South Ewing Avenue, Chicago, Ill. 60617. Applicant's representative: Joseph M. Scanlan, 111 West Washington St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such goods, wares, merchandise, and equipment* that are utilized or sold by General Mills, Inc., between Cedar Rapids, Iowa, on the one hand, and, on the other, points in Arkansas, California, Colorado, Connecticut, Georgia, Idaho, Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Texas, and Wisconsin, restricted to traffic originating at or destined to the plantsite or warehouse facilities utilized by General Mills, Inc. located at Cedar Rapids, Iowa.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 69397 (Sub-No. 22), filed July 14, 1976. Applicant: JAMES H. HARTMAN & SON, INC., P.O. Box 85, Pocomoke City, Md. 21851. Applicant's representative: Wilmer B. Hill, 805 McLachlen Bank Bldg., 666 11th St., N.W., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, from points in Somerset County, Md., to points in Maine, New Hampshire, and Vermont.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 72140 (Sub-No. 68), filed July 20, 1976. Applicant: SHIPPERS DISPATCH, INC., 1216 West Sample Street, South Bend, Ind. 46619. Applicant's representative: Richard L. Andrysiak, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving Butler, Ind., as an off-route point in connection with applicant's presently authorized regular-route operations at Fort Wayne, Ind.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Fort Wayne, Ind. or Toledo, Ohio.

No. MC 83217 (Sub-No. 72), filed July 12, 1976. Applicant: DAKOTA EXPRESS, INC., 550 E. 5th St., South, South St. Paul, Minn. 55075. Applicant's representative: Paul Nelson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages and advertising materials and supplies* (except in bulk), from the Minneapolis, Minn., LaCrosse, Wis., and Milwaukee, Wis. Commercial Zones to points in South Dakota; and (2) *empty used malt beverage containers*, from points in South Dakota to the Minneapolis, Minn., LaCrosse, and Milwaukee, Wis. Commercial Zones.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn.

No. MC 94201 (Sub-No. 142), filed July 6, 1976. Applicant: BOWMAN TRANSPORTATION, INC., P.O. Box 17744, Atlanta, Ga. 30316. Applicant's representative: Maurice F. Bishop, 601-09 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the plantsite, warehouse and storage facilities of Union Camp Corporation, located at or near Franklin, Va., to points in the District of Columbia; points on U.S. Highway 1 between the District of Columbia and New York; points in New York within 35 miles of Columbus Circle, N.Y.; and points in Connecticut, Massachusetts, New Jersey and Rhode Island.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 95876 (Sub-No. 188), filed July 15, 1976. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue 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: *Cast iron pipe, pipe fittings, valves, fire hydrants, couplings, connections and materials, supplies and accessories* used in the installation of said

commodities, from the plantsite and storage facilities of Clow Corporation, located at or near Coshocton, Ohio, to points in California, Colorado, Idaho, Iowa, the Upper Peninsula of Michigan, Minnesota, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Minneapolis, Minn.

No. MC 98852 (Sub-No. 4) filed June 28, 1976. Applicant: FARRAGUT BAGGAGE AND TRANSFER CO. INC., 945 E. 17th St., Tucson, Ariz. 85719. Applicant's representative: Wellwood W. Blough (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those in bulk, in tank vehicles), from Tucson, Ariz., to Sells, Ariz.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Tucson or Sells, Ariz.

No. MC 102567 (Sub-No. 193) filed July 15, 1976. Applicant: MCNAIR TRANSPORT, INC., 4295 Meadow Lane, P.O. Drawer 5357, Bossier City, La. 71010. Applicant's representative: Jo E. Shaw, 816 Houston 1st Savings Bldg., 711 Fannin, Houston, Tex. 77002. 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 Pearl River Chemical Company, at or near Pearl River, La., to points in Alabama, Arkansas, Florida, Georgia, Mississippi, Tennessee, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Houston, Tex.

No. MC 104123 (Sub-No. 77), filed July 14, 1976. Applicant: JOHN SCHUTT, JR., INC., 855 River Road, North Tonawanda, N.Y. 14120. Applicant's representative: Richard H. Streeter, 704 Southern Bldg., 15th & H St., NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous aluminum chloride*, dry, in bulk, in tank vehicles, from ports of entry on the International Boundary line between the United States and Canada located in Michigan and New York, to points in Louisiana, Maryland and Texas, restricted to movements originating at the plantsite and facilities of Welland Chemical located at Sarnia, Ontario.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Buffalo, N.Y. or Washington, D.C.

No. MC 106674 (Sub-No. 200), filed July 14, 1976. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: Jerry L. Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and wood products*, from White

Plains, Ky., to points in Alabama, Arkansas, Illinois, Indiana, Michigan, Mississippi, Missouri, Ohio, Tennessee, West Virginia and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Indianapolis, Ind.

No. MC 107012 (Sub-No. 228) filed July 15, 1976. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Lincoln Highway East and Meyer Road, Fort Wayne, Ind. 46801. Applicant's representative: David D. Bishop (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sporting goods and recreational and physical fitness equipment, and games and toys*, from Newark, N.Y., and Compton, Calif., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Chicago, Ill.

No. MC 107403 (Sub-No. 981) filed July 12, 1976. Applicant: MATLACK, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, (1) from Louisville, Ky., to Sullivan, Mo.; and (2) from Nesquehoning, Pa., to points in Delaware, Florida, Maine, Massachusetts, New Hampshire, New Jersey and South Carolina.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 107934 (Sub-No. 27), filed July 14, 1976. Applicant: BYRD MOTOR LINE, INCORPORATED, P.O. Box 787, Lexington, N.C. 27292. Applicant's representative: John R. Sims, Jr., 915 Pennsylvania Bldg., 425 13th St., NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *New furniture*, from Lawrenceville, Ga., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, North Carolina, Ohio, South Carolina, Tennessee and Wisconsin; and (2) *returned furniture*, from the destinations named in (1) above, to Lawrenceville, Ga.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 108223 (Sub-No. 21) filed July 9, 1976. Applicant: CENTURY-MERCURY MOTOR FREIGHT, INC., 2160 Mustang Drive, P.O. Box 3050, St. Paul, Minn. 55112. Applicant's representative: Warren K. Wahoske (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes transporting: *General commodities* (except those of un-

usual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) Between Milwaukee, Wis., and Duluth, Minn., for operating convenience only, serving no intermediate points: From Milwaukee, Wis., over Interstate Highway 94 to junction U.S. Highway 53, thence over U.S. Highway 53 to Duluth, Minn., and return over the same route; and (2) Between Chicago, Ill., and Duluth, Minn., for operating convenience only, serving no intermediate points: From Chicago, Ill., over Interstate Highway 90 to junction Interstate Highway 94 thence over Interstate Highway 94 to junction U.S. Highway 53, thence over U.S. Highway 53 to Duluth, Minn., and return over the same route.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn.

No. MC 109478 (Sub-No. 146) filed July 12, 1976. Applicant: WORSTER MOTOR LINES, INC., R.D. No. 1, Gay Road, North East, Pa. 16428. Applicant's representative: Joseph F. Mackrell, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Products derived from corn and blends containing products derived from corn*, in bulk, in tank vehicles, from Clinton Corn Processing Company plantsite located at Montequama, N.Y., to points in the United States (except Alaska and Hawaii), restricted to the transportation of traffic originating at the above described facilities.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 109689 (Sub-No. 298) filed July 2, 1976. Applicant: W. S. HATCH CO., 643 South 800 West, Woods Cross, Utah 84007. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulfuric acid*, in bulk, from Thompson, Utah, to Uravan, Colo.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Salt Lake City, Utah.

No. MC 110563 (Sub-No. 184) filed July 8, 1976. Applicant: COLDWAY EXPRESS, INC., P.O. Box 747, Sidney, Ohio 45365. Applicant's representative: Joseph M. Scanlan, 111 W. Washington, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products, and food ingredients* in mechanically refrigerated equipment (except in bulk), from the plant and warehouse facilities owned and operated by Archer Daniels Midland Company, located in Decatur, Ill.; also, shipping products for Wilsey Foods, Inc., and others to points located in Colorado, Connecticut, Delaware, Iowa, Maine, Maryland, Massachusetts, Mis-

souri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or St. Louis, Mo.

No. MC 113666 (Sub-No. 105) filed June 29, 1976. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road, Freeport, Pa. 16220. Applicant's representative: William H. Shawn, Suite 501, 1730 M Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lead, nickel and zinc* (except in bulk), from ports of entry on the International Boundary line between the United States and Canada located at Maine, Michigan, Minnesota, New Hampshire, New York and Vermont, to points in Alabama, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, West Virginia and Wisconsin; and (2) *copper scrap* (except in bulk), from Alabama, Arizona, California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Jersey, New Mexico, New York, Ohio, Pennsylvania, Tennessee, Texas, Virginia, West Virginia and Wisconsin, to ports of entry on the International Boundary line between the United States and Canada located at Maine, Michigan, Minnesota, New Hampshire, New York and Vermont, restricted in (1) and (2) above to traffic originating at or destined to points in Canada.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Buffalo, N.Y. or Pittsburgh, Pa.

No. MC 113666 (Sub-No. 106) filed July 15, 1976. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road, Freeport, Pa. 16220. Applicant's representative: William H. Shawn, 1730 M Street, NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural pesticides* (except commodities in bulk), from Frankfort, Ind.; Muskegon, Mich.; and Freeport, Pa.; to points in Alabama, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Wisconsin and Texas; (2) *agricultural pesticides* (except commodities in bulk), from Mendota, Ill.; Des Moines, Iowa; Albert Lea, Minn.; St. Joseph, Mo.; Fremont, Nebr.; and Randolph, Wis.; to Illinois, Indiana, Michigan, New York, Ohio and Pennsylvania;

(3) *agricultural pesticides* (except commodities in bulk), from Greeley, Colo., to points in Iowa, Kansas and Nebraska; (4) *agricultural pesticides* (except commodities in bulk), from Newell, W. Va., to points in Maryland, Michigan, Minnesota, Montana, New Jersey, New York and North Dakota; (5) *aluminum oxide catalyst*, from Michigan City, Ind., to U.S.-Canadian Border Crossings located on the Detroit and St. Clair Rivers; and (6) *dry animal and poultry feed ingredients*, from Willow Island, W. Va., to points in Minnesota and South Dakota.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Philadelphia, Pa.

No. MC 114045 (Sub-No. 444) filed July 14, 1976. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 61228, D/FW Airport, Tex. 75261. Applicant's representative: J. B. Stuart (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toilet preparations, soaps, shampoos, and aerosols* (except commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from Morris-town, N.J., to Springfield, Mo., and points in California.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y. or Washington, D.C.

No. MC 114211 (Sub-No. 277) filed July 14, 1976. Applicant: WARREN TRANSPORT, INC., 324 Manhard Street, Waterloo, Iowa, 50701. Applicant's representative: Daniel Sullivan, 327 South La Salle, Chicago, Ill. 60604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Magnesium metal ingots*, from Snyder, Tex., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held in consolidation with C & H Transportation Company Inc., at either Dallas or Houston, Tex.

No. MC 114273 (Sub-No. 252) filed July 13, 1976. Applicant: CRST, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Robert E. Konchar, Suite 315, Commerce Exchange Bldg., 2720 First Avenue NE., P.O. Box 1943, Cedar Rapids, Iowa 52406. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Joliet, Ill., to points in Colorado, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Pennsylvania.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114552 (Sub-No. 119) filed July 15, 1976. Applicant: SENN TRUCKING CO., P.O. Drawer 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, Jr., 3426 North Washington Boulevard, P.O. Box 1267, Arlington, Va. 22210. Authority sought to op-

erate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, valves, fittings, hydrants, parts thereof, and accessories thereof* (except in bulk), from the facilities of American Cast Iron Pipe Company, located at Birmingham, Ala., to points in North Carolina and South Carolina.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Birmingham, Ala.

No. MC 116254 (Sub-No. 162) filed June 17, 1976. Applicant: CHEM-HAULERS, INC., P.O. Box 339, Florence, Ala. 35630. Applicant's representative: Walter Harwood, P.O. Box 15214, Nashville, Tenn. 37215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Birmingham, Ala., to Henderson, Nev., and Fontana and Pittsburg, Calif.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Birmingham, Ala.; Atlanta, Ga.; or Nashville, Tenn.

No. MC 117503 (Sub-No. 9) (Correction), filed March 26, 1976, published in the FEDERAL REGISTER issues of April 29, May 25 and July 8, 1976 and republished as corrected this issue. Applicant: HATFIELD TRUCKING SERVICE, INC., 1625 North C Street, Sacramento, Calif. 95814. Applicant's representative: Eldon M. Johnson, 650 California Street, Suite 2308, San Francisco, Calif. 94108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, class A explosives, household goods as defined by the Commission, and those of unusual value), between the Seattle-Tacoma International Airport near Seattle, Wash.; Portland International Airport near Portland, Ore.; Sacramento Metropolitan Airport near Sacramento, Calif.; San Francisco International Airport near San Francisco, Calif.; and the Los Angeles International Airport near Los Angeles, Calif., and the facilities of direct and indirect air carriers located within twenty-five (25) miles of the airport mentioned above, restricted to the transportation of traffic having a prior or subsequent movement by air, to movements in trailers equipped with rollerized floors; and further restricted against service between the Seattle-Tacoma International Airport, on the one hand, and, on the other, the Portland International Airport, and against service between the San Francisco International Airport, on the one hand, and, on the other, the Los Angeles International Airport.

NOTE.—The purpose of this republication is to correct the territorial description. If a hearing is deemed necessary, the applicant requests it be held at either Sacramento, Calif. or San Francisco, Calif.

No. MC 117765 (Sub-No. 207), filed July 12, 1976. Applicant: HAHN TRUCK LINE, INC., 5315 N.W. 5th St., P.O. Box 75218, Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagan

(same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral fibre and mineral fibre products, and insulating materials*, from the plantsite of the United States Gypsum Company, at Corsicana, Tex., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, Tennessee, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Oklahoma.

No. MC 117765 (Sub-No. 208), filed June 29, 1976. Applicant: HAHN TRUCK LINE, INC., 3515 N.W. 5th St., P.O. Box 75218, Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies and equipment* used in the manufacture, distribution and installation of building materials, gypsum and gypsum products (except liquid commodities in bulk), from points in Illinois, Iowa, Kansas, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin, to the plantsite of the United States Gypsum Company, located in Martin County, Ind.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Oklahoma City, Oklahoma.

No. MC 117940 (Sub-No. 179) (Amendment), filed June 28, 1976, published in the FEDERAL REGISTER issue of August 5, 1976, republished as amended this issue. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Allan L. Timmerman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by discount, variety and clothing stores (except commodities in bulk) and foodstuffs in mixed loads with such commodities as are dealt in by discount, variety and clothing stores from points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia from New York, N.Y. and Jersey City, N.J., to points in Illinois, Michigan, and Ohio, and Highland, Ind., restricted to shipments originating at and destined to facilities utilized by Robert Hall Clothes at the named destinations.

NOTE.—The purpose of this republication is to amend the requested authority in this proceeding. Applicant holds contract carrier authority in No. MC 114789 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 118846 (Sub-No. 13), filed July 19, 1976. Applicant: DALE JESSUP, R.R. No. 1, Box 252, Camby, Ind. 46113. Applicant's representative: Walter F.

Jones, Jr., 601 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Component parts for campers, house trailers and recreational vehicles*, from points in Elkhart County, Ind., to the plantsite of Traveltime, Inc., at Springville, Utah, under contract with Traveltime, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Indianapolis, Ind.

No. MC 118866 (Sub-No. 9), (correction) filed July 13, 1976, published in the FEDERAL REGISTER issue of August 5, 1976 as MC 118861, Sub-No. 9, republished as corrected this issue. Applicant: PAUL L. ZAMBERLAN & SONS, INC., Box 15, Lewis Run, Pa. 16738. Applicant's representative: William J. Hirsch, Suite 1125, 43 Court Street, Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Corrugated steel culvert pipe*, from Olean, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; and (2) *returned shipments*, from points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, to Olean, N.Y., restricted to traffic originating at, or returned to, the facilities of Wheeling Corrugating Company, a Division of Wheeling-Pittsburgh Steel Corp., at Olean, N.Y.

NOTE.—The purpose of this republication is to correct the docket number MC 118866, Sub-No. 9 in lieu of MC 118861 which was previously published in error. Applicant holds contract carrier authority in MC 45500, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., or Pittsburgh, Pa.

No. MC 118989 (Sub-No. 140), filed July 15, 1976. Applicant: CONTAINER TRANSIT, INC., 5223 South 9th Street, Milwaukee, Wis. 53221. Applicant's representative: Albert A. Andrin, 180 North La Salle Street, Chicago, Ill. 60601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers and metal container ends*, (1) from the plantsite and warehouse facilities of National Can Corporation, located at Piscataway, N.J., to Milwaukee, Wis., Peoria, Ill. and Frankenmuth, Mich.; (2) from the plantsite and warehouse facilities of National Can Corporation, located at Danbury, Conn., to Sharonville, Ohio, La Crosse and Milwaukee, Wis., and Frankenmuth, Mich.; and (3) from the plantsite and warehouse facilities of National Can Corporation, located at Millis, Mass., to St. Paul, Minn., La Crosse, Wis., and Frankenmuth, Mich.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or New York, N.Y.

No. MC 119094 (Sub-No. 4), filed July 15, 1976. Applicant: CLARENCE S. WINTERSTEEN, doing business as C. S. WINTERSTEEN COMPANY, 1st St. &

Park Avenue, Bemidji, Minn. 56601. Applicant's representative: Sheldon D. McRae, Sr., 204 5th St., P.O. Box 684, Bemidji, Minn. 56601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, and *advertising materials*, from La Crosse, Wis., to Bemidji, Minn., under a continuing contract, or contracts, with Bemidji Distributing Company, Inc. located at Bemidji, Minn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Bemidji, Minn. or Fargo, N. Dak.

No. MC 119641 (Sub-No. 134), filed June 23, 1976. Applicant: RINGLE EXPRESS, INC., 450 East Ninth St., Fowler, Ind. 47944. Applicant's representative: Robert C. Smith, P.O. Box 2278, Colee Station, Ft. Lauderdale, Fla. 33303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, plywood, posts, and wood products*, from points in South Carolina, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Ohio, Missouri, Pennsylvania, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant did not specify a location.

No. MC 123255 (Sub-No. 77), filed July 12, 1976. Applicant: B & L MOTOR FREIGHT, INC., 140 Everett Ave., Newark, Ohio 43055. Applicant's representative: C. F. Schneec Jr (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from the plantsite and warehouse facilities of Morgan Packing Co. located at or near Austin, Ind., to points in New York.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC 123389 (Sub-No. 28), filed July 6, 1976. Applicant: CROUSE CARTAGE COMPANY, P.O. Box 151, Carroll, Iowa 51401. Applicant's representative: James E. Ballenthin, 630 Osborn Bldg., St. Paul, Minn. 55102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, equipment and supplies* used in the construction of concrete silos and contractor's outfits (except commodities in bulk), between points in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Des Moines, Iowa.

No. MC 123476 (Sub-No. 25), filed July 15, 1976. Applicant: CURTIS TRANSPORT, INC., 3616 Jeffco Blvd., P.O. Box 388, Arnold, Mo. 63010. Applicant's representative: William J. Boyd, 600 Enterprise Drive, Suite 222, Oak Brook, Ill. 60521. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic products, expanded plastic*

products, molded paper pulp products and paper products, from Bridgeview, Ill., Hammond and Griffith, Ind. and St. Louis, Mo., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 123872 (Sub-No. 51), filed July 19, 1976. Applicant: W & L MOTOR LINES, INC., State Road 1148, P.O. Box 2607, Hickory, N.C. 28601. Applicant's representative: Allen E. Bowman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, and furniture parts*, from Brookneal, Va., to points in Arizona, California, Colorado, Illinois, Iowa, Kansas, Minnesota, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wisconsin and Wyoming, restricted to traffic originating at the facilities of Thomasville Furniture Industries, Inc., at or near Brookneal, Va.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Charlotte, Winston-Salem, or Hickory, N.C.

No. MC 124927 (Sub-No. 15), filed July 14, 1976. Applicant: MIDWEST BULK, INCORPORATED, 991 Lyndale Ave., P.O. Box 726, Neenah, Wis. 54953. Applicant's representative: Frank W. Coyne, 25 West Main St., Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap battery lead*, in-bulk, in dump vehicles, from Davenport, Iowa, to East Chicago, Ind.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Madison, Wis. or Chicago, Ill.

No. MC 124078 (Sub-No. 695), filed July 1, 1976. Applicant: SCHWERMAN TRUCKING CO., 611 South 28 St., Milwaukee, Wis. 53215. Applicant's representative: James R. Ziperski, P.O. Box 1601, Milwaukee, Wis. 53201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chemicals, detergents, emulsions, floor finishes, liquid cleaners and latex*, in bulk, in tank vehicles, from Merton, Wis., to points in Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, New York, Ohio, Pennsylvania, Tennessee, Texas and Wisconsin; and (2) *crude tall oil, fatty acids and other by-products* of the paper industry, from Panama City, Fla., and

De Ridder and Springhill, La., to Merton, Wis.

NOTE.—Applicant holds contract carrier authority in MC 113832 (Sub-No. 68), therefore, dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at either Milwaukee, Wis. or Chicago, Ill.

No. MC 124078 (Sub-No. 699), filed July 15, 1976. Applicant: SCHWERMANN TRUCKING CO., 611 South 28 Street, Milwaukee, Wis. 53215. Applicant's representative: James R. Ziperski, P.O. Box 1601, Milwaukee, Wis. 53201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid asphalt*, in bulk, in tank vehicles, from Irondale, Ala., to points in Michigan.

NOTE.—Applicant holds contract carrier authority in No. MC 113832 (Sub-No. 68), therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Birmingham, Ala.

No. MC 124117 (Sub-No. 20), filed July 12, 1976. Applicant: EARL FREEMAN, an individual doing business as: MID-TENN EXPRESS, P.O. Box 101, Eagleville, Tenn. 37060. Applicant's representative: Roland M. Lowell, Suite 618, United American Bank Bldg., Nashville, Tenn. 37219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising materials*, from Milwaukee, Wis.; Fort Wayne, Ind.; Detroit, Mich.; Latrobe, Pa.; Baltimore, Md.; Belleville, Ill.; and Houston County, Ga., to Knoxville and Johnson City, Tenn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Nashville, Tenn. or Washington, D.C.

No. MC 124251 (Sub-No. 38), filed July 13, 1976. Applicant: JACK JORDAN, INC., Highway 41 South, P.O. Box 689, Dalton, Ga. 30720. Applicant's representative: Archie B. Culbreth, Suite 246, 1252 W. Peachtree St., NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrated and calcined alumina*, in bags, from Murray and Whitfield Counties, Ga., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee and Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 124328 (Sub-No. 97) (correction) filed March 30, 1976, published in the FEDERAL REGISTER issue of May 6, 1976, republished as corrected this issue. Applicant: BRINK'S INCORPORATED, 234 East 24th Street, Chicago, Ill. 60616. Applicant's representative: Chandler L. van Orman, 704 Southern Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, written instruments, business records, securities, audit media, cash*

letters, data processing records, reports, forms or media on paper, cards, tape or film, as are used in the business of banks, banking and other financial institutions, between Pittsburgh, Pa., on the one hand, and, on the other, points in Ashland, Ashtabula, Athens, Belmont, Carroll, Champaign, Clark, Columbiana, Coshocton, Crawford, Cuyahoga, Delaware, Erie, Fairfield, Fayette, Franklin, Geauga, Gallia, Guernsey, Hancock, Hardin, Harrison, Highland, Hocking, Holmes, Huron, Jackson, Jefferson, Knox, Lake, Lawrence, Licking, Logan, Lorain, Lucas, Madison, Mahoning, Marion, Medina, Meigs, Monroe, Morgan, Morrow, Muskingum, Noble, Ottawa, Pickaway, Perry, Pike, Portage, Richland, Ross, Sandusky, Sciota, Seneca, Stark, Summit, Trumbull, Tuscarawas, Union, Vinton, Washington, Wayne, Wyandot, and Wood Counties, Ohio, those points in Barbour, Berkeley, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Grant, Greenbrier, Hancock, Hampshire, Harrison, Hardy, Jackson, Jefferson, Kanawha, Lewis, Lincoln, Logan, Marion, Marshall, Mason, Mineral, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pleasants, Pochahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Taylor, Tucker, Tyler, Upshur, Wayne, Webster and Wetzel Counties W. Va., and those points in Allegany, Anne Arundel, Baltimore, Carroll, Charles, Frederick, Garrett, Harford, Howard, Montgomery, Prince Georges and Washington Counties, Md., under a continuing contract or contracts with banks, banking and other financial institutions.

