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WEDNESDAY, MARCH 17, 1976

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Monday	Tuesday	Wednesday	Thursday	Friday
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DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
	CSC			CSC
	LABOR			LABOR

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

Comments on this trial program are invited and will be received through May 7, 1976. Comments should be submitted to the Director of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

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Geriatric Research and Clinical Centers Advisory Committee; to be held in Washington, D.C. (open with restrictions), 3–25 and 3–26–76..... 9014; 3–2–76

Next Week's Public Hearings

NOTE: There are no items eligible for inclusion in this list.

List of Public Laws

S.J. Res. 59..... Pub. Law 94–227
Joint resolution authorizing the President to invite the States of the Union and foreign nations to participate in the International Petroleum Exposition to be held at Tulsa, Oklahoma, from May 16, 1976 through May 22, 1976
(Mar. 11, 1976; 90 Stat. 204)

S. 151..... Pub. Law 94–228
Reclamation Authorization Act of 1975
(Mar. 11, 1976; 90 Stat. 205)

rules and regulations

Title 8—Aliens and Nationality

CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

PART 204—PETITION TO CLASSIFY ALIEN AS IMMEDIATE RELATIVE OF A UNITED STATES CITIZEN OR AS A PREFERENCE IMMIGRANT

Orphan Petition; Unmarried U.S. Citizen Petitioner

Reference is made to the Notice of Proposed Rule Making which was published in the FEDERAL REGISTER of February 6, 1976 (41 FR 5401) pursuant to section 553 of Title 5 of the United States Code (80 Stat. 383) and in which there were set forth the proposed amendments to 8 CFR 204.1(b) and 204.2(d), pertaining to the filing of orphan visa petitions, in implementation of the provisions of Pub. L. 94–155 (89 Stat. 824), approved December 16, 1975, which amended section 101 (b)(1)(F) of the Immigration and Nationality Act to grant an alien child adopted by an unmarried United States citizen at least 25 years of age the same immigration status as an alien child adopted by a United States citizen and his spouse jointly.

The representations which were received in response to the proposed rules of February 6, 1976 have been considered. All the comments received support the proposed amendments. No change has been made in the proposed rules. The rules, as proposed and as set forth below, are hereby adopted.

1. In § 204.1, paragraph (b) is amended to read as follows:

§ 204.1 Petition.

* * * * *

(b) *Orphan.* A petition in behalf of a child defined in section 101(b)(1)(F) of the Act shall be filed on Form I–600 by a United States citizen with the office of the Service having jurisdiction over the place where the petitioner is residing, shall identify the child, and shall be accompanied by the fee required under § 103.7(b) of this chapter. If the petitioner is married, the Form I–600 shall be signed also by the petitioner's spouse. If unmarried, the petitioner must be at least twenty-five years of age at the time of the adoption and when the petition is filed. If the petitioner resides outside of the United States, the petition shall be filed with the foreign office of the Service designated to act on the petition, which can be ascertained by consulting an American consul. However, since no Service office in Canada has been so designated, a petitioner residing in that country shall file the petition with the office of the Service having jurisdiction over the place of the child's intended residence in the United States. The petitioner shall be notified of the decision and, if the petition is denied, of the reasons therefor and of the right to appeal in accordance with the provisions of Part 103 of this chapter. If the petitioner (or spouse, if married), intends to proceed abroad to locate an orphan for adoption, a request in writing may be submitted to the district director in whose jurisdiction the petitioner resides to initiate preliminary processing prior to filing a petition.

* * * * *

2. In § 204.2, paragraph (d) is amended in the following respects: the first and fourth sentences of paragraph (d)(1) are revised and a new sentence is added at the end thereof; a new sentence is added at the end of paragraph (d)(2); the first and second sentences of subparagraph (3) are revised and a new sentence is added at the end thereof. As amended, § 204.2(d)(1), (2), and (3) read as follows:

§ 204.2 Documents.

* * * * *

(d) *Evidence required to accompany petition for orphan.* (1) *General.* A petition filed on behalf of an orphan under § 204.1(b) must be accompanied by fingerprints on Form FD–258 of the petitioning United States citizen (and of the spouse, if married); by evidence of the age and of the United States citizenship of the petitioner as provided in paragraph (a) of this section; by a certificate of marriage of the married petitioner and spouse and evidence of the legal termination of any previous marriages, or, in the case of an unmarried petitioner, by evidence of legal termination of any previous marriage(s); by proof of age of the orphan in the form of a birth certificate, or if such certificate is not available, by other evidence of the orphan's birth; by evidence that the petitioner, if unmarried, or the petitioner and his spouse, if married, is or are able to care for the orphan properly, such as letters from employers, banks, and accountants, financial statements, and copies of income tax returns; by a certified copy of the adoption decree together with copy of certified translation, if the orphan has been lawfully adopted abroad; and by evidence that the sole or surviving parent is incapable of providing for the orphan's care and has in writing irrevocably released the orphan for emigration and adoption, if the orphan has only one parent. A child shall be considered as having a sole parent, his mother, when it is established that the child is illegitimate, and has not acquired a second parent within the contemplation of section 101(b)(2) of the Act. A child shall be considered as having a surviving parent when it is established that one of the child's parents is living while one is deceased, and the child has not acquired a second parent within the meaning of section 101(b)(2) of the Act. When a child who has a sole or surviving parent has been adopted abroad, the requirement for an irrevocable release in writing for the child's emigration and adoption shall be considered to have been met if the adoption decree clearly sets forth that the adoptive petitioner and spouse, if married, reside in the United States and that the child's only parent has agreed to release the child for adoption. A child who has been unconditionally abandoned to an orphanage shall be considered as having no parents. However, a child shall not be considered as having been abandoned when he has been placed temporarily in an orphanage, if the parent or parents intend to retrieve the child, or the parent or parents are contributing or attempting to contribute to the child's support, or the parent or parents otherwise exhibit that they have not terminated their parental obligations to the child. If the child was adopted abroad by an unmarried United States citizen, the latter must have been at least twenty-five years of age at the time the child was adopted; if such adoption was by a married United States citizen, the decree shall show that the adoption was by husband and wife jointly.