NOTE.—The purpose of this republication is to indicate that this proceeding is under contracts with banks, banking and other financial institutions in lieu of the previously named banks. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Pittsburgh, Pa. or Washington, D.C.

No. MC 125114 (Sub-No. 7), filed July 12, 1976. Applicant: COMMERCIAL TRANSPORT, INC., 2413 Lakeside Drive, P.O. Box 2295, Lynchburg, Va. 24501. Applicant's representative: Edwin C. Reminger, 731 Leader Bldg., Cleveland, Ohio 44114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Special containers or casks used to transport radioactive material and special containers or casks containing radioactive material*, between Campbell County, Va., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Cleveland, Ohio or Washington, D.C.

No. MC 127804 (Sub-No. 6), filed July 19, 1976. Applicant: WILLIAM R. WEINRICH, doing business as WEINRICH TRUCK LINES, Box 1037, Hinton, Iowa 51024. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Soybean meal and soybean mill runs and hulls*, from the facilities of Cargill, Incorporated, at Sioux City, Iowa, to points in Colorado, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or St. Paul, Minn.

No. MC 128224 (Sub-No. 2), filed July 6, 1976. Applicant: GEORGE F. JOHNSON, RD No. 1, New Stanton, Pa. 15672. Applicant's representative: John A. Vuono, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Semi-finished steel* used in the manufacture of steel molds for the casting of plastics, between Youngwood (Westmoreland County), Pa., on the one hand, and, on the other, Phoenix, Ariz.; Ft. Lauderdale, Fla.; Atlanta, Ga.; Indianapolis, Ind.; Leominster, Mass.; Grand Rapids and Wyoming, Mich.; Minneapolis, Minn.; St. Louis, Mo.; Syracuse, N.Y.; Dayton, Ohio; and Dallas, Ft. Worth and Houston, Tex.; and (2) *materials, equipment, supplies and parts*, used in the production, manufacture, distribution, handling and storage of the commodities in (1) above, between Madison Heights, Mich., on the one hand, and, on the other, Cleveland, Ohio and points in California, (1) and (2) above are under a continuing contract or contracts with D-M-E Company, a Division of VSI Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 128490 (Sub-No. 12), filed June 29, 1976. Applicant: ROBERT J. ERICKSON, doing business as BOB ERICKSON TRUCKING, Rush City, Minn. 55069. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fire protection sprinkler systems and materials, equipment and supplies* used in the installation or manufacture of fire protection sprinkler systems, between Rush City, Minn., on the one hand, and, on the other, points in Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Idaho, Indiana, Kentucky, Maine, Maryland, Massachusetts, Nevada, New Hampshire, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Rhode Island, Texas, Utah, Vermont, Washington, Wyoming and the District of Columbia, under a continuing contract, or contracts, with United Sprinkler Division of Waycross, Inc.

NOTE.—Applicant holds common carrier authority in MC 138475; therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 128988 (Sub-No. 83), filed July 6, 1976. Applicant: JO/KEL, INC., 159 South Seventh Avenue, PO Box 1249,

City of Industry, Calif. 91749. Applicant's representative: Patrick E. Quinn, PO Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Electric controllers* (except commodities in bulk, and those which require the use of special equipment because of size or weight), from the facilities of Westinghouse Electric Corporation, located at or near Cincinnati, 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, or contracts, with Westinghouse Electric Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Pittsburgh, Pa.

No. MC 129282 (Sub-No. 32), filed June 18, 1976. Applicant: BERRY TRANSPORTATION, INC., PO Box 2147, Longview, Tex. 75601. Applicant's representative: Fred S. Berry (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and materials and supplies* used in the manufacture and distribution thereof, (1) from San Antonio, Tex., to points in Alabama, Tennessee and Chickasha, Oklahoma City and Tulsa, Okla.; and (2) from points in Alabama, Tennessee and Muskogee, Sand Springs, Salpupa, Chickasha, Oklahoma City, and Tulsa, Okla., to San Antonio, Tex.

NOTE.—Applicant states that it intends to tack the requested authority above with its existing irregular route authority at San Antonio, Tex., to transport malt beverages from Laredo, Tex. to Chickasha, Oklahoma City and Tulsa, Okla. and points in Alabama and Tennessee. If a hearing is deemed necessary, the applicant requests it be held at San Antonio, Tex.

No. MC 133095 (Sub-No. 101), filed July 6, 1976. Applicant: TEXAS-CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: Rocky Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors and wines* in packages, and *distillery bottling supplies*, from New York, N.Y., and points in its commercial zone; Woodside (Long Island), N.Y.; Schenley, Pa.; Louisville and Frankfort, Ky.; Lawrenceburg, Ind.; and Tullahoma, Tenn., to points in California.

NOTE.—Applicant holds contract carrier authority in No. MC 136032 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Dallas, Tex. or Washington, D.C.

No. MC 133095 (Sub-No. 102), filed July 16, 1976. Applicant: TEXAS-CON-

TINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: A. J. Swanson, 521 South 14th St., P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such merchandise* as is dealt in by retail stores (except foodstuffs); and (2) *foodstuffs*, in mixed shipments with the commodities named in (1) above, from the facilities of Target Stores, Inc., at Minneapolis, Minn., to points in Colorado, Oklahoma, and Texas.

NOTE.—Applicant holds contract carrier authority in No. MC 136032 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Minneapolis, Minn.

No. MC 133095 (Sub-No. 103), filed July 19, 1976. Applicant: TEXAS-CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: Rocky Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as defined by the Commission, from San Angelo, Tex., to points in Kentucky and Michigan.

NOTE.—Applicant holds contract carrier authority in MC 136032 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 134564 (Sub-No. 6), filed July 6, 1976. Applicant: GLOVER TRUCKING CORP., P.O. Box 7206, Holland Station, Suffolk, Va. 23437. Applicant's representative: Charles Ephraim, Suite 600, 1250 Connecticut Ave., NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural pesticides and emulsifiers*, used in connection therewith (except in bulk, in tank vehicles), (1) from Miami and Orlando, Fla.; Atlanta and Bainbridge, Ga.; Wyoming, Ill.; Opelousas, La.; Cockeysville, Md.; Greenville, Miss.; Dayton and Edison, N.J.; Ayden, Goldsboro, and Greensboro, N.C.; Columbus, Ohio; and Bamberg and Charleston, S.C., to Richmond, Va.; points in Rockingham, Augusta, Page, Nelson, Green, Albemarle, Madison, Spotsylvania, Caroline, Essex and Richmond Counties, Va.; points in that part of Virginia in, east and south of Brunswick, Dinwiddie, Chesterfield, Henrico, New Kent, James City and York Counties, Va., and points in that part of North Carolina in, east and north of Northampton, Halifax, Nash, Wilson, Wayne, Lenoir, Craven, and Carteret Counties; and (2) from Holland Station and Suffolk, Va., to points in that part of North Carolina in, east and north of Northampton, Halifax, Nash, Wilson, Wayne, Lenoir, Craven, and Carteret Counties, restricted to a transportation service to be performed under a continuing contract, or contracts, with Glover Fertilizer & Grain Corp.

NOTE.—Applicant holds common carrier authority in MC 2788, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C. or Richmond, Va.

No. MC 134599 (Sub-No. 145) (Amendment), filed June 4, 1976, published in the FEDERAL REGISTER issue of July 8, 1976, republished, as amended this issue. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 748, Salt Lake City, Utah 84110. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Games, toys, and plastic articles*; and (2) *materials, parts, and supplies* used in the manufacture of items in part (1) above (except commodities in bulk and those which because of size or weight require special handling or equipment), from Edison, and South Plainfield, N.J. to points in Florida, Iowa and Mississippi, under a continuing contract or contracts with Mattel, Inc.

NOTE.—The purpose of this republication is to include South Plainfield, N.J. as being a origin point. Applicant holds common carrier authority in MC 139906 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Lincoln, Nebr. or Salt Lake City, Utah.

No. MC 134755 (Sub-No. 77), filed July 15, 1976. Applicant: CHARTER EXPRESS, INC., 1959 E. Turner Street, P.O. Box 3772, Springfield, Mo. 65804. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packing houses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Farmland Industries, Inc., located at or near Garden City, Kans., to points in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—Applicant holds contract carrier authority in MC 138898 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at either Wichita, Kans. or Kansas City, Mo.

No. MC 134821 (Sub-No. 6), filed July 8, 1976. Applicant: DONALD L. DROSTE, doing business as DON DROSTE TRUCKING, 1004 West Carroll St., Portage, Wis. 53901. Applicant's representative: Richard A. Westley, 4506 Regent St., Suite 100, Madison, Wis. 53705. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Capsule*

slurry, in bulk, from the plantsite of NCR-Appleton Papers Division, located at or near Portage, Wis., to Roaring Spring, Pa., under a continuing contract, or contracts with NCR-Appleton Papers Division, located at or near Portage, Wis.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Madison or Milwaukee, Wis. or Chicago, Ill.

No. MC 134922 (Sub-No. 182), filed July 13, 1976. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Bob McAdams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pneumatic rubber tires and tubes*, from Marion, Shelby and Mansfield, Ohio, to points in Colorado and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio, or Little Rock, Ark.

No. MC 135170 (Sub-No. 14), filed July 2, 1976. Applicant: TRI-STATE ASSOCIATES, INC., P.O. Box 188, Federalsburg, Md. 21632. Applicant's representative: James C. Hardman, 33 North LaSalle Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Containers, container ends and accessories, materials, equipment and supplies* used in the manufacture, sale and distribution of containers (except in bulk), (1) from points in New Jersey to points in Delaware, North Carolina, Pennsylvania, Virginia and West Virginia; and (2) from points in Pennsylvania, to points in Delaware, New Jersey, North Carolina, Virginia and West Virginia, under a continuing contract, or contracts, in (1) and (2), with The Continental Group, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 135283 (Sub-No. 16), filed July 16, 1976. Applicant: GRAND ISLAND MOVING & STORAGE CO., INC., 317 North Oak Street, P.O. Box 2122, Grand Island, Nebr. 68801. Applicant's representative: Gallyn L. Larsen, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite and storage facilities of Minden Beef Co., located at or near Minden, Nebr., to points in Connecticut and New York, restricted to traffic originating at the named origin point and destined to the named destination states.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Lincoln or Grand Island, Nebr.

No. MC 135425 (Sub-No. 20), filed July 15, 1976. Applicant: CYCLES LIMITED, P.O. Box 5715, Jackson, Miss. 39208. Applicant's representative: Morton E. Kiel, 5 World Trade Center, Suite 6193, New York, N.Y. 10048. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by manufacturers of surgical and medical supplies, and *materials, supplies and equipment* used in the conduct of such business (except in bulk), between East Greenwood, S.C., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), under a continuing contract, or contracts, with Parke, Davis and Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 135518 (Sub-No. 4), (Amendment), filed October 20, 1975, published in the FEDERAL REGISTER issue of November 28, 1975, republished as amended this issue. Applicant: EVERETT TRUCKING, INC., 1718 Tease Road, Burlington, Wash. 98273. Applicant's representative: George R. LaBissoniere, 1100 Norton Building, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen and perishable food*, when moving in vehicles equipped with mechanical refrigeration, from points in California, within and north of the southern boundaries of Monterey, Kings, Tulare, and Inyo Counties, Calif. to points in Oregon and Washington.

NOTE.—The purpose of this republication is to clarify the territorial description in this proceeding. If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif.

No. MC 135639 (Sub-No. 6), filed June 30, 1976. Applicant: QUEENSWAY, INC., 105 North Keyser Avenue, Old Forge, Pa. 18518. Applicant's representative: John W. Frame, 2207 Old Gettysburg Road, Box 626, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving Forty Fort, Pa., as an off-route point in connection with applicant's presently authorized regular route operation between Rochester, N.Y., and New York, N.Y.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Harrisburg, Pa.

No. MC 135874 (Sub-No. 57), filed July 13, 1976. Applicant: LTL PERISHABLES, INC., 550 E. 5th Street South, South St. Paul, Minn. 55075. Applicant's representative: Paul Nelson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Foodstuffs, in mechanically refrigerated vehicles (except in bulk), from Kansas City, Mo., and Kansas City, Kans., to points in the upper peninsula of Michigan.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 135884 (Sub-No. 11), filed July 13, 1976. Applicant: STEVE CALDWELL, an Individual Route 1, Box 36, Adams, Ore. 97810. Applicant's representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave., Portland, Ore. 97210. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Furniture parts*, from points in Umatilla and Deschutes Counties, Ore., to points in California, Georgia, Iowa, New Jersey, Oregon, Pennsylvania, Texas and Washington, under a continuing contract, or contracts with Kerns RTF, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Portland, Ore.

No. MC 136343 (Sub-No. 89), filed July 21, 1976. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from St. Regis plantsite at Rhinelander, Wis., to points in Connecticut, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y. or Washington, D.C.

No. MC 138413 (Sub-No. 6), filed July 15, 1976. Applicant: JOHN TOWNROW, doing business as JOHN TOWNROW TRUCKING, 4290 Elton Street, Baldwin Park, Calif. 91706. Applicant's representative: K. Edward Wolcott, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Toilet preparations, accessories therefor, and advertising materials*, from Clark and Avenel, N.J., to points in California, Colorado and Nevada, under contract with Cosmair, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y., or Los Angeles, Calif.

No. MC 138468 (Sub-No. 1), filed July 13, 1976. Applicant: BI-COUNTY TRUCKING, INC., Route 1, Box 210, Warden, Wash. 98857. Applicant's representative: Charles E. Flower, Suite 2, 303 East "D" Street, Yakima, Wash. 98901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Live-stock feed and feed ingredients*, between points in eastern Washington, and points

in Oregon; and (2) *anhydrous ammonia, and its derivative liquid fertilizers*, from points in Benton and Grant Counties, Wash., to points in Guillim, Malheur, Morrow and Umatilla Counties, Oreg.; and points in Benewah, Latah and Lewis Counties, Idaho.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Yakima, Wash.; Portland, Oreg.; or Seattle, Wash.

No. MC 138762 (Sub-No. 1), filed July 13, 1976. Applicant: MUNICIPAL TANK LINES LIMITED, P.O. Box 3500, Calgary, Alberta, Canada T2P 2P9. Applicant's representative: Richard H. Streeter, 704 Southern Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities in bulk* (except grain and cement), in tank vehicles, between ports of entry on the International Boundary line between the United States and Canada located in Michigan, Minnesota and New York on the one hand, and, on the other, points in the United States, including Alaska but excluding Hawaii, restricted to traffic originating at or destined to Canada and moving from, to or through the Province of Ontario.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Buffalo, N.Y. or Detroit, Mich.

No. MC 139059 (Sub-No. 4), filed June 29, 1976. Applicant: EAST COAST TRANSPORTATION COMPANY, INC., 3675 N.W. 71st St., Miami, Fla. 33147. Applicant's representative: Bernard C. Pestcoe, 511 Biscayne Bldg., 19 West Flagler St., Miami, Fla. 33130. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between the terminal facilities of Universal Carloading & Distributing Co., Inc., located in Broward, Dade and Palm Beach Counties, Fla., on the one hand, and, on the other, points in Broward, Dade and Palm Beach Counties, Fla.; and (2) between the terminal facilities of Universal Carloading & Distributing Co., Inc., located in Hillsboro County, Fla., on the one hand, and, on the other, points in Charlotte, Hillsboro, Lee, Manatee, Pasco, Pinellas, Polk, and Sarasota Counties, Fla., restricted in (1) and (2) above to shipments moving on bills of lading issued by the above named freight forwarder.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Miami, Fla.

No. MC 139182 (Sub-No. 3), filed July 15, 1976. Applicant: ATLAS DELIVERY CO., INC., 340 Cole Avenue, Dallas, Tex. 75207. Applicant's representative: E. Larry Wells, 4645 N. Central

Expressway, Dallas, Tex. 75205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Appliances and ventilating hoods*, from Nashville, Tenn., to points in Arkansas, Arizona, California, Louisiana, Mississippi, New Mexico, Oklahoma, and Texas, under a continuing contract, or contracts, with Tappan Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas, Tex. or Nashville, Tenn.

No. MC 139193 (Sub-No. 40), filed July 13, 1976. Applicant: ROBERTS & OAKE, INC., 208 South LaSalle Street, Chicago, Ill. 60604. Applicant's representative: Jacob P. Billig, 2033 "K" Street, N.W., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Beverage bases; flavoring syrups; concentrated syrups; canned and preserved fruits; dry, liquid and paste sauces and toppings for ice cream and desserts, including marshmello cream; nuts preserved in syrups; flavoring extracts; bottlers' flavoring compounds; salad dressings; table sauces; glassware; promotional materials; and articles* distributed in connection with the above products for storing, displaying and dispensing those products, from the plantsite and facilities of J. Hungerford Smith Co., Inc., located at Humboldt, Tenn., to points in the United States in and east of Kansas, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas; and (2) *cocoa, frozen fruit, starches, sugar, carmel coloring, condensed milk, powdered milk, cannde and preserved fruit, salad dressing, essential oils used for flavoring, extracts and flavoring compounds, corn syrup, empty cans and lids, glass jars and jugs, plastic pails and covers, plastic jugs, labels and such other commodities* as are used in the preparation, packaging and distribution of the commodities specified in (1) above from points in the United States in and east of Kansas, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas, to the plantsite and facilities of J. Hungerford Smith Co., Inc., located at Humboldt, Tenn.; and (3) *the commodities* specified in both (1) and (2) above between the plantsites and facilities of J. Hungerford Smith Co., Inc., located at Modesto, Calif. and at Humboldt, Tenn., restricted in (1), (2) and (3) above to traffic transported under contracts for J. Hungerford Smith Co., Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Chicago, Ill.

No. MC 139495 (Sub-No. 153), filed July 13, 1976. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street, N.W., Suite 1030, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Personal care products and*

chewing gum, from the plantsite and storage facilities of Warner Lambert Company, located at or near Anaheim, Calif., to the plantsites and storage facilities of Warner Lambert Company, located at or near Milford and West Haven, Conn.; Rockford, Ill.; Long Island City, N.Y.; Milwaukie, Oreg.; and Lititz and Philadelphia, Pa.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139884 (Sub-No. 5), filed July 15, 1976. Applicant: KLIMA, INC., 10650 S.W. Wilsonville Road, Wilsonville, Oreg. 97070. Applicant's representative: Lawrence V. Smart, Jr., 419 N.W. Avenue, Portland, Oreg. 97210. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and wood products*, from points in Oregon and Washington, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, under contract with Dana-Deck, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 140037 (Sub-No. 1), filed July 13, 1976. Applicant: SUNFLOWER CARRIERS, INC., P.O. Box 355, York, Nebr. 68467. 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: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), (a) from Spencer, Iowa, to New York, N.Y., restricted to a transportation service to be performed under a continuing contract or contracts with Sunflower Beef Packers, Inc., at York, Nebr.; and (b) from the facilities of Moore Brothers Wholesale Meats, Inc., at or near Brooklyn, N.Y., to points in the United States (except Alaska and Hawaii), restricted to a transportation service to be performed under a continuing contract or contracts with Moore Brothers Wholesale Meats, Inc., and further restricted in both parts (a) and (b) to the transportation of Kosher beef.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Lincoln or Omaha, Nebr.

No. MC 140051 (Sub-No. 2), filed July 13, 1976. Applicant: DANIEL C. NEASE, doing business as LANCER ENTERPRISES, 9327 Sherborn Drive, Cincinnati, Ohio 45231. Applicant's representative: Timothy T. Slater, 2900 DuBois Tower, 511 Walnut Street, Cincinnati, Ohio 45202. Authority sought to operate as a *contract carrier*, by motor

vehicle, over irregular routes, transporting: *Carpet, linoleum, tile and sundry items, necessary for installation thereof; and the return of such commodities*, that originally were accepted by consignees, from the facilities of Carson, Pirie, Scott & Co., at Cincinnati, Ohio, to points in Kentucky, under contract with Carson Pirie, Scott & Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Cincinnati, Ohio; Northern Kentucky, or elsewhere in Ohio.

No. MC 140176 (Sub-No. 6), filed June 25, 1976. Applicant: RILEY WAYNE POWELL, an individual, doing business as POWELL TRUCKING COMPANY, Route 3, Sumrall, Miss. 39482. Applicant's representative: Fred W. Johnson, Jr., 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, Miss. 39205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Poles and pilings*, from the facilities of Fernwood Industries, Inc., located at Fernwood, Miss., to points in Alabama, Arkansas, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Mexico, New York, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and Wyoming, under a continuing contract, or contracts with Fernwood Industries.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Jackson, Hattiesburg, or Gulfport, Miss.

No. MC 140330 (Sub-No. 1), (amendment), filed February 24, 1976, published in the FEDERAL REGISTER issue of April 1, 1976 and republished as amended this issue. Applicant: R. C. VAN LINES, INC., 1044 Northside Drive, N.W., Atlanta, Ga. 30318. Applicant's representative: Virgil H. Smith, Suite 12, 1587 Phoenix Blvd., Atlanta, Ga. 30349. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Phenolic resin, phenol, formaldehyde, caustic soda, urea resin, ethylene glycol, and materials* used in the manufacture thereof, in bulk, in tank vehicles between the plantsite of Chembond Corporation, located in Covington County, Ala., on the one hand, and, on the other points in Alabama, Arkansas, Florida, Georgia, Mississippi, Louisiana, and South Carolina, under a continuing contract with Chembond Corporation.

NOTE.—The purpose of this republication is to amend to the requested authority and change the name of applicant's representative. If a hearing is deemed necessary, the applicant requests it be held at either Atlanta, Ga., or Washington, D.C.

No. MC 140523 (Sub-No. 1), filed July 6, 1976. Applicant: DELCHER MOVING OF SOUTH FLORIDA, INC., 451 Redland Road, Homestead, Fla. 33030. Applicant's representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Used household goods*, between points in Florida, restricted to the transportation of traffic having a prior or subsequent movement in interstate commerce, in containers beyond the points authorized, and further restricted to the performance of pickup and delivery service in connection with packing, crating and containerization or unpacking, uncrating and decontainerization of such traffic.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Jacksonville, Fla.

No. MC 140829 (Sub-No. 14), filed June 29, 1976. Applicant: CARGO CONTRACT CARRIER CORP., P.O. Box 206, U.S. Highway 20, Sioux City, Iowa 51102. Applicant's representative: William J. Hanlon, 55 Madison Avenue, Morristown, N.J. 07960. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses* as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), (1) from the facilities utilized by Sioux City Cold Storage located at or near Sioux City, Iowa to points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming; (2) from the facilities utilized by Sioux City Cold Storage located at or near Sioux City, Iowa, to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee; and (3) from the facilities utilized by Sioux City Cold Storage located at or near Sioux City, Iowa, 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, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—Applicant holds contract carrier authority in MC 136408 and subs thereunder; therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 141097 (Sub-No. 5), filed July 14, 1976. Applicant: CAL-TEX, INC., 3051 Capri Lane, Costa Mesa, Calif. 92626. Applicant's representative: Eric Meierhoefer, 303 N. Frederick Avenue, Gaithersburg, Md. 20760. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic carpet backing, bagging material, screen cloth, and yarn*, from Hazlehurst, Bainbridge, and Nashville, Ga., to points in California, Oklahoma and Texas, under a continuing contract, or contracts, with Patchogue Plymouth Division Amoco Fabrics Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 141379 (Sub-No. 3), filed June 25, 1976. Applicant: CALVIN C. HARTSFIELD, doing business as SOUTHSIDE AUTO PARTS AND SALVAGE, and doing business as, SOUTHSIDE AUTO SALES, Highway 25 South, P.O. Box 161, Route 1, Malden, Mo. 63863. Applicant's representative: Joseph E. Rebman, 314 North Broadway, Suite 1230, St. Louis, Mo. 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, damaged and used automobiles* (in truck-away service), (1) from Russellville and Little Rock, Ark., to Rockford, Ill.; (2) from points in Wayne County, Mich., and in Cook and Will Counties, Ill., to points in Ramsey and Washington Counties, Minn., Adams and Sangamon Counties, Ill.; Howell County, Mo., and Caraway, Ark.; (3) between points in Cook and Will Counties, Ill., on the one hand, and, on the other, points in Davidson County, Tenn.; and (4) between Kennett, Mo. and Sacramento, Calif.

NOTE.—If hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo.

No. MC 141424 (Sub-No. 1), filed May 17, 1976. Applicant: P-Y TRANSPORT, INC., 2767 Lewisberry Road, York, Pa. 17404. Applicant's representative: S. Harrison Kahn, Suite 733 Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *lime, plaster, gypsum, plaster and gypsum articles, plaster retarder, plastic accelerator, plasterboard joint system, and nails, clips, wedges, wire fasteners, and channels*, used in the installation of lime, plaster and gypsum, and of plaster and gypsum articles, from Akron, N.Y., to points in Delaware, and (b) returned materials as above described from points in Delaware, to Akron, N.Y. (2) *insulating materials*, when moving in the same vehicle and at the same time with roofing materials and supplies, from York, Pa., to Martinsburg, W. Va., and points in Ohio, New York (except points in Nassau, Orange, Rockland, Suffolk, and Westchester Counties, and the New York, N.Y., commercial zone, as defined by the Commission), and that part of New Jersey south of New Jersey Highway 33, and the District of Columbia. (3) *insulating materials*, when moving in the same vehicle and at the same time with plaster, plasterboard, gypsum lath, and gypsum sheathing, from Akron, N.Y., to points in Delaware, and that part of Pennsylvania on east of U.S. Highway 219 (except points in Cameron, Elk, McKean and Potter Counties, Pa.). (4) *roofing and building materials and materials and supplies* used in or incidental to the production and distribution of roofing and building materials, between York, Pa., on the one hand, and, on the other, Wilmington, Del., and points in Maryland and that part of New Jersey south of New Jersey Highway 33, and the District of Columbia.

(5) *Roofing and building materials* used in the installation and application

of such commodities (except iron and steel and commodities in bulk), between the plant site or Certain-Teed Products Corporation located at Avery, Ohio, on the one hand, and, on the other, points in Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia, and the District of Columbia. (6) *Building materials and wire*, between York, Pa., and points in Pennsylvania within 25 miles of York, on the one hand, and, on the other, points in Maryland, Pennsylvania, and that part of New Jersey south of New Jersey Highway 33. (7) *roofing materials and supplies*, from York, Pa., to points in North Carolina, Virginia, and the District of Columbia, from points in New Jersey south of New Jersey Highway 33, to York, Pa., and Curtis Bay and Westminster, Md. (8) *lime, plaster, and gypsum, plaster and gypsum articles, and plaster retarder, plaster accelerator, plasterboard joint system, nails, clips, wedges, wire fasteners, and channels* used in the installation of lime, plaster gypsum, and plaster and gypsum articles, from Wheatland, N.Y., to points in Maryland, New Jersey, Virginia, and the District of Columbia, and that part of Pennsylvania on and east of U.S. Highway 219. (9) *plaster, plasterboard, gypsum lath, and gypsum sheathing*, from Akron, N.Y., points within 2 miles thereof, to points in Pennsylvania on and east of U.S. Highway 219 (except those in Cameron, Elk, McKean and Potter Counties, Pa.). (10) (a) *plaster, plasterboard, gypsum lath, gypsum sheathing, and gypsum block, plank, slab or tile, from Oakfield, N.Y.*, to points in Pennsylvania on and east of U.S. Highway 219 (except Harrisburg and Lancaster, Pa., and points in Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa.); and (b) *vener, brick and clay products, roofing materials and supplies, building paper, wallpaper, and manufactured paper products*, from York, Pa. to Martinsburg, W. Va., and points in Delaware, Maryland, Ohio, New York (except points in Nassau and Suffolk Counties and the New York, N.Y., Commercial Zone, as defined by the Commission), and that part of New Jersey south of New Jersey Highway 33, restricted from performing any service under the above authority for the transportation of.

(a) Shipments to or from the facilities of Arctic Roofing, Inc., at or near Wilmington, Del., (b) brick and clay products from Summerville, Pa., and the Summerville, Pa., commercial zone as defined by the Commission, and from Porter Township (Clarion County), Pa., (c) concrete, cinder and slag products from Baltimore, Md., and York, Pa., and (d) brick from the facilities of Glen Gary Corporation, at or near York, Pa.

NOTE.—Applicant states that the requested authority may be tacked at Wilmington, Del.; York, Pa. and points in Pennsylvania within 25 miles of York, Pa. The authority sought in this application duplicates that authority sought in MC-FC-74949, P-Y Transport Inc.—Purchase-Miller's Motor Freight, Inc. which is pending before division 3 on a Petition for Reconsideration. If

a hearing is deemed necessary, the applicant requests it be held at Harrisburg, Pa.

No. MC 141954 (Sub-No. 1), filed July 1, 1976. Applicant: RAYFORD N. BOHANNON AND ROBERT E. RAGON, doing business as, R & R TRUCKING CO., Box 492, Greenup, Ill. 62428. Applicant's representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, Ill. 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Waste oil sludges*, in bulk, from points in Arkansas, Indiana, Iowa, Kentucky, Michigan, Missouri, Tennessee and Wisconsin to Calhoun, Crossville, Greenup and Olney, Ill.; and (2) *reprocessed process oil*, in bulk, from Calhoun, Crossville, Greenup and Olney, Ill., to points in Arkansas, Indiana, Iowa, Kentucky, Michigan, Missouri, Tennessee and Wisconsin, (1) and (2) above are under a continuing contract with A & F Materials Company, a Division of Cumberland Laboratories, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo.

No. MC 141989 (Sub-No. 1), filed July 15, 1976. Applicant: CHRISTIANSON LIME SPREADING SERVICE INC., Route No. 2, P.O. Box 202, Almond, Wis. 54909. Applicant's representative: Richard C. Alexander, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Taconite mine tailings*, from the facilities of Jackson County Iron Co., located at or near Black River Falls, Wis., to the facilities of Dunn Blacktop Plant, located at or near Winona, Minn., under a continuing contract, or contracts, with Mathy Construction Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Milwaukee, Wis. or Minneapolis or St. Paul, Minn.

No. MC 142114 (Sub-No. 1), filed July 2, 1976. Applicant: RETAIL EXPRESS, INC., 9 Stuart Road, Chelmsford, Mass. 01824. Applicant's representative: Francis J. Ortman, 7101 Wisconsin Ave., Suite 605, Washington, D.C. 20014. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail department stores, from the facilities of King's Department Stores, located in Chelmsford, Mass., to the facilities of King's Department Stores, located at points in Connecticut, Indiana, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Vermont and Virginia, under a continuing contract, or contracts, with King's Department Stores, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Boston, Mass. or Washington, D.C.

No. MC 142132 (Sub-No. 2), filed July 14, 1976. Applicant: T. J. KERVIN, an Individual, P.O. Box 48, Winnfield, La.

71483. Applicant's representative: T. J. Kervin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood sawdust, chips and shavings* (wood residuals), from Winnfield, La., to Corrigan, Tex.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held either Monroe, Shreveport, Baton Rouge or New Orleans, La.

No. MC 142182 (Sub-No. 1), filed June 24, 1976. Applicant: B & S TRUCKING, INC., 117 Ramsey Lane, Ballwin (St. Louis), Mo. 63011. Applicant's representative: Joseph E. Rebman, 314 N. Broadway, Suite 1230, St. Louis, Mo. 63102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Household appliances, television sets, radios, refrigerators, freezers, stereos and stereo speakers, tape recorders, calculators, ovens and ranges* (including microwave ovens and ranges), *washers, dryers, disposals, dishwashers, air conditioners, carpets, padding, floor tile, sheet vinyl, CB radios* (for automobile installation or otherwise), between the warehouses and shipping facilities of Brightman Distributing Co., Inc., located at or near St. Louis and Springfield, Mo., on the one hand, and, on the other, points in Adams, Alexander, Bond, Brown, Calhoun, Cass, Champaign, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Fulton, Gallatin, Green, Hamilton, Hancock, Hardin, Henderson, Henry, Jackson, Jasper, Jefferson, Jersey, Johnson, Knox, Lawrence, Logan, McDonough, McLean, Macon, Macoupin, Madison, Marion, Mason, Massac, Menard, Mercer, Monroe, Montgomery, Morgan, Perry, Platt, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Sangamon, Schuyler, Scott, Shelby, Starke, Sullivan, Tazewell, Union, Vermillion, Wabash, Warren, Washington, Wayne, White and Williamson Counties, Ill., under a continuing contract, or contracts, with Brightman Distributing Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo.

No. MC 142189 (Sub-No. 1), filed June 28, 1976. Applicant: C. M. BURNS, an Individual, doing business as WESTERN TRUCKING, 521 Lincoln, Banker, Mont. 59313. Applicant's representative: C. M. Burns (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber products and wood products*, from Flathead, Lake and Lincoln Counties, Mont., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Kalispell, Mont. or Missoula, Mont.

No. MC 142246 filed July 8, 1976. Applicant: VAN WYK, INC., C Street, Box 433, Sheldon, Iowa 51201. Applicant's

representative: Edward A. O'Donnell, 1004 29th St., Sioux City, Iowa 51104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities, materials and supplies* used in the agricultural, bakery, food processing, wholesale and retail grocery, water treatment and institutional supply industries, (a) from Minneapolis and St. Paul, Minn., to points in Iowa located on and north of Interstate Highway 80 and on and west of Interstate Highway 35, points in Minnesota located on and south of U.S. Highway 12, and points in South Dakota located on and east of U.S. Highway 281; and (b) between points in Iowa located on and north of Interstate Highway 80 and on and west of Interstate Highway 35, points in Minnesota located on and south of U.S. Highway 12, and points in South Dakota located on and east of U.S. Highway 281; and (2) *Salt and salt products, and materials and supplies* used in the agricultural, water treatment, food processing, wholesale and retail grocery and institutional supply industries, in mixed loads with salt and salt products, from points in Box Elder, Davis, Salt Lake, Tooele and Weber Counties, Utah, to points in Iowa located on and north of Interstate Highway 80 and on and west of Interstate Highway 35, points in Minnesota located on and south of U.S. Highway 12, and points in South Dakota located on and east of U.S. Highway 281, restricted in (1) and (2) above to a transportation service performed under a continuing contract, or contracts, with Henning Distributing Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Sioux City, Iowa or Omaha, Nebr.

No. MC 142246 (Sub-No. 1), filed July 8, 1976. Applicant: VAN WYK, INC., C Street, P.O. Box 433, Sheldon, Iowa 51201. Applicant's representative: Edward A. O'Donnell, 1004 29th St., Sioux City, Iowa 51104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packing-houses* as described in Sections A and C of Appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Boyden, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota and Wisconsin, restricted to a transportation service performed under a continuing contract, or contracts, with Smit & Son Packing Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Sioux City, Iowa or Omaha, Nebr.

No. MC 142250, filed July 13, 1976. Applicant: BAXTER TRUCKING CORP., 9 Vestry Street, New York, N.Y. 10013. Applicant's representative: John L. Alfano, 550 Mamaroneck Avenue, Harrison, N.Y. 10528. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting:

Pieces goods, and containers in which piece goods have been or are to be loaded, between Freeport, N.Y., on the one hand, and, on the other, points in that part of the New York, N.Y. Commercial Zone as defined in the Fifth supplemental report in *Commercial Zone and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted under the exemption provision of section 203(b) (8) of the Act (the "exempt zone"), restricted to shipments having a prior or subsequent movement by water, under a continuing contract, or contracts, with Dakota International Corp.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 142254 filed June 18, 1976. Applicant: FRIEDL FUEL & CARTAGE, INC., 417 West Whitewater Street, Whitewater, Wis. 53190. Applicant's representative: Michael J. Wyngaard, 329 West Wilson Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Castings, foundry products, and fasteners*, from Palmyra and Whitewater, Wis., to points in the United States in and east of Colorado, Montana, New Mexico, and Wyoming; and (2) *materials, equipment and supplies*, used or useful in the manufacture, sale, installation or distribution of the commodities named in part (1) above, from points in the United States in and east of Colorado, Montana, New Mexico and Wyoming, to Palmyra and Whitewater, Wis.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Madison, Wis.

No. MC 142263, filed June 28, 1976. Applicant: METEGHAN TRUCKING, LTD., P.O. Box 152, Meteghan, Nova Scotia, Canada. Applicant's representative: Kenneth B. Williams, 84 State Street, Boston, Mass. 02109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sea foods*, from Portland, Maine, and ports of entry on the International Boundary line between the United States and Canada, at or near Calais and Houlton, Maine, to points in the United States (except Alaska and Hawaii), and (2) *salvage rags*, from points in Connecticut, Maine and Massachusetts, to Portland, Maine, and ports of entry on the International Boundary line between the United States and Canada, at or near Calais and Houlton, Maine, restricted to shipments moving in foreign commerce from or to points in the Province of Nova Scotia, Canada.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass. or Portland, Maine.

No. MC 142265, filed July 7, 1976. Applicant: CHARLES W. MERTENS, Jr., 106 Flanders Road, Niantic, Conn. 06357. Applicant's representative: Robert N. Shea, P.O. Drawer 660, Niantic, Conn. 06357. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *Disabled, wrecker, repossessed and stolen vehicles*, between points in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania and Rhode Island.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Niantic, New London, Norwich or Hartford, Conn.

No. MC 142291, filed July 14, 1976. Applicant: MDI, INC., 609 6th St. Northeast, Long Prairie, Minn. 56347. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Alcoholic liquors and wines*, from points in California, Connecticut, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Missouri, Montana, New Jersey, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Virginia, Washington, Wisconsin and the District of Columbia, to Long Prairie, Minn.; and (2) *containers, glass or porcelain* for use in bottling commodities named in (1) above, from Joliet and Streator, Ill., Los Angeles and San Francisco, Calif., and Seattle, Wash., to Long Prairie, Minn., under a continuing contract, or contracts in (1) and (2) above, with Minnesota Distiller, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 142293 filed July 20, 1976. Applicant: J. C. UPCHURCH, doing business as, J. C. UPCHURCH TRUCKING, 202 West Fourth Street, DeQuincy, La. 70633. Applicant's representative: Tommy C. Rutledge, 207 North Pine Street, P.O. Box 876, DeQuincy, La. 70633. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and plywood*, from Boise Southern Sawmill, DeQuincy, La., and Boise Southern Plywood Plant, located at DeQuincy, La. to points in Louisiana and Texas, under a continuing contract or contracts with Boise Southern.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New Orleans, La. or Fort Worth, Tex.

PASSENGER APPLICATIONS

No. MC 142120, filed July 2, 1976. Applicant: LENZNER COACH LINES, INC., doing business as NORTH BOROUGHS CAB, Mt. Nebo Road, R.D. #2, Sewickley, Pa. 15143. Applicant's representative: William A. Gray, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in round-trip, charter and special operations, beginning and ending at points in Hanover, Independence, Hopewell, Potter, Raccoon, Center and Greene Townships and Shippingport South Heights, Georgetown, Hookstown, Ambridge, Frankfort Springs, Monaca, Baden, Aliquippa and Beaver County, Pa., and extending to

points in the United States, including Alaska but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Pittsburgh, Pa.

No. MC 142206. Filed July 12, 1976. Applicant: EASY TRAVEL TOURS, INC., 4147 Norman Road, Stone Mountain, Ga. 30083. Applicant's representative: Virgil H. Smith, Suite 12, 1587 Phoenix Blvd., Atlanta, Ga. 30349. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round trip charter and special operations, beginning and ending at Atlanta, Clarkston, Decatur, East Point, Marietta, Riverdale, Roswell, Stone Mountain, Tucker and Winder, Ga. and extending to points in Alabama, Florida, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

BROKER APPLICATION

No. MC 130389, filed May 19, 1976. Applicant: QUALITY TRAVEL SERVICE OF BOWLING GREEN, INC., 814 State Street, Bowling Green, Ky. 42101. Applicant's representative: James C. Jackson (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a broker at Bowling Green, Ky., to sell or offer to sell the transportation of: *Passengers and their baggage*, by motor-coach in charter operations, beginning and ending in the counties of Warren, Logan, Simpson, Allen, Barren, Hart, Edmonson and Butler, Ky., and extending to points in the United States including Alaska and Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Nashville, Tenn., or Louisville, Ky.

No. MC 130396, filed July 30, 1976. Applicant: SEA & SKI STUDENT TRAVEL SERVICES, INC., 7308 Durbin Terrace, Bethesda, Md. 20034. Applicant's representative: Andrew J. Gessow (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a broker at Bethesda, Md. to sell or offer to sell the transportation of *groups of passengers and their baggage*, restricted to high school and college students, in round-trip charter operations, by motor common carriers, beginning and ending at points in the District of Columbia and its commercial zone, and extending to points in Florida and Vermont.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

FREIGHT FORWARDER APPLICATIONS

No. FF-346 (Sub-No. 2) filed July 13, 1976. Applicant: INTERNATIONAL EXPORT PACKERS, INC., 4600 Eisenhower Avenue, Alexandria, Va. 22304. Applicant's representative: Alan F. Wohlstetter, 1700 K Street, NW., Washington, D.C. 20006. Authority sought to engage in operation, in interstate commerce, as

freight forwarder, through use of the facilities of common carriers by railroad, motor vehicle, water and express, in the transportation of (a) *used household goods and unaccompanied baggage*; and (b) *used automobiles*, between points in the United States, including Alaska and Hawaii, restricted in (b) above to the transportation of export and import traffic.

NOTE.—The purpose of this application is to add Alaska to applicant's present authority. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. FF-371 (Sub-No. 1), filed July 15, 1976. Applicant: HIGA FAST PAC, INC., 2115 Nimitz Highway, Honolulu, Hawaii 96810. Applicant's representative: Alan F. Wohlstetter, 1700 K Street, NW., Washington, D.C. 20006. Authority sought to engage in operation, in interstate commerce, as a *freight forwarder*, through use of the facilities of common carriers by rail, motor, water and express, in the transportation of (1) *Used household goods and unaccompanied baggage*; and (2) *used automobiles*, between points in the United States, including Hawaii and Alaska, restricted in (2) above to the transportation of export and import traffic.

NOTE.—Applicant states that the purpose of this application is to add Alaska to its present authority. If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif.

No. FF-484, filed July 8, 1976. Applicant: GEORGE INTERNATIONAL CORPORATION, PO Box 500, Parkton, Md. 21120. Applicant's representative: John Guandolo, 1000 Sixteenth Street, NW., Washington, D.C. 20036. Authority sought to engage in operation, in interstate commerce, as a *freight forwarder*, through use of the facilities of common carriers by express, motor vehicle and railroad, in the transportation of *building and contractors' equipment, materials and supplies; machinery and machine parts; pipeline and plant construction materials and supplies; iron and steel articles; and heavy and bulky articles* generally requiring rigging, special equipment, or specialized handling, restricted against commodities in bulk and further restricted to the transportation of export traffic only, from Wayne County, Ind.; Boone, Campbell and Kenton Counties, Ky.; and Auglaize, Butler, Clark, Clermont, Darke, Greene, Hamilton, Mercer, Miami, Montgomery, Preble, Shelby, and Warren Counties, Ohio, to Wilmington, Del.; Baltimore, Md.; Elizabeth and Newark, N.J.; New York, N.Y.; Wilmington, N.C.; Philadelphia, Pa.; and Newport News and Norfolk, Va.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Cincinnati or Columbus, Ohio or Washington, D.C.

FINANCE APPLICATIONS

NOTICE

The following applications seek approval to consolidate, purchase, merge,

lease operating rights and properties, or acquire control through ownership of stock, of rail carriers or motor carriers pursuant to Sections 5(2) or 210a(b) of the Interstate Commerce Act.

An original and two copies of protests to the granting of the requested authority must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such protest shall comply with Special Rules 240 (c) or 240(d) of the Commission's *General Rules of Practice* (49 CFR § 1100.240) and shall include a concise statement of protestant's interest in the proceeding. A copy of the protest shall be served concurrently upon applicant's representative, or applicant if no representative is named.

No. MC-F-12898. Authority sought for purchase by GORSKI BULK TRANSPORT, INC., a Canadian Corporation (non-carrier) Box 700, Harrow, Ontario, Canada, of the operating rights of (B) Thaddeus A. Gorski, an individual, dba Gorski Bulk Transport, also of Harrow, Ontario, Canada, and (BB) Continental Transport, Inc., a Michigan Corporation, 16290 East Eight Mile Road, Detroit, MI, 48205, and for acquisition by Thaddeus A. Gorski, of Harrow, Ontario, Canada, of control of such rights through the purchase. Applicants attorney: William B. Elmer, 21635 East Nine Mile Road, St. Clair Shores, MI, 48040. Operating rights sought to be transferred: (B) *Crude ammonia liquor*, in bulk, in tank vehicles, as a *contract carrier* over irregular routes from the plant site of the Semet-Solvay Division of the Allied Chemical and Dye Corporation, at or near Buffalo (Harriet), N.Y., to the port of entry on the United States-Canada Boundary line, at or near Buffalo, N.Y., from Cleveland, Ohio, to the port of entry on the United States-Canada Boundary line, at or near Detroit, Mich.; *alcoholic beverages* (except wines), in bulk, in tank vehicles, between the port of entry on the United States-Canada Boundary line located at or near Detroit, Mich., and Peoria, Ill.; *Empty bottles and barrels*, between Hillsboro and Peoria, Ill., on the one hand, and, on the other the port of entry on the United States-Canada Boundary line located at or near Detroit, Mich.; *sodium dichromate*, in containers, from the plant site of Allied Chemical Corporation, at Baltimore, Md., to the port of entry on the United States-Canada Boundary line at Detroit, Mich.; and *sodium bi-sulphate waste*, in drums, and *scrubber liquor*, in bulk, in tank vehicles, from the port of entry on the United States-Canada Boundary line at Detroit, Mich., to the plantsite of Allied Chemical Corporation, at Baltimore, Md.;

Ammonium sulfide solution, in bulk, in tank vehicles, from Phillipsburg, N.J., to the port of entry on the United States-Canada Boundary line at Detroit, Mich.; *methylene diphenyl diisocyanate*, in bulk, in tank vehicles, from Elizabethport, N.J., and Geismar, La., to ports of entry on the United States-Canada

Boundary line located on the Detroit, St. Clair, Niagara, and St. Lawrence Rivers and at Champlain, Rouses Point, and Trout River, N.Y., and Derby line and Newport, Vt.; *synthetic rubber*, from Buffalo, N.Y., and Gelsmar, La., to ports of entry on the United States-Canada Boundary line located on the Detroit, St. Clair, Niagara, and St. Lawrence Rivers and at Champlain, Rouses Point, and Trout River, N.Y., and Derby Line and Newport, Vt.; *synthetic latex*, in bulk, in tank vehicles, from Naugatuck, Conn., to ports of entry on the United States-Canada Boundary line located on the Detroit, St. Clair, Niagara, and St. Lawrence River and at Champlain, Rouses Point, and Trout River, N.Y., and Derby Line and Newport, Vt.; *plastic resins*, in bulk, from Detroit, Mich., to ports of entry on the United States-Canada Boundary line located on the Detroit, St. Clair, Niagara, and St. Lawrence Rivers and at Champlain, Rouses Point, and Trout River, N.Y., and Derby Line and Newport, Vt.; *plastic resins*, from Baton Rouge, La., to ports of entry on the United States-Canada Boundary line located on the Detroit, St. Clair, Niagara, and St. Lawrence Rivers and at Champlain, Rouses Point, and Trout River, N.Y., and Derby Line and Newport, Vt.; *plastic resins*, except in bulk, from Washington, W. Va., and Ottawa, Ill., to ports of entry on the United States-Canada Boundary line at or near (1) Rouses Point and Champlain, N.Y., and Derby Line and Newport, Vt., and (2) points located on the St. Clair, Detroit, Niagara, and St. Lawrence Rivers; *chemicals*, except in bulk, from points on the United States-Canada Boundary Line at or near the Niagara, Detroit, and St. Clair Rivers, to points in that part of the United States in and east of Minnesota, Iowa, Missouri, Arkansas, and Louisiana, (except to Detroit, Mich., and points in its commercial zone as defined by the Commission, and points in Wayne, Oakland, and Macomb Counties, Mich., within 8 miles of Detroit, Mich.); *neutral grain spirits*, in bulk, in tank vehicles, from Clinton and Muscatine, Iowa, and Atchison, Kans., to Allen Park, Mich., with restrictions. (BB) *General commodities*, with exceptions as a common carrier, over irregular routes between points in Wayne, Oakland, and Macomb Counties, Mich., within 8 miles of Detroit, Mich., including Detroit, with restrictions. Gorski Bulk Transport, Inc., a Canadian Corporation, holds no authority from this Commission. However, it is owned and operated by Thaddeus A. Gorski who is also the owner of Continental Transport Inc., a party to this proceeding, and he is himself a party to this proceeding. Applicant herein seeks to be substituted for Bulk Transport, Inc., a Michigan Corporation in Docket No. MC-140743 and subs thereunder.

NOTE.—MC-142268 (Sub-No. 1) is a directly related matter.

No. MC-F-12908. Application under section 5(1) of the Interstate Commerce Act for approval of an agreement between common carriers for the pooling of traffic. Applicants: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA. 94025, (A) BROWNING FREIGHT LINES, INC., 650 South Redwood Road, Salt Lake City, UT. 84104, (B) GARRETT FREIGHTLINES, INC., 2055 Garrett Way, Pocatello, ID. 83201, (C) MILNE TRUCK LINES, INC., 2200 South 400 West, Salt Lake City, UT. 84115, (D) PBI FREIGHT SERVICE (A Utah Corporation), 960 North 1200 West, Orem, UT. 84057, and (E) WHOLESALE SERVICE INC., DBA R & R TRANSPORTATION COMPANY, 2190 Yuma Street, Reno, NV. 89502, seeks to enter into an agreement for the pooling of traffic consisting of (A) general commodities moving in interstate commerce between points located on U.S. Highway 30 (Interstate Highway 80) between Boise, Idaho and Wendell, Idaho excluding Boise and including Wendell; points located on U.S. Highway 95 between New Meadows, Idaho and Weiser, Idaho, including the points of New Meadows and Weiser; points located on Idaho State Highway 55 between New Meadows, Idaho and Gardena, Idaho including New Meadows and Gardena; points located on U.S. Highway 30 between Rupert, Idaho and Pocatello, Idaho excluding Rupert and Pocatello; points located on U.S. Highway 30S (Interstate Highway 80N) between Burley, Idaho and the Idaho-Utah State Line, excluding Burley; the off route point of Mountain Home Air Force Base; (B) household goods as defined by the Commission, and general commodities moving in interstate commerce between points located on U.S. Highway 191 between Sugar City, Idaho and West Yellowstone, Montana, including service at Sugar City and West Yellowstone; points located on U.S. Highway 91 between Idaho Falls, Idaho and the Idaho-Montana State Line, excluding service at Idaho Falls; off route points in Ririe, Malad City, Preston, and Franklin, Idaho.

(C) general commodities moving in interstate commerce between points located on Interstate Highway 80N between Uintah, Utah and Echo, Utah, not including Uintah; points located on Interstate Highway 80 (U.S. Highway 30 and 30S) between Echo, Utah and Rock Springs, Wyoming, including Echo and Rock Springs; Jim Bridger Power Plant located approximately 6 miles north of point of Rocks, Wyoming, with restrictions; points located on U.S. Highway 91 (Interstate Highway 15) between Fillmore, Utah and the Arizona-Utah State Line, not including Fillmore; off-route points of Leeds, Harrisburg, Washington, St. George, La Verkin, Hurricane, and Springdale, Utah, Littlefield, Lake Havasu City, Bunkerville, and Mesquite, Nevada, Needles, California, Ajo, Arizona; (D) general commodities moving in interstate commerce between Payson, Utah and Fillmore, Utah serving all intermediate points on U.S. Highway 91, including

service at Payson and Fillmore; between Thisle, Utah and the Utah-Arizona State Line serving all intermediate points on U.S. Highway 89, including service at Thisle; points on Utah Highway 11 between and including Nephi and Moroni, Utah; points on Utah Highway 116 between and including Moroni and Mount Pleasant, Utah; and points on Utah Highway 28 between and including Levan and Gunnison, Utah; the points of Hinkle, Delta, and Monroe, Utah, Fredonia, Glen Canyon Dam Site, and Page, Arizona; (E) general commodities moving in interstate commerce between Fernley, Nevada and Wells, Nevada serving all intermediate points located on U.S. Highway 40 (Interstate Highway 80), including the points of Fernley and Wells, Nevada. Consolidated Freightways Corporation of Delaware, is authorized to operate as a common carrier in all the States in the United States (except Hawaii). Applicants' representatives: G. T. West, Vice-President-Traffic, 175 Linfield Drive, Menlo Park, CA. 94025 and Robert M. Bowden, Commerce Supervisor, P.O. Box 3062, Portland, OR. 97028.

No. MC-F-12914. Authority sought for purchase by RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, Fla., 32203, of a portion of the operating rights of ASSOCIATED Transport, Inc., Thomas J. Cahill, trustee in bankruptcy, c/o Arthur S. Olick, 39th Floor, 630 Fifth Avenue, New York, N.Y., 10020, and for acquisition by IU Transportation Services, INC., 1105 N. Market St., Wilm., Del., 19801, The Wilmington Tower, which is in turn controlled by IU International Corporation, The Wilmington Tower, 1105 N. Market St., Wilm., Del., 19801, of control of such rights through the purchase. Applicants' attorneys: H. Beatty Chadwick, 1500 Walnut Street, Philadelphia, PA., 19102, Roland Rice, Suite 501, Perpetual Bldg., Washington, D.C., 20004, and Fritz R. Kahn, 1660 L Street, N.W., Washington, D.C., 10036. Operating rights sought to be transferred: *Classes A and B explosives*, as a common carrier over regular routes between Atlanta, Ga., and Salisbury, N.C., service is authorized to and from all intermediate points; between Lawrenceville, Ga., and Bristol, Va., service to authorized to and from all intermediate points; between Knoxville, Tenn., and Burlington, N.C., service is authorized to and from all intermediate points; between Knoxville, Tenn., and Dillsboro, N.C., service is authorized to and from all intermediate points; between points in North Carolina as follows: from Franklin over U.S. Highway 23 to Asheville, thence over U.S. Highway 74 to Kings Mountain, from Marshall over North Carolina Highway 213 to junction U.S. Highway 23, from Marion over U.S. Highway 221 to Rutherfordton, thence over North Carolina Highway 108 to Tyron, service is authorized to and from all intermediate points; between junction U.S. Highway 221 and North Carolina Highway 26, South of Marion, N.C., and and Gaffney, S.C., service is authorized to and from all intermediate points.

Between Conover, N.C., and Great Falls, S.C., no exceptions are specified for that segment of the route between Gastonia and York, including authorized points of service, service is authorized to and from all intermediate points; between Chester, S.C., and Statesville, N.C., service is authorized to and from all intermediate points; between Rock Hill, S.C., and Blacksburg, S.C., between York, S.C., and Burlington, N.C., service is authorized to and from all intermediate points; between points in North Carolina as follows: from Dallas over North Carolina Highway 275 to Stanley, thence over North Carolina Highway 27 to Charlotte, from Moresville over North Carolina Highway 150 to junction North Carolina Highway 152, thence over North Carolina Highway 152 to China Grove, from Mooresville over North Carolina Highway 150 to Salisbury, thence over U.S. Highway 601 to Mocksville, from Mooresville over North Carolina Highway 801 to junction U.S. Highway 601, from Winston-Salem over U.S. Highway 52 to Lexington, from Winston-Salem over North Carolina Highway 109 to Thomasville, from Winston-Salem over U.S. Highway 311 to High Point, from Kernersville over North Carolina Highway 150 to junction U.S. Highway 311, service is authorized to and from all intermediate points; between junction U.S. Highway 74 and North Carolina Highway 120, and Laurens, S.C., service is authorized to and from all intermediate points; between Whitmire, S.C., and Hendersonville, N.C., service is authorized to and from the intermediate points of Union, S.C., and those between Union and Hendersonville, no exceptions are specified to the general commodity description for that segment of the route between Whitmore and Union; between points in South Carolina as follows:

From Landrum over South Carolina Highway 14 to Greer, thence over unnumbered highway to Travelers Rest, from Greenville over U.S. Highway 25 to Ware Shoals, from Greenville over U.S. Highway 276 to Laurens, thence over U.S. Highway 76 to Clinton, and thence over South Carolina Highway 72 to Whitmire, from Mauldin over unnumbered highway to Woodruff, from Clemson College over U.S. Highway 76 to Anderson, service is authorized to and from all intermediate points; between Gainesville, Ga., and Athens, Ga., no service is authorized to or from intermediate points; between Decatur, Ga., and junction U.S. Highway 29 and 78, no service is authorized to or from intermediate points, service is authorized to and from the off-route points of Bryson City, Ela, Hartland, Hudson and Lenoir, N.C., Belton, Honea Path, Iva, Lockhart and Slater, S.C., those within ten miles of Atlanta, and those within ten miles of Knoxville, and those in Georgia, North Carolina, and South Carolina within ten miles of the above-specified routes, except routes 28 and 29, that portion of route 22 at which intermediate points

shall not be served, and that portion of route 9 which is between York, S.C., and Gastonia, N.C.; between Atlanta, Ga., and junction U.S. Highway 23 and Georgia Highway 20 at or near Buford, Ga., no service is authorized to or from intermediate points; between Rome, Ga., and New York, N.Y.; between Lawrenceville, Ga., and Philadelphia, Pa.; between Baltimore, Md., and New Brunswick, N.J.; between Wilmington, Del., and Penns Grove, N.J.; between Chester, Pa., and Bridgeport, N.J.; between Philadelphia, Pa., and Easton, Pa.; between Baltimore, Md., and Scranton, Pa.; between Amity Hall, Pa., and Selinsgrove, Pa.; between Kingston, Pa., and Hazleton, Pa.; between Danville, Va., and South Hill, Va.; between Danville, Va., and Richmond, Va.; between Danville, Va., and Cumberland, Md.;

Between Slater, S.C., and Whitmire, S.C.; between Statesville, N.C., and Great Falls, S.C.; between Danville, Va., and Asheboro, N.C.; between Salisbury, N.C., and Marion, N.C.; between Salisbury, N.C., and Shelby, N.C.; between Conover, N.C., and Marion, N.C.; between Winston-Salem, N.C., and Fayetteville, N.C.; between Sanford, N.C., and Fayetteville, N.C.; between Winston-Salem, N.C., and Lexington, N.C.; between Winston-Salem, N.C., and junction U.S. Highways 311 and 220; between Greensboro, N.C., and Carthage, N.C.; between Ramseur, N.C., and junction North Carolina Highways 22 and 27; between Reidsville, N.C., and Pittsboro, N.C.; between Greensboro, N.C., and Raleigh, N.C.; between Henderson, N.C., and Carthage, N.C.; between Franklinton, N.C., and Lillington, N.C.; between junction U.S. Highway 64 and North Carolina Highway 55 and junction North Carolina Highway 55 and U.S. Highway 501 (formerly alternate U.S. Highway 15); between Sanford, N.C., and Raleigh, N.C.; between Nelson, N.C., and junction North Carolina Highways 49 and 62, serving the following intermediate and off-route points in connection with all of the above described routes; between Atlanta, Ga., and junction U.S. Highways 29 and 78, serving no intermediate points; between Atlanta, Ga., and junction U.S. Highway 23 and Georgia Highway 20, at McDonough, Ga., serving no intermediate points; between Washington, D.C., and junction U.S. Highway 15 and Pennsylvania Highway 94 at York Springs, Pa., serving no intermediate points, and with no service to or from York Springs, Pa.; between Baltimore, Md., and Cumberland, Md., serving no intermediate points; between Pittsburgh, Pa., and Cumberland, Md., serving intermediate and off-route points within 15 miles of Pittsburgh.

Between the Bedford Toll Gate and junction Pennsylvania Turnpike and U.S. Highway 33 at Irwin, Pa., for operating convenience only, serving no intermediate points, and with no service to or from the terminus, with restriction; between Winchester, Va., and Hancock, Md., serving no intermediate points, and with no service at Hancock, Md., the au-

thority granted herein, to the extent that it duplicates any authority heretofore granted to or now held by carrier shall not be construed as conferring more than one operating right; between Buffalo, N.Y., and points in New York; between Jamestown, N.Y., and Olean, N.Y.; between Buffalo, N.Y., and Erie, Pa.; between Buffalo, N.Y., and Jamestown, N.Y.; between Buffalo, N.Y., and Warren, Pa.; between Buffalo, N.Y., and points in New York; between Buffalo, N.Y., and points in New York; between Rochester, N.Y., and Syracuse, N.Y.; between Buffalo, N.Y., and Binghamton and Utica, N.Y.; between Rochester, N.Y., and Utica, N.Y.; between Buffalo, N.Y., and Albany, N.Y.; between Rochester, N.Y., and Syracuse, N.Y.; between Buffalo, N.Y., and Erie, Pa.; between Erie, Pa., and Jamestown, N.Y., and Cleveland, Ohio; between Erie, Pa., and Jamestown, N.Y., and Cleveland, Ohio; between Jamestown, N.Y., and Buffalo, N.Y., and Clarendon, Pa.; between Olean, N.Y., and points in New York and Pennsylvania; between Olean, N.Y., and points in New York and Pennsylvania; between Rochester, N.Y., and points in New York; between Rochester, N.Y., and points in New York; between Syracuse, N.Y., and points in New York; between Utica, N.Y., and points in New York; between Utica, N.Y., and Rome and Herkimer, N.Y., service is authorized to and from all intermediate points on the above-specified routes, and off route points within 15 miles of said routes; between Utica, N.Y., and New York, N.Y., serving the intermediate point of Albany, N.Y., and those between Albany and Utica; between Elmira, N.Y., and Binghamton, N.Y., serving all intermediate points.

Between Elmira, N.Y., and Syracuse, N.Y., serving all intermediate points; between Elmira, N.Y., and Dresden, N.Y., serving all intermediate points; between Elmira, N.Y., and New York, N.Y., serving the intermediate point of Binghamton, N.Y., and those between Elmira and Binghamton; between Elmira, N.Y., and New York, N.Y., serving all intermediate points; between Elmira, N.Y., and Stokesdale, Pa., serving all intermediate points; between Elmira, N.Y., and Athens, Pa., serving all intermediate points; between Binghamton, N.Y., and Philadelphia, Pa., serving all intermediate points; between Binghamton, N.Y., and Syracuse, N.Y., serving all intermediate points; between Binghamton, N.Y., and Ithaca, N.Y., serving all intermediate points; between Binghamton, N.Y., and Albany, N.Y., serving all intermediate points; between Philadelphia, Pa., and Binghamton, N.Y., serving all intermediate points; between Albany, N.Y., and Binghamton, N.Y., serving all intermediate points; between Albany, N.Y., and Plattsburgh, N.Y., serving no intermediate points; between Albany, N.Y., and Malone, N.Y., serving no intermediate points; between Albany, N.Y., and Mooers, N.Y., serving no intermediate points; between Albany, N.Y., and

Plattsburgh, N.Y., serving no intermediate points; between Albany, N.Y., and Oneonta, N.Y., serving all intermediate points; between Albany, N.Y., and Waterford, N.Y., serving all intermediate points; between Albany, N.Y., and North Hoosick, N.Y., serving all intermediate points; between Albany, N.Y., and Hoosick Falls, N.Y., serving all intermediate points; between Albany, N.Y., and Stephentown, N.Y., serving all intermediate points; between Albany, N.Y., and Hudson, N.Y., serving all intermediate points; between Albany, N.Y., and Selkirk, N.Y., serving all intermediate points.

Between Albany, N.Y., and Schenectady, N.Y., serving all intermediate points; between Albany, N.Y., and Mayfield, N.Y., serving all intermediate points; between Albany, N.Y., and Johnstown, N.Y., serving all intermediate points; between Albany, N.Y., and Caroga Lake, N.Y., serving all intermediate points; between Buffalo, N.Y., and Towanda, Pa., serving all intermediate points; between Buffalo, N.Y., and Williamsport, Pa., serving all intermediate points; between Buffalo, N.Y., and Pottsville, Pa., serving all intermediate points; between Buffalo, N.Y., and Selinsgrove, Pa., serving all intermediate points; between Syracuse, N.Y., and Oswego, N.Y., serving all intermediate points; between Syracuse, N.Y., and Massena, N.Y., serving all intermediate points; between Syracuse, N.Y., and Camden, N.Y., serving all intermediate points; between Utica, N.Y., and Massena, N.Y., serving all intermediate points; between Syracuse, N.Y., and Greene, N.Y., serving all intermediate points; between Syracuse, N.Y., and Cortland, N.Y., serving all intermediate points; between Syracuse, N.Y., and Groton, N.Y., serving all intermediate points; between Syracuse, N.Y., and Cananadaigua, N.Y., serving all intermediate points; between Syracuse, N.Y., and Palmyra, N.Y., serving all intermediate points; between Syracuse, N.Y., and Shortsville, N.Y., serving all intermediate points; between Syracuse, N.Y., and Watkins Glen, N.Y., serving all intermediate points; between Syracuse, N.Y., and Penn Yan, N.Y., serving all intermediate points; between Syracuse, N.Y., and Newport, N.Y., serving all intermediate points; between Buffalo, N.Y., and Cleveland, Ohio, serving all intermediate points; between Buffalo, N.Y., and McAdoo, Pa., serving all intermediate points, service is authorized to and from off-route points within 15 miles and from off-route points; between Sunbury, Pa., and Philadelphia, Pa., serving no intermediate points;

Between junction U.S. Highway 23 and North Carolina Highway 36 and junction U.S. Highway 23 and Tennessee Highway 81, service is not authorized to or from intermediate points; between Decatur, Ga., and junction U.S. Highway 29 and 78, service is not authorized to or from intermediate points; between Madisonville, Tenn., and Ducktown, Tenn., service is authorized to and from all intermediate points; between Myrtle

Beach, S.C., and Hartsville, S.C., service is authorized to and from all intermediate points, and the off-route points in a territory in North Carolina, and South Carolina bounded by a line beginning at Myrtle Beach, S.C., and extending along U.S. Highway 501 via Marion, S.C., to Rowland, N.C., thence along U.S. Highway 301 to Lumberton, N.C., thence along North Carolina Highway 211 to Bolton, N.C., and thence along U.S. Highway 76 to Wrightsville Beach, N.C., including points on the designated highways between Marion and Wrightsville Beach; between Kingsport, Tenn., and Lynchburg, Va., serving no intermediate points; small arms ammunition, between Cincinnati, Ohio, and Cleveland, Ohio, serving the intermediate points of Xenia, Ohio, and those between Xenia and Cincinnati; classes A and B explosives as a common carrier over irregular routes, between points in New York, on the one hand, and, on the other, points in that part of Pennsylvania north of a line beginning at the Ohio-Pennsylvania State line and extending through Oil City, DuBois, Williamsport, and Scranton, Pa., to the Pennsylvania-New York State line, the authority granted herein, to the extent that it duplicates any authority heretofore granted to or now held by carrier, shall not be construed as conferring more than one operating right.

Vendee is authorized to operate as a common carrier in all the States in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a (b).

No. MC-F-12915. Authority sought for purchase by ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, P.O. Box 471, Akron, Ohio, 44309, of a portion of the operating rights of Associated Transport, Inc., Thomas J. Cahill, Trustee in Bankruptcy, and for acquisition by Roush Voting Trust, also of Akron, OH., 44309, of control of such rights through the purchase. Applicants' attorneys: William O. Turney, Suite 1010, 7101 Wisconsin Ave., Washington, D.C. 20014, and Fritz R. Kahn, Suite 1100, 1660 L St., N.W., Washington, D.C. 20036. Operating rights sought to be transferred: *General commodities*, with exceptions, as a common carrier over regular routes between Buffalo, N.Y., and Albany, N.Y., serving all intermediate points, and serving the off-route points of Akron, Honeoye Falls, Holcomb, Minoa, Oneida, Clinton, Dolgeville, Johnstown, and Gloversville, N.Y.; between Albany, N.Y., and Waterford, N.Y., serving the intermediate and off-route points of Troy, Rensselaer, Watervliet, Latham, and Cohoes, N.Y.; between Albany, N.Y., and New York, N.Y., serving the intermediate and off-route points of Hudson, N.Y., and those in the New York, N.Y., Commercial Zone, as defined by the Commission; between Utica, N.Y., and Schenectady, N.Y., serving all intermediate points between Utica and Canajoharie, including Canajoharie; between Wampsville, N.Y., and Utica, N.Y., serving the intermediate and off-route points of Oneida, Rome, Stacy Basin,

Marcy, Whitesboro, Yorkville, and New York Mills, N.Y.; between Rome, N.Y., and Binghamton, N.Y., serving no intermediate points; between Utica, N.Y., and Clayville, N.Y., serving all intermediate points; between Utica, N.Y., and Soisville, N.Y., serving the intermediate and off-route points of Capron, New York Mills, South Utica, Whitesboro, Yorkville, Clinton, and Oriskany Falls, N.Y.; between Syracuse, N.Y., and Oswego, N.Y., serving all intermediate points, and serving the off-route point of Minetto, N.Y.; between Red Creek, N.Y., and Syracuse, N.Y., serving all intermediate points; between Syracuse, N.Y., and Jordan, N.Y., serving no intermediate points; between Syracuse, N.Y., and Cazenovia, N.Y., serving all intermediate points; between Skaneateles, N.Y., and Syracuse, N.Y., serving no intermediate points; between Skaneateles, N.Y., and Syracuse, N.Y., serving all intermediate points on New York Highways 174 and 5; between Syracuse, N.Y., and Watertown, N.Y., serving all intermediate points, and serving the off-route points of Parish and Richland, N.Y.; between Geneva, N.Y., and Oswego, N.Y., serving all intermediate points, and serving the off-route points of Williamson, Sodus, and Mexico, N.Y.

Between Cortland, N.Y., and Ithaca, N.Y., serving all intermediate points, and serving the off-route point of McLean, N.Y.; between Binghamton, N.Y., and Owego, N.Y., serving all intermediate points; between Buffalo, N.Y., and Rochester, N.Y., serving the intermediate and off-route points of Depew, Corfu, Akron, Charlotte, Irondequoit, Blasdell, and Lackawanna, N.Y.; between Rochester, N.Y., and Geneva, N.Y., serving no intermediate points; between Trumansburg, N.Y., and Watkins Glen, N.Y., serving no intermediate points; between Rochester, N.Y., and Syracuse, N.Y., serving all intermediate points, and serving the off-route points of Marion, N.Y.; between Elmira, N.Y., and Ithaca, N.Y., serving no intermediate points; between Rochester, N.Y., and Buffalo, N.Y., serving all intermediate points; between Binghamton, N.Y., and Utica, N.Y., serving all intermediate points, and serving the off-route points of Westmoreland, Clarks Mills, Deansboro, and Franklin Springs, N.Y.; between Binghamton, N.Y., and Syracuse, N.Y., serving all intermediate points; and the off-route point of McGraw, N.Y.; between Utica, N.Y., and Palatine Bridge, N.Y., serving all intermediate points; between Palatine Bridge, N.Y., and Schenectady, N.Y., serving all intermediate points on New York Highways 5 and 10; between Utica, N.Y., and Schenectady, N.Y., serving all intermediate points; between Rochester, N.Y., and Geneva, N.Y., serving all intermediate points; and the off-route points of East Rochester, Scottsville, Rush, Shortsville, and Oak Corner, N.Y.; between Geneva, N.Y., and points in New York as follows, serving all intermediate points and serving the off-route points of MacDougall, Odessa, Painted Post, Bellona, and Milo Center, N.Y.; be-

tween Auburn, N.Y., and Cortland, N.Y., serving all intermediate points, and serving the off-route points of McGraw and New Hope, N.Y.; between Auburn, N.Y., and Syracuse, N.Y., serving all intermediate points; between Skaneateles, N.Y., and Cazenovia, N.Y., serving all intermediate points on New York Highway 92 between Cazenovia and Syracuse, including Syracuse, and serving the off-route point of South Onondaga, N.Y.; between Geneva, N.Y., and Savona, N.Y., serving all intermediate points, and serving the off-route points of Campbell, Milo Center, and Branchport, N.Y.; between Geneva, N.Y., and Corning, N.Y., serving all intermediate points, and serving the off-route points of Campbell, Milo Center, and Branchport, N.Y.; between Binghamton, N.Y., and Easton, Pa., serving the intermediate point of Wind Gap, Pa.; between Newark, N.J., and Amsterdam, N.Y., serving all intermediate points; between Easton, Pa., and Rochester, N.Y., serving all intermediate points between Binghamton and Rochester, including Binghamton; between Utica, N.Y., and Rochester, N.Y., serving all intermediate points; from Scranton, Pa., to Buffalo, N.Y., in truckload, serving all intermediate points in New York.

Between Buffalo, N.Y., and points in New York; between Jamestown, N.Y., and Olean, N.Y.; between Fredonia, N.Y., and Jamestown, N.Y.; between Buffalo, N.Y., and Erie, Pa.; between Buffalo, N.Y., and Warren, Pa.; between Rochester, N.Y., and Syracuse, N.Y.; between Buffalo, N.Y., and Binghamton and Utica, N.Y.; between Rochester, N.Y., and Utica, N.Y.; between Buffalo, N.Y., and Albany, N.Y.; between Rochester, N.Y., and Syracuse, N.Y.; between Erie, Pa., Westfield, N.Y., and Jamestown, N.Y.; between Erie, Pa., and Jamestown, N.Y.; between Jamestown, N.Y., and Buffalo, N.Y., and Clarendon, Pa.; between Olean, N.Y., and points in New York and Pennsylvania; between Olean, N.Y., and points in New York and Pennsylvania; between Rochester, N.Y., and points in New York; between Syracuse, N.Y., and points in New York; between Utica, N.Y., and points in New York; between Utica, N.Y., and Rome and Herkimer, N.Y., as follows: from Utica over New York Highway 5 to junction New York Highway 233, thence over New York Highway 233 to Rome, and return over the same route, from Utica over New York Highway 8 to junction New York Highway 28, thence over New York Highway 28 to Herkimer, and return over the same route, service is authorized to and from all intermediate points on the above-specified routes, and off-route points within 15 miles of said routes; between Utica, N.Y., and New York, N.Y., serving the intermediate point of Albany, N.Y., and those between Albany and Utica; between Elmira, N.Y., and Binghamton, N.Y., serving all intermediate points; between Elmira, N.Y., and Syracuse, N.Y., serving all intermediate points; between Elmira, N.Y., and Dresden, N.Y., serving all intermediate points; between Elmira, N.Y., and New York, N.Y., serving the intermediate point of Binghamton, N.Y., and those

between Elmira and Binghamton; between Elmira, N.Y., and New York, N.Y., serving all intermediate points; between Elmira, N.Y., and Stokesdale, Pa., serving all intermediate points; between Elmira, N.Y., and Athens, Pa., serving all intermediate points; between Binghamton, N.Y., and Easton, Pa., serving all intermediate points; between Binghamton, N.Y., and Syracuse, N.Y., serving all intermediate points; between Binghamton, N.Y., and Ithaca, N.Y., serving all intermediate points; between Binghamton, N.Y., and Albany, N.Y., serving all intermediate points; between Easton, Pa., and Binghamton, N.Y., serving all intermediate points; between Albany, N.Y., and Binghamton, N.Y., serving all intermediate points; between Albany, N.Y., and Plattsburgh, N.Y., serving no intermediate points; between Albany, N.Y., and Malone, N.Y., serving no intermediate points.

Between Albany, N.Y., and Mooers, N.Y., serving no intermediate points; between Albany, N.Y., and Plattsburgh, N.Y., serving no intermediate points; between Albany, N.Y., and Oneonta, N.Y., serving all intermediate points; between Albany, N.Y., and Waterford, N.Y., serving all intermediate points; between Albany, N.Y., and North Hoosick, N.Y., serving all intermediate points; between Albany, N.Y., and Hoosick Falls, N.Y., serving all intermediate points; between Albany, N.Y., and Stephentown, N.Y., serving all intermediate points; between Albany, N.Y., and Hudson, N.Y., serving no intermediate points; between Albany, N.Y., and Selkirk, N.Y., serving all intermediate points; between Albany, N.Y., and Schenectady, N.Y., serving all intermediate points; between Albany, N.Y., and Mayfield, N.Y., serving all intermediate points; between Albany, N.Y., and Johnstown, N.Y., serving all intermediate points; between Albany, N.Y., and Caroga Lake, N.Y., serving no intermediate points; between Buffalo, N.Y., and Tonawanda, Pa., serving all intermediate points; between Buffalo, N.Y., and Williamsport, Pa., serving all intermediate points; between Buffalo, N.Y., and Pottsville, Pa., serving all intermediate points; between Buffalo, N.Y., and Selinsgrove, Pa., serving all intermediate points; between Syracuse, N.Y., and Oswego, N.Y., serving all intermediate points; between Syracuse, N.Y., and Massena, N.Y., serving all intermediate points; between Syracuse, N.Y., and Camden, N.Y., serving all intermediate points; between Utica, N.Y., and Massena, N.Y., serving all intermediate points; between Syracuse, N.Y., and Greene, N.Y., serving all intermediate points; between Syracuse, N.Y., and Cortland, N.Y., serving all intermediate points; between Syracuse, N.Y., and Groton, N.Y., serving all intermediate points; between Syracuse, N.Y., and Canandaigua, N.Y., serving all intermediate points; between Syracuse, N.Y., and Palmyra, N.Y., serving all intermediate points; between Syracuse, N.Y., and Shortsville, N.Y., serving all intermediate points; between Syracuse, N.Y., and Watkins Glen, N.Y., serving all intermediate points; between Syracuse, N.Y.,

and Penn Yan, N.Y., serving all intermediate points; between Syracuse, N.Y., and Newport, N.Y., serving all intermediate points; between Buffalo, N.Y., and Mcadoo, Pa., serving all intermediate points, service is authorized to and from off-route points within 15 miles of the above-specified routes.

Between Albany, N.Y., and Waterford, N.Y., service is authorized to and from all intermediate points; between junction U.S. Highway 6 and New York Highway 17, near Harriman, N.Y., and Scranton, Pa., as an alternate route for operating convenience only, in connection with carrier's regular route operations between Harriman, N.Y., and Scranton, Pa., serving no intermediate points; serving the plant site of PPG Industries, Inc., at or near Kebert Park, Greenwood Township, Crawford County, Pa., as an off-route point in connection with its presently authorized regular routes operations to and from Erie and Pittsburgh, Pa.; *general commodities* with exceptions as a *common carrier* over irregular routes between points in New York, on the one hand, and, on the other, points in that part of Pennsylvania north of a line beginning at the Ohio-Pennsylvania State line and extending through Oil City, DuBois, Williamsport, and Scranton, Pa., to the Pennsylvania-New York State line. Vendee is authorized to operate as a *common carrier* in Alabama, Arkansas, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12916, Authority sought for control and merger by RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, Florida 32203, of the operating rights and property of Oklahoma Border Express, Inc., 903 "Y" Street, Fort Smith, Arkansas 72901 and for acquisition by IV Transportation Services, Inc., The Wilmington Tower, 1105 North Market Street, Wilmington, Delaware 19801, which in turn is controlled by IV International Corporation, The Wilmington Tower, 1105 North Market Street, Wilmington, Delaware 19801, which in turn is controlled by IV International Corporation, The Wilmington Tower, 1105 North Market Street, Wilmington, Delaware 19801 of control of such rights and property through the transaction. Applicants' attorneys: Roland Rice, Esq., 501 Perpetual Building, 1111 "E" Street NW., Washington, D.C. 20004, H. Beatty Chadwick, Esq., 1500 Walnut Street, Philadelphia, Pa. 19102, Don A. Smith, Esq., 510 North Greenwood, Fort Smith, Arkansas 72901. Operating rights sought to be controlled and merged: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by

the Commission, commodities in bulk, and those requiring special equipment, as a common carrier over regular routes. Between Sallisaw, Oklahoma, and Fort Smith, Arkansas, serving all intermediate points and the offroute point of Hanson, Oklahoma. From Sallisaw over U.S. Highway 64 to Fort Smith, and return over same route, between Sallisaw, Oklahoma, and Vian, Oklahoma, serving all intermediate points, from Sallisaw over U.S. Highway 64 to Vian and return over the same route. Between Vian, Oklahoma, and Eufaula, Oklahoma, serving the intermediate points of Gore, Warner, and Checotah, Oklahoma, and the off-route points of Webbers Falls, Oklahoma, from Vian over U.S. Highway 64 to Warner, Oklahoma, thence over U.S. Highway 266 to Checotah, Oklahoma, thence over U.S. Highway 69 to Eufaula, and return over the same route.

Serving the sites of Robert S. Kerr Lock and Dam and Webbers Falls Lock and Dam as off-route points in Connection with carrier's regular route operations authorized above, between Fort Smith, Arkansas and Eufaula, Oklahoma. Between Checotah, Oklahoma, and Progue, Oklahoma, serving all intermediate points: From Checotah over U.S. Highway 266 to Henryetta, Oklahoma, thence over U.S. Highway 62 to Progue, and return over the same route. Between Eufaula, Oklahoma, and junction U.S. Highways 62 and 75 at or near Henryetta, Oklahoma, serving all intermediate points. From Eufaula over Oklahoma Highway 9 to Wetumka, Oklahoma, thence over U.S. Highway 75 to junction U.S. Highway 62, and return over the same route. Between Fort Smith, Arkansas, and Marble City, Oklahoma, serving the intermediate point of Roland, Gans, Short Mountain Dam Site and Sadie, Oklahoma. From Fort Smith over U.S. Highway 64 to junction Oklahoma Highway 141, thence over Oklahoma Highway 141 to junction U.S. Highway 59, thence over Highway 59 to junction unnumbered County road (known as old 17), thence over unnumbered county road to Marble City, and return over the same route (also return over unnumbered county road to junction U.S. Highway 64, thence over U.S. Highway 64 to Fort Smith). *General commodities*, except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading.

Between Oklahoma City, Oklahoma, and Progue, Oklahoma, serving all intermediate points, but restricted against the transportation of traffic (1) Originating at Oklahoma City, Oklahoma, and (2) destined to Henryetta, Oklahoma, and points in the commercial zone as defined by the Commission, Weleetka and Wetumpka, Oklahoma, and intermediate points on the said route, or originating at the points on the said route, or originating at the points

specified in (2) and destined to Oklahoma City, Oklahoma. From Oklahoma City over U.S. Highway 62 to Progue, and return over the same route. *General Commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment. Between Oklahoma City, Oklahoma, and Altus, Oklahoma, serving the intermediate points of Cache, Indianola, Snyder, Headrick, and Altus Air Base, Oklahoma. From Oklahoma over the H. E. Bailey Turnpike to Lawton, Oklahoma, thence over U.S. Highway 62 to Altus, and return over the same route. Flat glass, as a common carrier over irregular routes, from the facilities of P.P.G. Industries at or near Wichita Falls, Texas, to Lawton, Oklahoma, serving Lawton, Oklahoma, for purposes of joinder only with carrier's authorized regular-route operations between Oklahoma City and Altus, Oklahoma with no transportation for compensation on return except as otherwise authorized, with restriction. Vendee is authorized to operate as a common carrier in all of the States in the United States, (except Alaska and Hawaii). Application has been filed for temporary authority under Section 210a (b).

No. MC-F-12917. Authority sought for purchase by RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, FL., 32203, of a portion of the operating rights of Associated Transport, Inc., Thomas J. Cahill, trustee in bankruptcy, c/o Arthur S. Olick, 39th Floor, 630 Fifth Avenue, New York, N.Y., 10020, and for acquisition by IU Transportation Service, Inc., 1105 N. Market Street, The Wilmington Tower, Wilmington, DE., 19801, which is in turn controlled by IU International Corporation, The Wilmington Tower, 1105 N. Market Street, Wilmington, DE., 19801, of control of such rights through the purchase. Applicants' attorneys: H. Beatty Chadwick, 1500 Walnut Street, Philadelphia, PA., 19102, Roland Rice, Suite 501, Perpetual Building, Washington, D.C., 20004 and Fritz R. Kahn, 1660 L Street, N.W., Washington, D.C., 20036. Operating rights sought to be transferred: *General commodities*, with exceptions, as a common carrier over regular routes between Knoxville, Tennessee, and Roanoke, Virginia, serving all intermediate points, and points within 10 miles of Knoxville. Vendee is authorized to operate as a common carrier in all the States of the United States, (except Alaska and Hawaii) excluding the District of Columbia. Application has been filed for temporary authority under section 210a (b).

No. MC-F-12918. Authority sought for purchase by C W TRANSPORT, INC., 610 High Street, Wisconsin Rapids, WI., 54494, of a portion of the operating rights of Associated Transport, Inc., Thomas J. Cahill, trustee in bankruptcy, c/o Arthur S. Olick, 39th Floor, 630 Fifth Avenue, New York, N.Y., 10020, of control of such rights through the purchase. Applicants' attorneys: Jack Goodman,

39 So. LaSalle Street, C Chicago, IL., 60603, and Fritz R. Kahn, 1660 L St., N.W., Washington, D.C., 20036. Operating rights sought to be transferred: *General commodities*, with exceptions as a common carrier over regular routes between Atlanta, Ga., and Greenville, S.C., service is authorized to and from all intermediate points, points within 10 miles of Atlanta, and Off-route points within 10 miles; between Decatur, Ga., and junction U.S. Highways 29 and 78, no service is authorized to or from intermediate points; between Atlanta, Ga., and junction U.S. Highways 29 and 78, serving no intermediate points. Vendee is authorized to operate as a common carrier in Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, Ohio, West Virginia, Wisconsin, Iowa, Pennsylvania, New York, New Jersey, Louisiana, Delaware, Nebraska, Kansas, North Dakota, South Dakota, Tennessee, Arkansas, Maryland, Mississippi, North Carolina, South Carolina, Georgia, Virginia, Alabama, Florida, Oklahoma, Texas, Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, Connecticut, and the District of Columbia. Application has been filed for temporary authority under section 210a (b).

No. MC-F-12919. Authority sought for purchase by BROOKS TRANSPORTATION, INC., 30650 Carter Road, Solon, OH., 44139, of the operating rights of Cheyenne Express, Inc., 135 Lemuel Street, P.O. Box 8295, Nashville, TN, 32707, and for acquisition by Bobbie Brooks, Inc., 3830 Kelley Avenue, Cleveland, OH, 44114, of control of such rights through the purchase. Applicants' attorney: John P. McMahon, Suite 1800, 100 East Broad Street, Columbus, OH, 43215. Operating rights sought to be transferred: *Water heaters and water heater accessories*, as a common carrier over irregular routes from the plant site of A. O. Smith Corp. at Kankakee, Ill., to points in Delaware and Maryland, from the plant site of the Republic Water Heater Division of Panacorp Corporation, at Erie, Pa., to points in Delaware, Illinois, Indiana, Iowa, Maryland, New Jersey, Ohio, Tennessee, Virginia, and West Virginia, with restrictions; *water heaters, boilers and water storage tanks*, from the plant sites and warehouse facilities of A. O. Smith Corporation, at or near Kankakee, Ill., to points Alabama, Arkansas, Florida, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas; *new furniture*, crated, from the plant sites of the Athens Bed Company and the Athena Table Company at Athena, Tenn., to points in Alabama, Arkansas, Illinois, Iowa, Kentucky, Louisiana, Mississippi, Missouri, Texas, and Wisconsin, from the plant site of the Gaines Manufacturing Company at McKenzie, Tenn., to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Ohio, Texas, and Wisconsin, from Nashville, Tenn., to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Ohio, Texas, and Wisconsin, from Hen-

derson, Tex., to points in Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, Oklahoma, Kansas, Nebraska, South Dakota, and North Dakota.

Water heaters, from the plant site of Republic Water Heating Company, Inc., at Dallas, Tex., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Louisiana, Mississippi, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Indiana, Kentucky, Tennessee, Alabama, Michigan, Ohio, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia; and *materials and supplies* (except commodities in bulk), used in the manufacture of water heaters, from points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Louisiana, Mississippi, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Indiana, Kentucky, Tennessee, Alabama, Michigan, Ohio, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia, to the plant site of Republic Water Heating Company, Inc., at Dallas, Tex.; *water heaters and storage tanks* (except those requiring special equipment or handling), from Ashland City, Tenn., to points in that part of the United States in and east of North Dakota, South Dakota, Nebraska, Colorado, New Mexico, and Texas. Vende is authorized to operate as a *contract carrier* in all the States in the United States (except South Dakota, Wyoming, Alaska, and Hawaii). Application has been filed for temporary authority under section 210a(b).

No. MC-F-12920. Authority sought for purchase by GORDONS TRANSPORTS, 185 West McLemore, Memphis, Tenn. 38101, of a portion of the operating rights of Associated Transport, Inc., c/o Arthur S. Olick, 39 Floor, 630 Fifth Avenue, New York, N.Y. 10020, and for acquisition by M. M. Gordon, A. W. Gordon, Jr., John K. Gordon, Ester G. Luntz, and Mary G. Jordan all of 185 W. McLemore Ave., Memphis, Tenn. 38101, of control of such rights through the purchase. Applicants' attorneys: Phineas Stevens, P.O. Box 22567, Jackson, Miss. 39205, and Fritz R. Kahn, Suite 1100, 1660 L Street N.W., Washington, D.C. 20036. Operating rights sought to be transferred: General Commodities with exceptions as a *common carrier* over regular routes between Columbus, Ohio, and Delaware, Ohio serving no intermediate points. Between Toledo, Ohio and Evansville, Ind., serving all intermediate points. Between Toledo, Ohio, and Bloomington, Ind., serving all intermediate points. Between Indianapolis, Ind., and Columbus, Ohio, serving all intermediate points. Between Lima, Ohio, and Fort Wayne, Ind., serving all intermediate points.

Between Toledo, Ohio, and Columbus, Ohio, serving all intermediate points. Between Huntington, Ind., and junction Indiana Highway 9 and Indiana Highway 67, serving all intermediate points, and the off-route points of Jonesboro, Gas City, and Elwood, Ind. Between Albany, Ind., and Dunkirk, Ind., serving all intermediate points. Between Marion, Ind., and Van Wert, Ohio, serving all intermediate points.

Between Dayton, Ohio, and Wapakoneta, Ohio, serving all intermediate points. Between Dunreith, Ind., and junction Indiana Highway 3 and Indiana Highway 18, serving all intermediate points. Between Noblesville, Ind., and junction Indiana Highway 38 and U.S. Highway 36, serving all intermediate points. Serving the off-route points in Franklin County, Ohio, Allen and Marion Counties, Ind., and those in Wood County, Ohio, on and north of U.S. Highway 26, those within five miles of Dayton, Ohio, and in connection with carrier's regular route operations described above. Between points in Indiana, as alternate routes, for operating convenience only in connection with carrier's regular routes operations authorized herein above, serving no intermediate points. Between St. Louis, Mo., and Vincennes, Ind., serving all intermediate points and the off-route points of Centralia and Louisville, Ill. Between Terre Haute, Ind., and East St. Louis, Ill., as an alternate route for operating convenience only in connection with carrier's regular route operations authorized herein above, serving no intermediate points. Between points in Ohio, as alternate routes for operating convenience only in connection with carrier's regular route operations authorized herein above, serving no intermediate points. Alternate routes for operating convenience only: Between Junction U.S. Highway 31 and Indiana Highway 26 and junction Indiana Highways 37 and 26, in connection with carrier's regular route operations authorized hereinabove, serving no intermediate points, and serving junction Indiana Highways 37 and 26 for purpose of joinder only.

Between junction Indiana Highways 37 and 26, and junction Indiana Highways 9 and 26, in connection with carrier's regular-route operations authorized hereinabove, serving no intermediate points, and serving the termini for purpose of joinder only. Between junction U.S. Highway 35 and Indiana Highway 26, in connection with carrier's regular-route operations authorized hereinabove, serving no intermediate points, and serving the termini for purpose of joinder only. Between junction U.S. Highway 35 and Indiana Highway 26 and junction Indiana Highways 3 and 26, in connection with carrier's regular-route operations authorized hereinabove, serving no intermediate points, and serving the termini for purpose of joinder only. Between junction Indiana Highways 3 and 26, and junction Indiana Highways 26

and 67 (near Portland, Ind.), in connection with carrier's regular-route operations authorized hereinabove, serving no intermediate points, and serving junction Indiana Highways 3 and 26 for the purpose of joinder only. Between junction U.S. Highway 31 and Indiana Highway 28, and the site of the new terminal of the above-named carrier approximately nine-tenths of a mile west of junction Indiana Highways 9 and 28, in connection with carrier's regular-route operations authorized hereinabove, serving no intermediate points.

Between the site of the above-named carrier's new terminal approximately nine-tenths of a mile west of junction Indiana Highways 9 and 28, and junction Indiana Highways 3 and 28, in connection with carrier's regular-route operations authorized hereinabove, serving no intermediate points, and serving junction Indiana Highways 3 and 28 for the purpose of joinder only. Between junction Indiana Highways 28 and 67, in connection with carrier's regular-route operations authorized hereinabove, serving no intermediate points, and serving junction Indiana Highways 13 and 26, in connection with carrier's regular-route operations authorized hereinabove, serving no intermediate points, and serving the termini for purpose of joinder only. Between junction Indiana Highways 26 and 13, and junction U.S. Highway 35 and Indiana Highway 13, in connection with carrier's regular-route operations authorized hereinabove, serving no intermediate points, and serving the termini for purpose of joinder only. Between junction Indiana Highways 18 and 3 and Fort Wayne, Ind., in connection with carrier's regular-route operations authorized hereinabove, serving no intermediate points. Serving the facilities of the General Tire & Rubber Company near Mt. Vernon, Ill., as an off-route point in connection with carrier's existing regular-route authority.

Serving the plant site of Signal Products Operations, Energy Systems Operations Division, Olin Corporation, near Peru, Ind., as an off-route point in connection with carrier's regular-route operations to and from Peru, Ind. Vende is authorized to operate as a *common carrier* in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12928. Authority sought for purchase by RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville FL 32203, of a portion of the operating

rights and property of Transamerican Freight Lines, Inc., Represented by Harold O. Love, receiver, 5650 Foremost Drive S.E., Grand Rapids MI 49506, and for acquisition by IU Transportation Services, Inc., The Wilmington Tower, 1105 N. Market St., Wilmington, DE 19801, which in turn, is controlled by IU International Corporation, also of Wilmington, DE 19801, of control of such rights and property through the purchase. Applicants attorneys: Roland Rice, 501 Perpetual Bldg., Washington, D.C. 20004, H. Beatty Chadwick, 1500 Walnut Street, Philadelphia, PA 19102, and Charles F. Rodgers, 744 Broad Street, Newark, NJ 07102. Operating rights and property sought to be purchased: *General commodities*, with exceptions as a *common carrier* over regular routes between Chicago, Ill., and Grand Rapids, Mich., serving all intermediate points as more specifically described in MC-10761. Vehicular equipment is to be purchased at \$54,000. Vendee is authorized to operate as a *common carrier* in all of the States in the United States except Alaska and Hawaii. Application has been filed for temporary authority under section 210a(b).

ACQUISITION INVOLVING BOTH WATER AND MOTOR CARRIERS

No. MC-F-12925. Authority sought for purchase by SEAWHEELS, INC. (formerly Penbrook Hauling Company, Inc.), 401 Richardson Street (Post Office Box 4213), Harrisburg, Pa. 17111, of a portion of the operating rights and property of Daily Express, Inc., 1076 Harrisburg Pike (Post Office Box 39), Carlisle, Pa., 17013, and for acquisition by Daily Industries, Inc., 1076 Harrisburg Pike (Post Office Box 39), Carlisle, Pa. 17013, and D. E. Lutz, 330 Washington Lane, Carlisle, Pa. 17013, of control of such rights and property through the purchase. Applicants' attorneys: James W. Hagar, 100 Pine Street (Post Office Box 1166), Harrisburg, Pa. 17108 and William A. Chesnut, 1776 F Street NW., Washington, D.C. 20006. Operating rights and property sought to be transferred: *General commodities* with exceptions, in containers or in by water, in *foreign commerce* only, as a *common carrier* over irregular routes between points in Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New Jersey, New York, Delaware, Maryland, Pennsylvania, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, California, Oregon, and Washington, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii); *empty used containers, used trailers, and used Trailer chassis*, in interstate or foreign commerce, between points in the United States (except Alaska and Hawaii). Vendee is authorized to operate as a *common carrier* in all the States in the United States including the District of Columbia (excluding Alaska and Hawaii). Application has not been filed for temporary authority under section 210a(b).

OPERATING RIGHTS APPLICATIONS DIRECTLY RELATED TO FINANCE PROCEEDINGS

NOTICE

The following operating rights applications are filed in connection with pending finance applications under Section 5(2) of the Interstate Commerce Act, or seek tacking and/or gateway elimination in connection with pending transfer applications under Section 212(b) of the Interstate Commerce Act.

An original and two copies of protests to the granting of the authorities must be filed with the Commission within 80 days after the date of this FEDERAL REGISTER notice. Such protests shall comply with Special Rule 247(d) of the Commission's General Rules of Practice (49 CFR § 1100.247) and include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition should not be tendered at this time. A copy of the protest shall be served concurrently upon applicant's representative, or applicant if no representative is named.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its applications.

No. MC 2202 (Sub-No. 517) filed July 26, 1976. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Blvd., P.O. Box 471, Akron, Ohio 44309. Applicant's representative: William O. Turney, Suite 1010, 7101 Wisconsin Ave., Washington, D.C. 20014. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Between Elizabeth, Ga., and the Georgia-Tennessee State line, serving all intermediate points and the off-route points of Whitestone, and Marble Hill, Ga.: From Elizabeth over Georgia Highway 5 to the Georgia-Tennessee State line, and return over the same route.

NOTE.—The purpose of this filing is to convert vendor's Certificate of Registration to a Certificate of Public Convenience. Common control may be involved. This is a matter directly related to a Section 5(2) finance proceeding in MC-F-12906, published in the FEDERAL REGISTER issue of August 12, 1976. If a hearing is deemed necessary, the applicant requests it be held in consolidation with the finance proceeding in Atlanta, Ga.

No. MC 13123 (Sub-No. 85), filed July 21, 1976. Applicant: WILSON FREIGHT COMPANY, 3636 Follett Avenue, Cincinnati, Ohio 45223. Applicant's representative: Milton H. Bortz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, household goods as defined by the Commission, Classes A and B explosives and those requiring special equipment), (1) Between Albany, N.Y.

and Utica, N.Y.: From Albany, N.Y., over New York Highway 5, thence over New York Highway 5 to junction New York Highway 5S, thence over New York Highway 5S to Utica, serving the intermediate and off-route points of Gloversville, Johnstown, Rensselaer and Troy, N.Y., and (2) Between Albany, N.Y. and Schenectady, N.Y.: From Albany, N.Y. over New York Highway 32, thence over New York Highway 32 to junction New York Highway 7, thence over New York 7 to Schenectady, N.Y., serving the intermediate and off-route points of Gloversville, Johnstown, Rensselaer and Troy, N.Y.

NOTE.—The purpose of this application is to convert a Certificate of Registration to a Certificate of Public Convenience and Necessity. This is a matter directly related to a Section 5(2) finance proceeding in MC-F-12739, published in the FEDERAL REGISTER issues of January 28, 1976 and February 25, 1976. If a hearing is deemed necessary, the applicant requests it be held at Cincinnati, Ohio.

No. MC 14215 (Sub-No. 8), filed July 13, 1976. Applicant: SMITH TRUCK SERVICE, INC., Stoney Hollow Blvd., P.O. Box 1329, Steubenville, Ohio 43952. Applicant's representative: James R. Stiverson, 1396 West Fifth Avenue, Columbus, Ohio 43212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferro alloys*, from points in Ohio, Pennsylvania and West Virginia, within 75 miles of Steubenville, Ohio, including Steubenville, to points in Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, Pennsylvania and West Virginia. The purpose of this filing is to eliminate the gateway of the plantsite of Ohio Ferro-Alloys Company, located on Ohio Highway 7 approximately 3 miles south of Powhatan, Ohio.

NOTE.—This is a matter directly related to a Section 5(2) finance proceeding in MC-F-12892 published in the FEDERAL REGISTER issue of August 5, 1976. If a hearing is deemed necessary, the applicant requests it be held at either Columbus, Ohio or Washington, D.C.

No. MC 47171 (Sub-No. 90) filed July 29, 1976. Applicant: COOPER MOTOR LINES, INC., 301 Hammett Street, Greenville, S.C. 29608. Applicant's representative: Francis W. McInerney, 1000 Sixteenth Street, N.W., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, Classes A and B explosives, household goods as defined by the Commission, and those which require the use of special equipment), from points in Connecticut west of the Connecticut River, to Charlotte, Rocky Mount, Fayetteville, Durham, Roanoke Rapids, Kingston, Marion, Morganton, Fuquay Springs, Rockingham, Snow Hill, Greenville, Smithfield, Rich Square, Warsaw, Clinton, Kannapolis, Gastonia, Greensboro, Lillington, Dunn, Salisbury and Concord, N.C.

NOTE.—The purpose of this filing is to eliminate the gateway at points in Westchester County, N.Y., within 25 miles of New York. This is a matter directly related to a Section 5(2) finance proceeding in MC-F-12750, published in the FEDERAL REGISTER issue of February 4, 1976. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 52022 (Sub-No. 10), filed July 19, 1976. Applicant: SANTINI BROS., INC. doing business as THE SEVEN BROTHERS AND THE SEVEN SANTINI BROTHERS, 1405 Jerome Avenue, Bronx, N.Y. 10452. Applicant's representative: Robert J. Gallagher, 55 Madison Avenue, Morristown, N.J. 07960. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, between points in Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, North Carolina, and the District of Columbia.

NOTE.—The purpose of this filing is to eliminate the gateways of Northern Indiana; Perry, Fla., and points within 10 miles thereof; points in Illinois, and points within 10 miles of Chicago, Ill. This matter is directly related to a Section 5(2) finance proceeding in MC-F-12797, published in the FEDERAL REGISTER issue of April 1, 1976. If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 97275 (Sub-No. 28), filed June 29, 1976. Applicant: ESTES EXPRESS LINES, 1405 Gordon Avenue, Richmond, Va. 23224. Applicant's representative: Francis W. McInerney, 1000 Sixteenth Street, N.W., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, household goods as defined by the Commission, Classes A and B explosives, and those requiring special equipment), between points in that part of North Carolina on and within a line beginning at the North Carolina-South Carolina State line, over U.S. Highway 601 to Monroe, N.C., thence over North Carolina Highway 200 to Locust, thence over North Carolina Highway 24 to Albemarle, thence along U.S. Highway 52 to the junction of North Carolina Highway 8, thence along North Carolina Highway 8 to junction North Carolina Highway 49, thence along North Carolina Highway 49 to Asheboro, thence along North Carolina Highway 42 to Sanford, thence along North Carolina Highway 87 to Fayetteville, and thence along U.S. Highway 301 (also along Interstate Highway 95), to Lumberton, thence along North Carolina Highway 4 to the North Carolina-South Carolina State line, on the one hand, and on the other, points in South Carolina.

NOTE.—The purpose of this filing is to request the tacking of applicant's existing ir-

regular-route authority in South Carolina with portions of the irregular route authority in South Carolina sought to be acquired from Bestway, and to eliminate the gateways of Darlington and Florence Counties, S.C. This is a matter directly related to Section 5(2) finance proceeding in MC-F-12874, published in the FR issue of July 22, 1976. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Richmond, Va.

ABANDONMENT APPLICATIONS

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act that orders have been entered in the following abandonment applications which are administratively final and which found that subject to conditions the present and future public convenience and necessity permit abandonment.

A Certificate of Abandonment will be issued to the applicant carriers 30 days after this Federal Register publication unless the instructions set forth in the notices are followed:

[Docket No. AB-2 (Sub-No. 7)]

LOUISVILLE & NASHVILLE RAILROAD COMPANY ABANDONMENT BETWEEN HARTSVILLE JUNCTION, TENNESSEE, AND SCOTTSVILLE, KENTUCKY, IN TROUSDALE COUNTY, TENNESSEE, AND SUMNER AND ALLEN COUNTIES, KENTUCKY

NOTICE OF FINDING

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on June 1, 1976, a finding, which is administratively final, was made by the Commission, Review Board Number 5, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & Q. R. Co., Abandonment*, 257 I.C.C. 700, the present and future public convenience and necessity permit abandonment of a branch line of railroad (Scottsville Branch) extending from milepost 168, near Hartsville Junction, Tenn., to milepost 194.1 near Scottsville, Ky., a distance of approximately 26.1 miles. A certificate of abandonment will be issued to the Louisville & Nashville Railroad Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-6 (Sub-No. 35)]

BURLINGTON NORTHERN, INC. ABANDONMENT BETWEEN BLANCHARD AND MAYVILLE IN TRAIL COUNTY, NORTH DAKOTA

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on June 21, 1976, a finding, which is administratively final, was made by the Commission, Commissioner Brown, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & Q. R. Co., Abandonment*, 257 I.C.C. 700, the present and future public convenience and necessity permit abandonment by the Burlington Northern, Inc. of its line of railroad extending from milepost 85.92 near Blanchard, North Dakota, and milepost 96.0 near Mayville, North Dakota, a distance of 10.08 miles, located in Trail County, North Dakota. A certificate of abandonment will be issued to the Burlington Northern, Inc. based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line, together with a reasonable return providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-52 (Sub-No. 2)]

ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY ABANDONMENT FROM WEST OF ARDMORE TO RINGLING, ALSO BETWEEN COBALT JUNCTION AND HEALDTON, IN CARTER AND JEFFERSON COUNTIES, OKLAHOMA

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on June 14, 1976, a finding, which is administratively final, was made by the Administrative Law Judge, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & Q. R. Co., Abandonment*, 257 I.C.C. 700, the present and future public convenience and necessity permit abandonment of a branch line of railroad extending from milepost 5 located about 5 miles west of Ardmore, Carter County, Okla., to milepost 29 plus 5, 180 feet at Ringling, Jefferson County, Okla., a distance of approximately 25 miles, and from milepost 0 at Cobalt Junction, Carter County, Okla., to milepost 5 plus 5,147 feet at Healdton, Carter County, Okla., a distance of approximately 6 miles, and an overall total of approximately 31 miles in length, all in Oklahoma. A certificate of abandonment will be issued to the Atchison, Topeka and Santa Fe Railway Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(A) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commissions so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-118]

ALBANY PASSENGER TERMINAL COMPANY—ENTIRE LINE ABANDONMENT—IN THE CITY OF ALBANY, DOUGHERTY COUNTY, GEORGIA

[Finance Docket No. 28038]

CENTRAL OF GEORGIA RAILROAD COMPANY—ACQUIRE AND OPERATE—ALBANY PASSENGER TERMINAL COMPANY IN THE CITY OF ALBANY, DOUGHERTY, GEORGIA

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on June 21, 1976, a finding, which is administratively final, was made by the Commission, Review Board Number 5, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & Q. R. Co., Abandonment*, 257 I.C.C. 700, the present and future public convenience and necessity permit abandonment by the Albany Passenger Terminal Company of its entire line of railroad, consisting of eight passenger station tracks, having a combined length of approximately 2.6 miles located in Albany, Georgia. A certificate of abandonment will be issued to the Albany Passenger Terminal Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-7 (Sub-No. 19)]

CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY ABANDONMENT BETWEEN FAIRMONT AND WELCOME, IN MARTIN COUNTY, MINNESOTA

[Finance Docket No. 27754]

CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY — TRackage RIGHTS—OVER A LINE OF THE CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY BETWEEN FAIRMONT AND WELCOME, MARTIN COUNTY, MINNESOTA

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on April 30, 1976, a finding, which is administratively final, was made by the Commission, Review Board Number 5, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & Q. R. Co., Abandonment*, 257 I.C.C. 700, the present and future public convenience and necessity permit abandonment by the Chicago, Milwaukee, St Paul and Pacific Railroad Company of its line of railroad extending from milepost 186, near Fair-

mont, in a westerly direction to milepost 190.27, near Welcome, a total distance of approximately 4.27 miles, all in Martin County, Minnesota. A certificate of abandonment will be issued to the Chicago, Milwaukee, St. Paul and Pacific Railroad Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-9 (Sub-No. 4)]

ST. LOUIS-SAN FRANCISCO RAILWAY COMPANY ABANDONMENT BETWEEN PARSENS AND DENNIS, IN LABETTE COUNTY, KANSAS

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on June 23, 1976, a finding, which is administratively final, was made by the Commission, Commissioner Brown, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in Chicago, B. & Q. R. Co., Abandonment, 257 I.C.C. 700, the present and future public convenience and necessity permit

abandonment by the St. Louis-San Francisco Railway Company in Labette County, Kansas, between railroad milepost 172.5 at Parsons, Kansas, to railroad milepost 179.2 at Dennis, Kansas, a distance of 6.7 miles. A certificate of abandonment will be issued to the St. Louis-San Francisco Railway Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

MOTOR CARRIER ALTERNATE ROUTE DEVIATIONS

NOTICE

The following letter-notices to operate over deviation routes for operating convenience only have been filed with the Commission under the Commission's Deviation Rules—Motor Carriers of Passengers (49 CFR § 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Commission in the manner and form provided in such rules (49 CFR § 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed

within 30 days from the date of this FEDERAL REGISTER notice.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its request.

MOTOR CARRIERS OF PASSENGERS

No. MC 108359 (Deviation No. 2), WESTERN NEW YORK MOTOR LINES, INC., Terminal Bldg., 45 Center St., Batavia, N.Y. 14020, filed July 22, 1976.

Carrier's representative: Lawrence Lindeman, Suite 1032, Pennsylvania Bldg., Pennsylvania Ave. & 13th Street, NW., Washington, D.C. 20004. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over deviation routes as follows: (1) From junction New York Highway 36 and Interstate Highway 390 northwest of Dansville, N.Y., over Interstate Highway 390 to junction New York Highway 21, south of Wayland, N.Y., thence over New York Highway 21 to Wayland, N.Y., (2) From Wayland, N.Y., over New York Highway 21 to junction Interstate Highway 390, thence over Interstate Highway 390 to junction New York Highway 415 near Cohocton, N.Y., thence over New York Highway 415 to Cohocton, N.Y., (3) From Cohocton, N.Y., over New York Highway 415 to junction Interstate Highway 390, thence over Interstate Highway 390 to New York Highway 15, thence over New York Highway 15 to Avoca, N.Y., (4) From Avoca, N.Y., over New York Highway 15 to junction Interstate Highway 390, thence over Interstate Highway 390 to junction New York Highway 17, thence over New York Highway 17 to junction New York Highway 415, thence over New York Highway 415 to Bath, N.Y., and (5) From Bath, N.Y., over New York Highway 415 to junction New York Highway 17, thence over New York Highway 17 to Painted Post, N.Y., and return over the same routes for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From junction New York Highway 36 and Interstate Highway 390 over New York Highway 36 to Dansville, N.Y., thence over New York Highway 63 to Wayland, N.Y., thence over New York Highways 15 and 415 to Painted Post, N.Y., and return over the same route.

No. MC 1515 (Deviation No. 708), GREYHOUND LINES, INC., Greyhound Tower, Phoenix, Ariz. 85077, filed August 2, 1976. Carrier proposed to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over deviation routes as follows: From Binghamton, N.Y., over Interstate Highway 88 to Oneonta, N.Y., with the following access routes: (1) From Port Crane, N.Y., over unnumbered highway to junction Interstate Highway 88, (2) From Harpurs-

ville, N.Y., over unnumbered highway to junction Interstate Highway 88, (3) From Bainbridge, N.Y., over New York Highway 206 to junction Interstate Highway 88, (4) From Unadilla, N.Y., over unnumbered highway to junction Interstate Highway 88, and (5) From Unadilla, N.Y., over New York Highway 357 to junction Interstate Highway 88 and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From Binghamton, N.Y., over New York Highway 7 to Oneonta, N.Y., and return over the same route.

No. MC 1515 (Deviation No. 709), GREYHOUND LINES, INC., Greyhound Tower, Phoenix, Ariz. 85077, filed August 3, 1976. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, over deviation routes as follows: From Interchange No. 68 of the Connecticut Turnpike near Old Saybrook, Conn., over the Connecticut Turnpike to Interchange No. 33 at the New Haven County, Conn. County line, with the following access route: From junction U.S. Highway 1 and unnumbered highway over unnumbered highway to junction Connecticut Highway 154, thence over Connecticut Highway 154 to junction Interchange No. 67 of the Connecticut Turnpike and return over the same routes for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From junction U.S. Highway 1 and Connecticut Turnpike at Interchange No. 68 over U.S. Highway 1 to junction Connecticut Turnpike at Interchange No. 33 and return over the same route.

MOTOR CARRIER ALTERNATE ROUTE
DEVIATIONS

NOTICE

The following letter-notices to operate over deviation routes for operating convenience only have been filed with the Commission under the Commission's Deviation Rules—Motor Carriers of Property (49 CFR § 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Commission in the manner and form provided in such rules (49 CFR § 1042.4(c)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of this FEDERAL REGISTER notice.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its request.

MOTOR CARRIERS OF PROPERTY

No. MC 42487 (Deviation No. 110), CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, P.O. Box 5138, Chicago, Ill. 60680, filed

July 29, 1976. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Pittsburgh, Pa., over Interstate Highway 376 to junction Interstate Highway 76, thence over Interstate Highway 76 to junction U.S. Highway 119 (Exit 8), thence over U.S. Highway 119 to junction Pennsylvania Highway 119, thence over Pennsylvania Highway 119 to Uniontown, Pa., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Pittsburgh, Pa., over U.S. Highway 19 to Washington, Pa., thence over U.S. Highway 40 to Uniontown, Pa., and return over the same route.

No. MC 48958 (Deviation No. 74), ILLINOIS-CALIFORNIA EXPRESS, INC., P.O. Box 16404, 510 E. 51st Ave., Denver, Colo. 80216, filed August 6, 1976. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Amarillo, Tex., over U.S. Highway 287 to junction U.S. Highway 54 (near Stratford, Tex.), thence over U.S. Highway 54 to junction Interstate Highway 35 (near Wichita, Kans.), thence over Interstate Highway 35 to Topeka, Kans., thence over U.S. Highway 75 to junction U.S. Highway 34 (near Union, Nebr.), thence over U.S. Highway 34 to junction Illinois Highway 116 (near Biggsville, Ill.), thence over Illinois Highway 116 to Peoria, Ill., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Amarillo, Tex., over U.S. Highway 66 to San Jon, N. Mex., thence over New Mexico Highway 39 to junction New Mexico Highway 58, thence over New Mexico Highway 58 to junction U.S. Highway 85, thence over U.S. Highway 85 to Denver, Colo., thence over U.S. Highway 6 to Sterling, Colo., thence over U.S. Highway 138 to junction U.S. Highway 30, thence over U.S. Highway 30 to Grand Island, Nebr., thence over U.S. Highway 281 to junction U.S. Highway 34, thence over U.S. Highway 34 to junction Illinois Highway 116, thence over Illinois Highway 116 to Peoria, Ill., and return over the same route.

No. MC 85850 (Sub-No. 7) (Deviation No. 2), NEYLON FREIGHT LINES, INC., % Jones Truck Lines, Inc., 610 E. Emma Ave., Springdale, Ark. 72764, filed August 6, 1976. Carrier's representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Ave., Washington, D.C. 20014. Carrier proposes to operate as a *common carrier* by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Kansas City, Mo., over Interstate Highway 29 to Omaha, Nebr., and return over the same route for operating convenience only. The no-

tice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Kansas City, Mo., over U.S. Highway 73 to Hiawatha, Kans., thence over U.S. Highway 36 to junction Kansas Highway 15E, thence east over U.S. Highway 36 to Marysville, Kans., thence over U.S. Highway 77 to Lincoln, Nebr., thence over U.S. Highway 6 to Omaha, Nebr., and return over the same routes.

MOTOR CARRIER INTRASTATE APPLICATIONS
NOTICE

The following application for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to Section 206(a)(6) of the Interstate Commerce Act. These applications are governed by Special Rule 245 of the Commission's *General Rules of Practice* (49 CFR § 1100.245), which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

California Docket No. A 56627 filed July 20, 1976. Applicant: TERESI TRUCKING, INC., P.O. Box 819, Lodi, Calif. 95240. Applicant's representative: Eldon M. Johnson, The Hartford Building, 650 California Street, Suite 2808, San Francisco, Calif. 94108. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of *Forest products, lumber, lumber products, wood fiberboard, and wood particleboard*, between the following points, serving all intermediate points on the said routes and all off-route points within thirty (30) miles thereof: (1) Red Bluff and Chester on State Highway 36. (2) Red Bluff and the San Diego Territory (as described in Note 1 hereto) on Interstate Highway 5. (3) Red Bluff and Wheeler Ridge on State Highway 99. (4) Chester and East Nicolaus on State Highway 89 and State Highway 70. (5) The San Francisco Territory (as described in Note 2 hereto) and Auburn on Interstate Highway 80. (6) Sacramento and Plexerville on U.S. Highway 50. (7) The San Francisco Territory (as described in Note 2 hereto) and Stockton on U.S. Highway 80 and State Highway 4. (8) The San Francisco Territory (as described in Note 2 hereto) and Stockton on Interstate Highway 580, Interstate Highway 205 and Interstate Highway 5. (9) The Los Angeles Basin Territory (as described in Note 3 hereto) and the San Diego Territory (as described in Note 1 hereto) on Interstate Highway 15; and (10) All points in the following territories: (a) The San Diego Territory (as described in Note 1 hereto); (b) The

San Francisco Territory (as described in Note 2 hereto); and (c) The Los Angeles Basin Territory (as described in Note 3 hereto). In performing the service herein described, the routes and points listed above may be joined and combined, and use may be made of any and all streets, roads, highways and bridges necessary or convenient for the performance of said service.

NOTE 1.—The San Diego Territory: Following an imaginary line starting at a point approximately four miles north of La Jolla on the Pacific Coast shoreline running east to Miramar on U.S. Highway 395; thence following an imaginary line running southeasterly to Lakeside on State Highway 67; thence southerly on County Road S17 (San Diego County) and its prolongation to State Highway 94; easterly on State Highway 94 to Jamu; thence due south following an imaginary line to the California-Mexico Boundary Line; thence westerly along the boundary line to the Pacific Ocean and north along the shoreline to point of beginning.

NOTE 2.—The San Francisco Territory: Includes all the City of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County Line meets the Pacific Ocean; thence easterly along said county line to a point one mile west of State Highway 82; southerly along an imaginary line one mile west of and parallel to State Highway 82 to its intersection with Southern Pacific Company right-of-way at Arastradero Road; southeasterly along the Southern Pacific Company right-of-way to Pollard Road, including industries served by the Southern Pacific Company spur line extending approximately two miles southwest from Simla to Permanente; easterly along Pollard Road to W. Parr Avenue; easterly along W. Parr Avenue to Capri Drive; southerly along Capri Drive to Division Street; easterly along Division Street to the Southern Pacific Company right-of-way; southerly along the Southern Pacific Company right-of-way to the Campbell-Los Gatos City Limits; easterly along said limits and the prolongation thereof to South Bascom Avenue (formerly San Jose-Los Gatos Road); northeasterly along South Bascom Avenue to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale

Avenue to State Highway 82; northwesterly along State Highway 82 to Tully Road; northeasterly along Tully Road and the prolongation thereof to White Road.

Northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 238 (Oakland Road); northerly along State Highway 238 to Warm Springs; northerly along State Highway 238 (Mission Boulevard) via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard and MacArthur Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard to Warren Boulevard (State Highway 13); northerly along Warren Boulevard to Broadway Terrace; westerly along Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland Boundary Line; northerly along said boundary line to the campus boundary of the University of California; westerly, northerly and easterly along the campus boundary to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to San Pablo Avenue (State Highway 123); northerly along San Pablo Avenue to and including the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to point of beginning.

NOTE 3.—The Los Angeles Basin Territory: Beginning at the point the Ventura County-Los Angeles County boundary line intersects the Pacific Ocean; thence northeasterly along said county line to the point it intersects State Highway 118, approximately two miles west of Chatsworth; easterly along State Highway 118 to Sepulveda Boulevard; northerly along Sepulveda Boulevard to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando; westerly and northerly along said corporate boundary to McClay Avenue; northeasterly along McClay Avenue and its prolongation to the Angeles National Forest Boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest boundary to the county road known as Mill Creek Road;

westerly along Mill Creek Road to the county road 3.8 miles north of Yucaipa; southerly along said county road to and including the unincorporated community of Yucaipa; westerly along Redlands Boulevard to U.S. Highway 99; northwesterly along U.S. Highway 99 to the corporate boundary of the City of Redlands; westerly and northerly along said corporate boundary to Brookside Avenue; westerly along Brookside Avenue to Barton Avenue; westerly along Barton Avenue and its prolongation to Palm Avenue; westerly along Palm Avenue to La Cadena Drive; southwesterly along La Cadena Drive to Iowa Avenue;

Southerly along Iowa Avenue to U.S. Highway 60; southwesterly along U.S. Highway 60 and U.S. Highway 395 to the county road approximately one mile north of Perris; easterly along said county road via Nuevo and Lakeview to the corporate boundary to San Jacinto Avenue; southerly along San Jacinto Avenue to State Highway 74; westerly along State Highway 74 to the corporate boundary of the City of Hemet; southerly, westerly and northerly along said corporate boundary to the right-of-way of The Atchison, Topeka & Santa Fe Railway Company; southwesterly along said right-of-way to Washington Avenue; southerly along Washington Avenue, through and including the unincorporated community of Winchester to Benton Road; westerly along Benton Road to the county road intersecting U.S. Highway 395, 2.1 miles north of the unincorporated community of Temecula, southerly along said county road to U.S. Highway 395; southeasterly along U.S. Highway 395 to the Riverside County-San Diego County boundary line; westerly along said boundary line to the Orange County-San Diego County boundary line; southerly along said boundary line to the Pacific Ocean; northwesterly along the shore line of the Pacific Ocean to points of beginning. Intrastate, interstate and foreign commerce authority sought. HEARING: Date, time and place not yet fixed. Requests for procedural information should be addressed to the Public Utilities Commission, State of California, State Building, Civic Center, 455 Golden Gate Avenue, San Francisco, Calif. 94102 and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-24238 Filed 8-18-76;8:45 am]

federal register

THURSDAY, AUGUST 19, 1976



PART II:

DEPARTMENT OF
HEALTH,
EDUCATION, AND
WELFARE

Public Health Service



GRANTS FOR HOME
HEALTH SERVICES

Interim Regulations

Title 42—Public Health

CHAPTER 1—PUBLIC HEALTH SERVICE,
DEPARTMENT OF HEALTH, EDUCATION,
AND WELFARE

SUBCHAPTER D—GRANTS

PART 51e—GRANTS FOR HOME
HEALTH SERVICES

Interim Regulations

The Assistant Secretary for Health of the Department of Health, Education, and Welfare, with the approval of the Secretary of Health, Education, and Welfare, hereby adds a new part 51e, entitled "Grants for Home Health Services," to Title 42, Code of Federal Regulations. For the reasons set out below, the Secretary has determined that public participation in rulemaking prior to issuance of these regulations and delay in their effective date would be impractical and contrary to the public interest, and, accordingly, that good cause exists for making these regulations effective August 19, 1976.

Title VI of Public Law 94-63, which became effective on July 29, 1975, created a new authority for making grants to meet the initial costs of establishing home health agencies, and expanding the services available through existing agencies, and to meet the costs of compensating professional and paraprofessional personnel during the initial operation of such agencies or the expansion of services of existing home health agencies. The Secretary has determined that he could not properly make grants under this new authority in the absence of regulations. Issuance of the regulations set forth below is necessary in order to allow grants to be made prior to the expiration of the fiscal year 1976 funds appropriated for that purpose.

The regulations set forth below establish requirements for all grants under Section 602(a) of Public Law 94-63. Attention is called to the following features of the new regulations:

1. Section 51e.106(a) (7) describes the schedule of fees and discounts which an applicant must implement. This section provides that full discounts are to be given to individuals with annual incomes at or below the "CSA Income Poverty Guidelines" and that no discounts are to be given to individuals with incomes greater than twice those set forth in the Guidelines. In between such limits, projects are to establish a schedule of discounts based on ability to pay, so that charges will not be a barrier to service. The provision for full discounts to individuals with incomes at or below the poverty guidelines was adopted because it was felt that, in general, such individuals could be presumed to be unable to pay for health care. The provision for no discount to individuals with annual incomes above twice the poverty guidelines was adopted because it is administratively practical, reflects current practice in a number of ambulatory health care projects funded under the Public Health Service Act, and is considered to be reasonable in light of the goals of the program. Spe-

cifically, the ceiling on discounts of 200 percent of poverty guidelines provides considerable leeway above the poverty guidelines for utilizing discounts and is higher than the average income of lower budget families, as determined by the Bureau of Labor Statistics of the Department of Labor.

2. Sections 51e.106(b) (3) and 51e.106 (c) (2) (ii) require that an applicant receive certification from the appropriate State agency before providing home health services with grant funds. This requirement reflects an administrative judgment that grant funds should not be used for the provision of services unless there is some assurance that the services provided will be of reasonably high quality. Requiring State agency certification further assures that the services provided will be in compliance with the requirements of the Social Security Act definition of home health services, 42 U.S.C. 1395x(m). In addition, use of State agency certification as a minimum standard is an administratively practical rule which may be satisfied on the basis of objective criteria.

3. Section 51e.107(a) (1) implements the statutory requirement that the Secretary take into consideration the relative need of the States in making grants under section 602(a). Relative need for home health services will be determined by comparing the proportionate number of people in preference areas within each State who are elderly, medically indigent, or both. Grant funds will then be allocated to each region of the Department of Health, Education, and Welfare based on the relative need of the States within each region, except that each region will receive a minimum of \$100,000 so that any grants made to projects in States in less needy regions will be of sufficient size to afford viability. If the Secretary determines that an insufficient number of approvable applications has been received in a region to utilize the grant funds allocated to it, the excess grant funds may be re-allocated to other regions.

4. Section 51e.107(a) (2) implements the requirement of Section 602(a) (2) of Public Law 94-63 that preference be given to areas within a State in which a high percentage of the population to be served is elderly, medically indigent, or both.

5. Section 51e.108 describes alternative methods for determining whether a particular area should be given preference under section 602(a) (2). In order to determine funding preferences, it was necessary to determine what would constitute a "high" percentage of each of these population characteristics. In establishing such percentages it was important to base a procedure on the most valid nationally available data. Therefore, the 1970 census data was used because it provides a data base, on a county level, for individuals aged 65 years old or older, individuals whose annual incomes are below the poverty level, and individuals aged 65 years old or older whose annual incomes are below the poverty level. It is believed that more current data on these three specific population charac-

teristics, if available, would indicate that the relative relationship among counties would not have significantly changed.

Thus, for the purpose of this part, "elderly" is defined as an individual aged 65 years old or older, and "medically indigent" is defined as an individual whose annual income is below the poverty level. It is recognized that "medical indigence" and "poverty" are not synonymous. The poverty level is used merely as a reasonable proxy for "medical indigence", and these data were used only as part of the procedure for determining preference areas and relative need in accordance with section 602(a) (2). Applicants may use other more current data, appropriate extrapolations from 1970 data, or other reasonable means to determine whether their proposed catchment area is entitled to preference.

The method of identifying an area as a preference or a nonpreference area was established in the following manner. Three population characteristics were used: (1) percentage of individuals aged 65 years old or older; (2) percentage of individuals with annual incomes below the poverty level; and (3) percentage of individuals aged 65 years old or older who are living in poverty. Every county in the United States was ranked by its percentages of each population characteristic, and the low boundary of the top quartile was selected as the cutoff point. The resulting percentage of each characteristic was designated the "minimum percentage mark" a county or area must reach in order to be designated a preference area. A county or area may be designated a preference area by meeting the minimum percentage mark for one or more of the three population characteristics.

It should be noted that, under section 51e.108(b) (2), the figures to be used for computing the percentages for an applicant's catchment area must exclude those individuals who are inmates of institutions and those in military barracks and college dormitories. Institutionalized persons were not included because individuals in particular institutions generally tend not to be from that particular area and generally would not reside there except for such institutionalization. Therefore, a county or other area with a large institutional population could receive a disproportionate weighting. However, such institutionalized persons can be counted if it can be demonstrated that such individuals would otherwise reside in such area.

Information concerning applications for grants under Section 602(a) of Public Law 94-63 may be obtained by writing the Regional Administrators of the Regional Offices of the Department of Health, Education, and Welfare at the addresses set forth at 45 CFR 5.31(b).

Interested persons are invited to submit written comments, suggestions, or objections concerning the new Part 51e to the Director, Division of Policy Development, Bureau of Community Health Services, Health Services Administration, Room 6-17, 5600 Fishers Lane, Rockville, Maryland 20852, on or before

October 18, 1976. All comments received in timely response will be considered, and will be available for public inspection at the above address during regular business hours. Following the close of the comment period, the regulations will be revised as warranted by the public comments received. It is intended that any revision of the regulations will be published within 60 days following the close of the comment period. The regulations, as set forth below, will be applicable and effective on August 19, 1976. Revisions thereto, although applicable to grants awarded under the regulations promulgated herein, will be applicable only with respect to activities conducted under those grants on and after the date the revisions become effective.

A new Part 51e of Title 42, Code of Federal Regulations set forth below, is adopted effective on August 19, 1976.

Dated: July 15, 1976.

THEODORE COOPER,

Assistant Secretary for Health.

Approved: August 11, 1976.

MARJORIE LYNCH,

Acting Secretary.

1. A new 42 CFR Part 51e is adopted, to read as follows:

- Sec.
- 51e.101 Applicability.
 - 51e.102 Definitions.
 - 51e.103 Eligibility.
 - 51e.104 Applications.
 - 51e.105 Fiscal management.
 - 51e.106 Project elements.
 - 51e.107 Grant evaluation and award.
 - 51e.108 Determination of preference.
 - 51e.109 Use of project funds.
 - 51e.110 Grant payments.
 - 51e.111 Civil rights.
 - 51e.112 Confidentiality of information.
 - 51e.113 Publications and copyright.
 - 51e.114 Grantee accountability.
 - 51e.115 Performance report.
 - 51e.116 Applicability of 45 CFR Part 74.
 - 51e.117 Additional conditions.

AUTHORITY: Sec. 215, Public Health Service Act (42 U.S.C. 216), sec. 602(a), Pub. L. 94-63 (42 U.S.C. 1395x note).

§ 51e.101 Applicability.

The regulations of this part are applicable to grants authorized by Section 602 (a) of Public Law 94-63 (42 U.S.C. 1395x note, 89 Stat. 304) to meet the initial costs of establishing and operating home health agencies and expanding the services available through existing home health agencies, and to meet the costs of compensating professional and paraprofessional personnel during such initial establishment and operation or expansion.

§ 51e.102 Definitions.

- As used in this subpart:
- (a) "Act" means Public Law 94-63 (89 Stat. 304).
 - (b) "Applicant" means a public or nonprofit private entity which applies for a grant.
 - (c) "Catchment area" means the area served by a home health agency.
 - (d) "Conditions of participation" means those conditions of participation for a home health agency for reimburse-

ment under Title XVIII of the Social Security Act which are set forth in Subpart L of 20 CFR Part 405.

(e) "Home health agency" means an entity which has a provider agreement with the Secretary pursuant to 20 CFR Part 405, Subpart F.

(f) "Home health services" are those items and services listed in Section 1861 (m) of the Social Security Act (42 U.S.C. 1395x(m)) provided by a home health agency.

(g) "Home health organization" means an agency or organization which intends to become a home health agency but which does not, at the time of application for a grant under this part, have a provider agreement with the Secretary.

(h) "Nonprofit" as applied to a private entity means an entity exempt from Federal income taxation under Section 501 of the Internal Revenue Code of 1954.

(i) "Secretary" means the Secretary of Health, Education, and Welfare and any other officer or employee of the Department of Health, Education, and Welfare to whom the authority involved has been delegated.

(j) "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(k) "State agency" means the agency of a State which has an agreement with the Secretary under Section 1864(a) of the Social Security Act to certify agencies as home health agencies as defined in section 1861(o) of that Act.

§ 51e.103 Eligibility.

(a) *Eligible applicants.* Any public or nonprofit private entity is eligible to apply for a grant under this subpart.

(b) *Eligible projects.* Grants to eligible applicants may be made by the Secretary for projects to meet the initial costs, including costs of compensating professional and paraprofessional personnel, of:

- (1) Establishing and operating a home health agency which will provide home health services; or
- (2) Expanding the home health services available through a home health agency by:
 - (i) Adding new home health services not previously provided by such agency; and/or
 - (ii) Enlarging the catchment area of the agency; and/or
 - (iii) Increasing the number of persons served within the present catchment area of the agency.

§ 51e.104 Applications.

(a) *All applications.* An approvable application for a grant under this subpart shall be submitted to the Secretary at such time and in such form and manner as the Secretary may prescribe and shall contain the following:

- (1) A full and adequate description of the intended project and of the manner in which the applicant intends to conduct the project and carry out the requirements of this subpart;
- (2) A budget and justification of the amount of grant funds requested;

(3) A description of the applicant's organizational structure, ongoing activities, and any home health and/or other health services currently being delivered, including a statement indicating any accreditation or certification for such services;

(4) The following information with respect to the current and/or proposed catchment area of the applicant:

(i) The precise boundaries of the catchment area, and the average travel time from the applicant entity or its satellites to the furthest point within the catchment area;

(ii) Demographic data relating to the catchment area, including the total population of the area, the number and percentage of persons aged 65 years old and older, and number and percentage of recipients under Title XIX of the Social Security Act; and

(iii) A description of the health care resources of the catchment area in ratio to the population, and the accessibility in terms of size and geographic factors, including the number of:

- (A) Home health agencies, the range of their services, and the number of persons presently served by such agencies,
- (B) Hospitals (size, location, and type),
- (C) Skilled nursing and intermediate care facilities,
- (D) Outpatient rehabilitation facilities,
- (E) Physicians (both doctors of medicine and doctors of osteopathy), by specialty,
- (F) Homemaker service agencies and number of persons presently served thereby, and
- (G) Day care centers for the elderly;

(5) A report of utilization patterns of health care resources in the catchment area (or proposed catchment area, if applicable). Such report shall include:

- (i) Bed occupancy rates and average length of stays in hospitals, skilled nursing and intermediate care facilities,
- (ii) Hospital bed days used per thousand population,
- (iii) Hospital bed days used per thousand population aged 65 years old and older, and
- (iv) Number of persons served (including the average number of visits per patient) by existing home health agencies in the area (for each of the 3 calendar years preceding the calendar year in which the application is submitted or such lesser period as such home health agencies have been in operation);

(6) Based on the accumulated data required by paragraphs (a) (4) and (5) of this section, a projection of the number of persons who will use the home health services to be provided by the applicant, including quarterly projections of users who are aged 65 years old and older, and users who are medically indigent, as determined under § 51e.108;

(7) Evidence (such as copies of letters or minutes of meetings) that health care providers, local or county medical societies, and other community organizations in the proposed catchment area (such as senior citizens organizations) will actively participate in the promotion

and utilization of the home health services to be offered by the applicant;

(8) A description of the referral mechanisms which are in place, or are planned, for referral of patients to the applicant from hospitals, skilled nursing and intermediate care facilities, and other appropriate institutional or ambulatory health care providers in its existing and/or proposed catchment area, as applicable;

(9) A description of the applicant's plan to market the home health services to be offered, including such information as plans to acquaint physicians, hospital and skilled nursing home administrators, other health care providers, and potential users with the services to be offered, and copies of any informational or promotional material in use or proposed to be used;

(10) A description of the proposed staffing pattern, based upon the projection of the number of users developed under subparagraph (6) of this paragraph, which the applicant will employ to carry out the project, and a time-phased plan for hiring staff to meet the requirements of this subpart;

(11) A plan providing for the continuation of home health services after financial assistance under this subpart is no longer available;

(12) A statement indicating how and the extent to which the project plans to meet each of the applicable requirements in § 51e.106, including a description of the methodology which the applicant will use to compile the data required under § 51e.106(a)(6);

(13) Evidence that the requirements of Part I of Office of Management and Budget Circular No. A-95 have been satisfied; and

(14) The signature of the individual authorized to act for the applicant and to assume on behalf of the applicant the obligations imposed by the Act, the applicable regulations of this part, and any additional conditions of the grant award.

(b) *Applications submitted by home health organizations.* In addition to the requirements of paragraph (a) of this section, an application for a grant for a project described in § 51e.103(b)(1) shall contain the following:

(1) A copy of the S.S.A. Form #1515 (which may be obtained from the Bureau of Health Insurance, Social Security Administration) which the applicant has submitted to the appropriate State agency as evidence of its intent to become certified, and

(2) A detailed plan indicating how the applicant entity plans to meet the conditions of participation necessary to obtain certification by such State agency in accordance with 20 CFR Part 405, Subpart S.

(c) *Applications submitted by home health agencies.* In addition to the requirements of paragraph (a) of this section, an application for a grant for a project described in § 51e.103(b)(2) shall contain the following:

(1) A description of the home health services currently being provided by the

applicant agency and the manner in which they are provided;

(2) The number of the current provider agreement between the agency and the Secretary;

(3) The number of referrals to the agency from each of the types of referral sources set forth in paragraph (a)(8) of this section for the three calendar years preceding the calendar year in which the application is submitted (or such lesser period as the agency has been in operation);

(4) In the case of a home health agency which plans to expand its array of services or to open a subunit,

(i) A copy of the S.S.A. Form #1515 (which may be obtained from the Bureau of Health Insurance) which it has submitted to the applicable State agency as evidence of its intent to become certified; and

(ii) A detailed plan indicating how the applicant agency plans to meet the conditions of participation necessary to obtain certification by the State agency for the new service(s) and/or subunit; and

(5) In the case of a home health agency which plans to enlarge its catchment area or open a new branch office, the information requested in paragraph (a)(4) of this section for both its current catchment area and its proposed new catchment area or new branch office.

§ 51e.105 Fiscal management.

The Health Services Funding Regulations, 42 CFR Part 50, Subpart A, apply to all grants under this subpart, consistent with the provisions of § 51e.106(a)(7).

§ 51e.106 Project elements.

(a) *All projects.* A project funded under this subpart must:

(1) Provide its services directly and make such services available to all residents of its catchment area;

(2) Recruit personnel necessary to meet the requirements of this subpart in accordance with the plan submitted pursuant to § 51e.104(a)(10);

(3) Assure that staff professionals and paraprofessionals meet all applicable licensure, certification, or other legal requirements for the practice of their professions;

(4) Establish and maintain referral procedures (such as forms designed for referrals, or the designation of a hospital staff member to coordinate and follow-up referrals) to handle patients referred to the project from hospitals, skilled nursing and intermediate care facilities, and other appropriate institutional and ambulatory health care providers;

(5) Carry out the marketing plan provided pursuant to § 51e.104(a)(9) of this subpart and approved by the Secretary in the Notice of Grant Award;

(6) Establish basic statistical data, cost accounting, management information, and reporting systems which shall enable the project to provide such statistics and other information as the Secretary may reasonably require relating to its costs of operation, patterns of utili-

zation of services, and the availability, accessibility and acceptability of its services, and to make such reports to the Secretary in a timely manner with such frequency as the Secretary may reasonably require;

(7) Have prepared, and make every reasonable effort to obtain payment for services in accordance with, a schedule of fees and payments for the provision of its services designed to cover its reasonable costs of operation and a corresponding schedule of discounts adjusted on the basis of patients' ability to pay. *Provided*, that such schedule of discounts shall provide for a full discount to individuals and families with annual incomes at or below those set forth in the most recent "CSA Income Poverty Guidelines" (45 CFR § 1060.2) and for no discount to individuals and families with annual incomes greater than twice those set forth in such Guidelines; and

(8) Carry out the plan provided pursuant to § 51e.104(a)(11) and approved by the Secretary in the Notice of Grant Award to secure sufficient funding sources to continue providing home health services after Federal financial assistance under this subpart is no longer available.

(b) *Home health organizations.* In addition to the requirements of paragraph (a) of this section, a project described in § 51e.103(b)(1) must:

(1) Implement the plan provided pursuant to § 51e.104(b)(2);

(2) Obtain certification from the State agency in accordance with 20 CFR Part 405, Subpart S, within 60 days from the date of grant award, unless the applicant demonstrates to the Secretary's satisfaction that failure to obtain such certification within such time period is due to circumstances beyond the applicant's control, in which case the project will obtain certification within the revised time limit imposed by the Secretary;

(3) Be certified by the State agency before utilizing grant funds under this subpart for providing any home health services; and

(4) Provide skilled nursing care and such other home health services as are specified in the Notice of Grant Award following certification by the State agency to the residents of its catchment area.

(c) *Home health agencies.*

(1) In addition to the requirements of paragraph (a) of this section, a project described in § 51e.103(b)(2) must do the following, as applicable:

(i) In the case of a project as described in § 51e.103(b)(2)(i), make available one or more home health services, not previously provided by the agency, for which there is a need in the catchment area, as determined by the Secretary and as specified in the Notice of Grant Award.

(ii) In the case of a project described in § 51e.103(b)(2)(ii), expand its catchment area, and provide home health services therein, sufficient to increase the number of persons served by the agency in the calendar year of the grant by a percentage equal to the ratio of the amount of the grant under this part to

the agency's total operating budget for the calendar year preceding the grant; *Provided, however*, that where the Secretary determines the project will expand its catchment area so as to serve a substantially less densely populated area, he may approve a lower percentage.

(iii) In the case of a project described in § 51e.103(b)(2)(iii), provide services to an additional number of residents of the agency's catchment area sufficient to increase the number of persons served by the agency in the calendar year of the grant by a percentage equal to the ratio of the amount of the grant under this part to the agency's total operating budget for the calendar year preceding the grant.

(2) In the case of an agency which plans to expand its services in such a way as to require a new or amended provider agreement, the project must:

(i) Obtain State agency certification pursuant to 20 CFR Part 405, Subpart S, within 30 days of the grant award, unless the applicant can demonstrate to the Secretary's satisfaction that failure to obtain such certification within such time period was due to circumstances beyond the applicant's control, in which case the project will obtain certification within a revised time limit imposed by the Secretary; and

(ii) Be certified by the State agency before providing any of the expanded services.

§ 51e.107 Grant evaluation and award.

(a) Within the limits of funds available for such purposes, the Secretary will evaluate applications submitted under this part and will award grants to applicants which submit approvable applications for projects to provide home health services in areas where such services are not otherwise available, as determined under subparagraph (4) of this paragraph, in accordance with the following procedures:

(1) The funds appropriated to carry out section 602(a) of the Act will be allocated among the regions of the Department of Health, Education, and Welfare, as set forth in § 1.30(A), 35 Fed. Reg. 14334 (1970), on the basis of the relative needs of the State within each such region. Such relative need shall be determined by comparing the number of individuals within each State who are elderly, medically indigent, or both, as determined for purposes of § 51e.108 of this part in areas determined in accordance with § 51e.108 to have a high percentage of such individuals; *Provided*, that a minimum of \$100,000 will be allocated to each region for the States within such region; and *Provided, further*, that where the Secretary determines that there will not be enough approvable applications within a region to utilize the grant funds allocated to it, he may reallocate such excess funds to regions which he determines will have approvable applications which would otherwise not be funded.

(2) In awarding grants under this subpart, the Secretary will give preference to approvable applications for proj-

ects which will serve catchment areas in which a high percentage of the population is composed of individuals who are elderly, medically indigent, or both, as determined under § 51e.108 of this part.

(3) Where the funds allocated to a region are insufficient to fund all approvable applications for projects which will serve catchment areas in which a high percentage of the population is composed of individuals who are elderly, medically indigent, or both, or, in considering approvable applications for projects which will not serve catchment areas in which a high percentage of the population is composed of individuals who are elderly, medically indigent, or both, the Secretary may award grants under this subpart to:

(i) The projected number of users who are elderly and/or medically indigent,

(ii) The extent to which the project will meet the requirements set forth in § 51e.105 and § 51e.106,

(iii) The degree to which the applicant intends to integrate services (such as combining services with other public or nonprofit private agencies receiving other grants for the delivery of health services), and

(iv) The extent to which community resources will be utilized in the project, and the extent to which such community resources will continue to support home health services after funds under this subpart are no longer available.

(4) For purposes of this section, home health services will be considered to be not otherwise available in a catchment area where:

(i) There are no home health agencies in the area; or

(ii) There is a home health agency providing the services but the services are unavailable to a significant portion of the population; or,

(iii) There is a home health agency in the area, but it does not provide at least one of the home health services which the applicant proposes to provide.

(b) The amount of any award under this subpart will be determined by the Secretary on the basis of his estimate of the sum necessary for a designated portion of direct project costs; *Provided, however*, that no grant shall be made for an amount in excess of the total cost as found necessary by the Secretary for the carrying out of the project.

(1) In determining the percentage of project costs to be borne by the grantee, the Secretary will take into consideration the following factors:

(i) The ability of the grantee to finance its share of project costs from non-Federal sources; and

(ii) The need of the area served by the project for the services to be provided.

(2) At any time after approval of an application under this subpart, the Secretary may retroactively agree to a lower percentage of project costs to be borne by the grantee than that determined pursuant to paragraph (b)(1) of this section where he finds that changed circumstances justify a smaller contribution.

(3) In determining the grantee's share of project costs, if any, costs borne by Federal grant funds or costs used to match other Federal grants may not be included except as otherwise provided by law or regulations.

(c) Grants under this part may be made for a period up to 17 months if necessary to provide sufficient time for the applicant to achieve an operational level which will support the continued provision of home health services in the area.

(d) All grant awards shall be in writing, and shall set forth the amount of funds granted and the period for which support is recommended.

(e) Neither the approval of any project nor any grant award shall commit or obligate the United States in any way to make any additional, supplemental, or other award with respect to any approved project or portion thereof.

§ 51e.108 Determination of preference.

(a) For purposes of § 51e.107 of this part, a catchment area will be considered to have a high percentage of individuals who are elderly, medically indigent, or both if any one of the following is present.

(1) More than 13.7 percent of its population consists of noninstitutionalized individuals who are 65 years old or older;

(2) More than 26.9 percent of its population consists of persons with annual family incomes below the poverty level, as defined by the Social Security Administration in 1964, modified by a Federal Interagency Committee in 1969, and used in the 1970 United States Census; or

(3) More than 5.6 percent of its population consists of individuals who are both 65 years old or older and whose annual family income is below the poverty level, as specified in subparagraph (2) above.

(b)(1) An applicant may demonstrate that its catchment area has a high percentage of individuals who are elderly, medically indigent, or both by using data from:

(i) The United States Census Bureau, United States Census of the Population: 1970, General Social and Economic Characteristics, PC(1)-C, Tables 119 and 120, or 124; or

(ii) The United States Census Bureau, United States Census of the Population: 1970, General Population Characteristics, PC(1)-B, Table 37; or

(iii) More current data appropriate to the proposed catchment area, if such data is shown, to the Secretary's satisfaction, to be more appropriate and valid for the purposes of such calculation. Data such as that compiled most recently by the Administration on Aging, the most current data on Medicare enrollees or recipients of other categorical assistance programs, as appropriate (e.g. Old Age Assistance), may be submitted and used to update the 1970 data.

(2) In computing the percentage of the population of its catchment area which is elderly, medically indigent, or both, an applicant must exclude individuals who are inmates of institutions, and those in

military barracks and college dormitories as set forth in the tables referred to in subparagraph (b) (1) above, unless it can be reasonably demonstrated that a portion or all of the individuals in such institutions would otherwise reside in the catchment area.

§ 51e.109 Use of project funds.

(a) Any funds granted pursuant to this subpart, as well as other funds to be used in performance of the approved project, may be expended solely for carrying out the approved project in accordance with section 602(a) of the Act, the regulations of this subpart, the terms and conditions of the award, and the applicable cost principles prescribed in Subpart Q of 45 CFR Part 74.

(b) Project funds awarded under this part to establish, expand, or operate a home health agency may be used for, but need not be limited to, the following:

(1) The costs of obtaining technical assistance to develop the project, to improve its management capability, to establish an adequate data collection system, and to develop methodology for evaluation; and

(2) The cost of delivering home health services to individuals and families with annual incomes lower than those set forth in the most recent "CSA Income Poverty Guidelines" (45 CFR 1060.2) established by the Community Services Administration, and the uncompensated portion of the cost of services provided to individuals and families with annual incomes greater than, but not over twice, those set forth in such Guidelines.

(c) Grant funds shall not be used to pay the salaries of project staff members whose qualifications do not meet applicable requirements under the conditions of participation.

(d) Prior approval by the Secretary of revisions of the budget and project plan is required whenever there is to be a significant change in the scope or nature of project activities.

§ 51e.110 Grant payments.

The Secretary shall from time to time make payments to a grantee of all or a portion of any grant award, either in advance or by way of reimbursement for expenses incurred in the performance of the project, to the extent he determines such payments necessary to promote project initiation and advancement of the approved project.

§ 51e.111 Civil rights.

(a) Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d et seq.) and in particular section 601 of such Act which provides that no person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied

the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A regulation implementing such title VI, which applies to grants made under this part, has been issued by the Secretary of Health, Education, and Welfare with the approval of the President (45 CFR Part 80). In addition, no person shall be denied employment in or by such program or activity on the grounds of age, sex, creed, or marital status.

(b) Attention is called to the requirements of Section 504 of the Rehabilitation Act of 1973, as amended, which provides that no otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

§ 51e.112 Confidentiality of information.

All information as to personal facts and circumstances obtained by the project staff in connection with the provision of services under the project shall be treated as privileged communication, shall be held confidential, and shall not be divulged without the individual's consent except as may be otherwise required by applicable law (including this part) or necessary to provide services to the individual. Such information may be disclosed in summary, statistical, or other form which does not identify particular individuals.

§ 51e.113 Publications and copyright.

Except as may be provided under the terms and conditions of the award, the Department of Health, Education, and Welfare copyright requirement, set forth in 45 CFR 74.140, shall apply to any book or otherwise copyrightable material developed or resulting from the activity supported by a grant under this subpart.

§ 51e.114 Grantee accountability.

(a) *Accounting for grant award payments.* All payments made by the Secretary shall be recorded by the grantee in accounting records separate from the records of all other grant funds, including funds derived from other grant awards. With respect to each approved project the grantee shall account for the sum total of all amounts paid by presenting or otherwise making available evidence, satisfactory to the Secretary, for expenditures for direct and indirect costs meeting the requirements of this part: *Provided, however,* that when the amount awarded for indirect costs was based on a predetermined fixed-percentage of estimated direct costs, the amount allowed for indirect costs shall be computed on the basis of such predetermined fixed-percentage rates applied to the total, or

a selected element thereof, of the reimbursable direct cost incurred.

(b) *Copyright royalties.* Copyright royalties shall be accounted for as provided in 45 CFR 74.44.

(c) Grant closeout.

(1) *Date of final accounting.* A grantee shall render, with respect to each approved project, a full account, as provided herein, as of the date of the termination of grant support. The Secretary may require other special and periodic accounting.

(2) *Final settlement.* There shall be payable to the Federal Government as final settlement with respect to each approved project the total sum of:

(i) Any amount not accounted for pursuant to paragraph (a) of this section; and

(ii) Any other amounts due pursuant to Subparts F, M, and O of 45 CFR Part 74. Such total sum shall constitute a debt owed by the grantee to the Federal Government and shall be recovered from the grantee or its successors or assignees by setoff or other action as provided by law.

§ 51e.115 Performance report.

A grantee shall submit a performance report meeting the requirements of 45 CFR 74.82(c), and a financial status report at the end of the assigned project period.

§ 51e.116 Applicability of 45 CFR Part 74.

The provisions of 45 CFR Part 74, establishing uniform administrative requirements and cost principles, shall apply to all grants under this subpart to State and local governments as those terms are defined in Subpart A of that Part 74. The relevant provisions of the following subparts of Part 74 shall also apply to grants to all other grantee organizations under this subpart:

45 CFR PART 74

- Subpart
A General.
B Cash depositories.
C Bonding and insurance.
D Retention and custodial requirements for records.
F Grant-related income.
G Matching and cost sharing.
K Grant payment requirements.
L Budget revision procedures.
M Grant closeout, suspension, and termination.
O Property.
Q Cost principles.

§ 51e.117 Additional conditions.

The Secretary may with respect to any grant award impose additional conditions prior to or at the time of the award when, in his judgment, such conditions are necessary to assure or protect advancement of the approved project, the interest of public health, or the conservation of grant funds.

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THURSDAY, AUGUST 19, 1976



PART III:

DEPARTMENT OF COMMERCE

Domestic and International
Business Administration



EXPORT MONITORING REPORT FOR FERTILIZERS

March, 1976

DEPARTMENT OF COMMERCE
Domestic and International Business
Administration
EXPORT MONITORING REPORT FOR
FERTILIZERS
March 1976

U.S. exports of phosphatic fertilizers for the first quarter of 1976 rose to 506,000 content tons as compared with 459,000 content tons in the same quarter of last year. The rise in exports during the quarter reflects the increased level of exports during March 1976 to 187,623 content tons compared with exports of 124,511 content tons in March 1975. However, exports of nitrogenous fertilizers of 298,543 content tons during the first quarter 1976, were nearly 10 percent below their January-March 1975 level. For the month of March 1976, exports were 101,950 content tons versus 105,637 content tons in March 1975.

According to data collected by the Office of Export Administration, contracts for export of phosphatic fertilizers during the second quarter 1976 totaled nearly 205,000 content tons at the end of March. While this figure is less than half the 438,000 content tons actually exported during the second quarter of 1975, the high incidence of spot export sales of phosphatic fertilizers evidenced in the first quarter 1976 is expected to continue during the second quarter, so that ac-

tual exports of phosphatic fertilizers in the first six months of 1976 will probably equal or exceed the total volume exported in the first half of 1975.

Contracts for the export of nitrogenous fertilizers during the second quarter of 1976, as reported at the end of March, totaled 115,213 content tons, as compared with actual exports of 272,000 content tons during the same period last year. Since spot sales of nitrogenous fertilizers are not as common as in the case of phosphatic fertilizers, these anticipated actual second quarter export figures will probably not increase substantially from this anticipated level, and actual exports of nitrogenous fertilizers during the first half of 1976 are expected to fall short of the 602,000 content tons exported during the first half of 1975. Imports of nitrogenous fertilizers are running about 8 percent higher in the first quarter of 1976, having reached 324,257 content tons in the first quarter of 1976. The U.S. continues to be a net importer of nitrogenous fertilizers for the third consecutive year.

Ammonium phosphates, a compound material containing both nitrogen and phosphates, show the highest volume of exports of any of the individual fertilizer materials. Exports of this compound material represent about 57 percent of the phosphate fertilizers exported and about 38 percent of the

nitrogenous fertilizers exported from the U.S., on a content ton basis.

Bureau of the Census data on fertilizer production, indicates that production of anhydrous ammonia in the month of February was 3.6 percent higher than in the same month of 1975, while phosphoric acid production was up about 2.7 percent.

Inventories of fertilizer materials in 1976 continue at levels considerably above those for the same period a year ago. A major factor contributing to this higher level of inventories has been the reduced volume of shipments of fertilizer materials to the farmer, as reported to the U.S. Department of Agriculture through March of this year.

Producer prices of fertilizer materials are being heavily discounted. Discounts of 20 to 25 percent below the list prices, as quoted in the trade press, are not uncommon.

Tables on exports, imports, production, inventories, and domestic¹ and export prices follow.

DONALD E. JOHNSON,
Deputy Assistant Secretary for
Domestic and International
Business.

¹ World supply and demand data are not available on a monthly basis. The most recent data on world supply and demand will be included in the next Semi-Annual Report to the Congress on operations under the Export Administration Act.

Table 1
U.S. Trade in Nitrogen and Phosphate Fertilizer Contracts 1975-March 1976
Export Contracts for April 1976-March 1977
In Content Tons

Commodity	Jan-June 1975		Jan-Mar 1976		Mar 1975		Mar 1976		Contracts: 1976		Contracts: 1977	
	Jan	June	Jan	Mar	Mar	1975	1976	1976	Apr-June	July-Sept	Oct-Dec	Jan-Mar
Imports												
N and P ₂ O ₅ Content Tons ^{1/}												
Nitrogen Fertilizer	709,546	540,412	302,630	324,257	102,589	118,183						
Phosphate Fertilizer	145,653	103,901	55,960	41,766	31,242	24,832						
Exports												
N and P ₂ O ₅ Content Tons												
Nitrogen Fertilizer	601,258	595,605	330,353	298,543	105,637	101,950	115,213	66,972	18,943	8,010		
Phosphate Fertilizer ^{2/}	827,180	1,165,992	459,074	506,017	124,511	197,623	205,207	229,332	132,721	137,924		

TABLE 2

Fertilizer Exports, January 1975 - March 1976
Export Contracts for April 1976 - March 1977
(Short Tons; Export as Noted)

Commodity	Jan-June 1975		Jan-Mar 1976		Mar 1975		Mar 1976		Contracts: 1976		Contracts: 1977	
	Jan	June	Jan	Mar	Mar	1975	1976	1976	Apr-June	July-Sept	Oct-Dec	Jan-Mar
Nitrogenous:												
Anhydrous Ammonia ^{3/}	200,936	99,492	122,165	78,971	34,179	2,870	22,000	16,500				
Urea	272,457	284,653	157,331	149,745	78,120	90,394	56,095	6,982				
Ammonium Nitrate	14,189	31,847	8,682	1,395	2,314	522	3,823					
Ammonium Sulfate	225,242	426,800	98,329	183,952	35,449	54,401	142,663	115,901	46,600			
Phosphatic:												
Phosphoric Acid ^{4/}	141,158	171,383	67,430	90,829	17,500	38,466	42,523	101,202	68,918	79,019		
Phosphate Rock (000) (Fla. only) Concentrated	5,613	5,710	3,092	2,502	924	925	842	2,767	2,218	1,393		
Superphosphate	416,340	656,893	228,184	243,332	61,078	83,892	135,233	122,707	92,000	86,500		
Ammonium Phosphate	1,167,979	1,518,388	589,785	647,386	170,505	236,622	225,156	138,259	49,000	45,000		
Mixed Fertilizer	245,055	79,257	166,290	67,120	15,595	27,200	185	5,100	2,775			

1/ Includes fertilizer and other grades of anhydrous ammonia.
 2/ Includes phosphoric acid, fertilizer grade and N.P.C. (100% P₂O₅)
 3/ N and P₂O₅ content tons includes items not listed in accompanying tables.
 4/ Does not include phosphate rock.

Source: Bureau of Census and Office of Export Administration

Table 3

Fertilizer Imports, January 1975 - March 1976
Short Tons

Commodity	Jan-June 1975	July-Dec 1975	Jan-Mar 1976	Mar 1975	Mar 1976
Nitrogenous:					
Anhydrous Ammonia	415,936	391,003	160,303	210,931	69,868
Urea	434,525	219,677	221,853	142,097	47,340
Ammonium Nitrate	140,960	103,912	70,998	64,336	24,622
Ammonium Sulfate	139,903	78,673	51,387	132,305	39,873
Ammonium Nitrate Limestone	55,858	9,890	1,241	100	-
Phosphatic:					
Phosphoric Acid Concentrated	65,947	39,323	36,991	15,754	22,237
Superphosphate	32,869	8,974	17,916	4,647	7,192
Ammonium Phosphate	141,100	161,860	25,867	60,164	25,743
					28,305

Table 4

Fertilizer Production, July 1973 - February 1976
(1,000 Short Tons)

Commodity	July-June 1973-1974	July-June 1974-1975	% Change 75/74	Feb. 1975	Feb. 1976	% Change 76/75	July-Feb 1974-1975	July-Feb 1975-1976	% Change 76/75
Nitrogenous:									
Anhydrous Ammonia	15,705	15,674	-0.2	1,202	1,245	3.6	10,200	10,434	2.8
Urea	3,543	3,690	4.1	284	319	12.3	2,406	2,387	-0.8
Ammonium Nitrate	7,329	7,401	1.0	593	542	-8.6	5,004	4,455	-11.0
Ammonium Sulfate 2/	2,805	2,415	-13.9	205	N.A.	N.A.	1,628	N.A.	N.A.
Phosphatic:									
Phosphoric Acid 2/ Concentrated	6,950	7,339	5.6	595	611	2.7	4,906	4,798	-2.2
Superphosphate 2/	2,705	1,728	1.3	147	138	-6.1	1,105	1,030	-6.8
Ammonium Phosphate 3/	6,745	6,965	3.3	562	744	32.4	4,464	5,541	24.1

N.A. - Not available
1/ Includes coke oven byproduct

2/ 100% APA

3/ Gross weight

Source: Bureau of Census

Table 5
Producers Inventories of Fertilizer Materials
(In Short Tons)

Commodity	June 1973	June 1974	June 1975	January 1976	February 1975	February 1976
Anhydrous Ammonia	622,318	615,376	1,131,500	2,365,861	555,315	2,516,176
Urea	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Ammonium Nitrate	90,811	90,491	214,326	391,409	214,051	363,639
Ammonium Sulfate	101,503	153,496	239,753	406,511	211,515	N.A.
Phosphoric Acid Concentrated	88,150	133,312	211,579	195,004	168,867	211,293
Superphosphate	103,960	95,016	254,029	181,259	171,222	208,629
Ammonium Phosphate	135,048	95,773	263,300	327,948	137,276	327,701

Table 6
Producers Prices of Fertilizer Materials
(\$ Per Ton)

Commodity	October 24, 1973	October 21, 1974	October 27, 1975	May 10, 1976 (low)	May 10, 1976 (high)	Change Oct. 73-May 76 (high)
Anhydrous Ammonia	65	160	190	180	190	177
Urea	72	175	175	160	175	47
Ammonium Nitrate	62	115	115	91	115	122
Phosphoric Acid (52-54%)	78	157	173	173	-	122
Phosphate Rock (66-68%)	7	25	31	31	-	343
Concentrated Superphosphate	55	140	140	127	140	131
Ammonium Phosphate	75	165	135	135	135	80

N.A. - Not available

Source: Price column 1 -- Cost of Living Council
Columns 2, 3, and 4 -- Chemical Marketing Reporter
(low and high quote)

Table 7

Export Prices of Selected Fertilizer Products
March 1976

Commodity	Low	High	Weighted Average
Phosphate Rock			
Shipments	16	37	30
Remaining Contracts	21	37	31
Ammonia			
Shipments	54	54	54
Remaining Contracts			
Urea			
Shipments	80	120	83
Remaining Contracts	80	83	82
Triple Superphosphate			
Shipments	83	145	89
Remaining Contracts	77	115	108
Diammonium Phosphate			
Shipments	86	218	110
Remaining Contracts	109	228	171

Source: Office of Export Administration, U.S. Department of Commerce

Exports and Anticipated Exports
March 1976

Unit of Measure and Commodity Area of Destination ^{1/} In Content Tons	Actual	Unfilled Contracts			
	July-Mar 1975-1976	Apr-June 1976	July-Sept 1976	Oct-Dec 1976	Jan-May 1977
Nitrogen (N)					
Western Hemisphere	423,121	57,314	41,827	12,179	1,958
Western Europe	208,398	17,306	19,906	6,764	6,052
Asia	235,079	40,528	4,339	-	-
Australis and Oceania	5,404	-	-	-	-
Africa	22,144	67	-	-	-
Phosphate (P ₂ O ₅)					
Western Hemisphere	665,137	57,456	124,418	53,475	60,466
Western Europe	477,310	22,807	29,659	23,386	22,092
Communist Areas in Europe	53,703	11,125	30,360	30,360	30,360
Asia	424,018	113,821	35,897	25,000	25,000
Australia and Oceania	7,486	-	-	-	-
Africa	44,356	-	-	-	-
In Short Tons					
Ammonia ^{2/}					
Western Hemisphere	102,395	5,500	-	-	-
Western Europe	74,258	16,500	16,500	-	-
Asia	899	-	-	-	-
Australis and Oceania	20	-	-	-	-
Africa	891	-	-	-	-
Exported to Developing Countries July 1975- Mar. 1976	50.4%				
Urea					
Western Hemisphere	192,464	25,523	6,082	-	-
Western Europe	5,545	-	-	-	-
Asia	231,039	30,572	-	-	-
Australis and Oceania	1,679	-	-	-	-
Africa	3,621	-	-	-	-
Exported to Developing Countries July 1975- Mar. 1976	97.2%				
Ammonium Nitrate					
Western Hemisphere	32,762	3,623	-	-	-
Asia	190	-	-	-	-
Australia and Oceania	38	-	-	-	-
Africa	252	200	-	-	-
Exported to Developing Countries July 1975- Mar. 1976	95.7%				

Exports and Anticipated Exports (Cont.)

Unit of Measure and Commodity Area of Destination	Actual		Unfilled Contracts			
	July-Mar 1975-1976	Apr-June 1976	July-Sept 1965	Oct-Dec 1976	Jan-Mar 1977	
Ammonium Sulfate						
Western Hemisphere	559,519	142,663	115,801	46,600	-	
Western Europe	9,979	-	-	-	-	
Asia	28,881	-	-	-	-	
Australis and Oceania	6,826	-	-	-	-	
Africa	5,547	-	-	-	-	
Exported to Developing Countries July 1975- Mar. 1976	93.3%					
Phosphoric Acid 3/						
Western Hemisphere	186,935	29,165	76,203	43,018	53,018	
Western Europe	19,177	-	-	-	-	
Asia	55,390	13,159	25,000	25,000	25,000	
Australia and Oceania	306	-	-	-	-	
Africa	403	-	-	-	-	
Exported to Developing Countries July 1975- Mar. 1976	84.9%					
Phosphate Rock (000)						
Western Hemisphere	2,791	304	1,313	956	677	
Western Europe	2,597	209	501	543	373	
Communist Areas in Europe	507	-	153	110	110	
Asia	2,316	329	801	599	239	
Exported to Developing Countries July 1975- Mar. 1976	33.7%					
Triple Superphosphate						
Western Hemisphere	428,971	7,606	26,945	11,000	5,500	
Western Europe	219,269	29,060	29,762	15,000	15,000	
Communist Areas in Europe	116,745	24,184	66,000	66,000	66,000	
Asia	140,340	74,383	-	-	-	
Africa	-	-	-	-	-	
Exported to Developing Countries July 1975- Mar. 1976	70.8%					
Diammonium Phosphate and Other Ammonium Phosphate						
Western Hemisphere	583,482	55,413	78,159	11,000	11,000	
Western Europe	796,973	21,116	35,722	38,000	34,000	
Asia	678,597	148,627	24,378	-	-	
Australia and Oceania	14,697	-	-	-	-	
Africa	93,935	-	-	-	-	
Exported to Developing Countries July 1975- Mar. 1976	56.4%					

Exports and Anticipated Exports (Cont.)

Unit of Measure and Commodity Area of Destination	Actual		Unfilled Contracts	
	July-Mar 1975-1976	Apr-June 1976	July-Sept 1976	Oct-1976 Jan-Mar 1977
Mixed Fertilizer				
Western Hemisphere	116,144	128	5,100	2,775
Western Europe	5,902	-	-	-
Asia	9,434	57	-	-
Australia and Oceania	3,552	-	-	-
Africa	11,345	-	-	-
Exported to Developing Countries July 1975- Mar. 1976	58.0%			

1/ The data in this table with respect to "Unfilled Contracts" is based on information obtained from exporters by the Office of Export Administration subject to the confidentiality provisions of the Export Administration Act of 1969, as amended. In a number of instances only one exporter is involved in exports of a stated commodity to a particular country. Therefore, the publication of the data by country of destination could effectively reveal information required to be held confidential. Accordingly, in order to maintain the confidentiality of the information supplied by exporters, this data is published by the area of destination.

- 2/ Includes fertilizer and other grades of anhydrous ammonia.
- 3/ Includes fertilizer and other grades of phosphoric acid (100% APA)

Sources: Bureau of the Census, U.S.
Actual Exports: Department of Commerce.

Unfilled Contracts: Office of Export Administration, U.S.
Department of Commerce.

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_____	Title 41—Public Contracts and Property Manage- ment (Chapter 7)	022-003-93258-5	\$1.85	\$_____
_____	Title 32—National Defense (Part 1400-1599)	022-003-93240-2	3.65	_____
_____	Title 32—National Defense (Part 1600-end)	022-003-93241-1	1.95	_____
_____	Title 32—National Defense (Part 400-589)	022-003-93235-6	5.20	_____
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[A Cumulative checklist of CFR issuances for 1976 appears in the first issue
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