(2) *Preadoption requirements.* If the orphan is to be adopted in the United States, the petitioner must submit evidence of compliance with the preadoption requirements, if any, of the state of the orphan's proposed residence, except any such requirements that cannot be complied with prior to the child's arrival in the United States. If the child is to be adopted in the United States by an unmarried United States citizen, the petitioner must also establish that adoption by an unmarried person is permitted in the state of the child's proposed residence.

(3) *Beneficiary whose adoption abroad not deemed valid or who is adopted abroad without having been seen and observed.* An orphan whose adoption abroad is determined by the Service to be invalid for benefits under the immigration and nationality laws, or who is adopted abroad without having been personally seen and observed by the petitioner (and by the spouse, if married) prior to or during the adoption proceedings, shall be

processed as a child coming to the United States for adoption. Before a petition in behalf of such a child is approved, the petitioner (and spouse, if married) must submit a statement indicating the petitioner's and, if married, the spouse's willingness and intent to readopt the child in the United States. Unless the Service has already ascertained from the appropriate state authority that readoption is permissible in that state, the petitioner shall be required to submit evidence in the form of a statement from the court having jurisdiction over adoption, the state department of welfare, or the attorney general of the state, indicating that readoption is permissible. As in the case of a petition for any other orphan coming to the United States for adoption, evidence of compliance with the preadoption requirements, if any, of the state of proposed residence must be submitted. If the child is to be readopted in the United States by an unmarried United States citizen, the petitioner must also establish that adoption by an unmarried person is permitted in the state of the child's proposed residence.

* * * * *

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

Compliance with the provisions of section 553 of Title 5 of the United States Code (80 Stat. 383) as to delayed effective date is unnecessary in this instance and would serve no useful purpose because the amendments are in implementation of Pub. L 94–155 (89 Stat. 824), approved December 16, 1975, and confer benefits on the persons affected thereby.

Effective date. The amendments made in this order shall be effective March 17, 1976.

Dated: March 12, 1976.

L. F. CHAPMAN, Jr.,
Commissioner of Immigration and Naturalization.

[FR Doc.76–7602 Filed 3–16–76;8:45 am]

PART 341—CERTIFICATES OF CITIZENSHIP

Notice of Suspension for an Additional Period of Special Procedure Authorizing Certain Naturalization Applicants to File, Prior to Naturalization, Application for Certificate of Citizenship for Derivative Child

Reference is made to the Notices published in the FEDERAL REGISTER of October 21, 1974 (39 FR 37355) and September 15, 1975 (40 FR 42532) temporarily suspending until October 1, 1975 and April 1, 1976, respectively, the provisions of 8 CFR 341.1(b).

Due to the continuing manpower considerations which resulted in the temporary suspension of the special procedure provided by 8 CFR 341.1(b), the provisions of § 341.1(b) are being suspended for an additional period, until October 1, 1976, unless manpower considerations render feasible or practicable their reinstitution at an earlier date.

In the light of the foregoing, the provisions of 8 CFR 341.1(b) are hereby suspended until October 1, 1976, unless the suspension is revoked prior thereto by notice published in the FEDERAL REGISTER.

Dated: March 12, 1976.

L. F. CHAPMAN, Jr.,
Commissioner of Immigration and Naturalization.

[FR Doc.76–7603 Filed 3–16–76;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket C–2787]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

American Image Corporation, et al.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly; § 13.135 Nature of product or service; § 13.170 Qualities or properties of product or service; § 13.170–16 Cleansing, purifying; 13.170–24 Cosmetic or beautifying; 13.170–78 Renewing, restoring; § 13.190 Results; § 13.205 Scientific or other relevant facts. Subpart—Misrepresenting oneself and goods—Goods: § 13.1685 Nature; § 13.1710 Qualities or properties; § 13.1730 Results; § 13.1740 Scientific or other relevant facts. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1870 Nature; § 13.1885 Qualities or properties; § 13.1895 Scientific or other relevant facts. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.2063 Scientific or other relevant facts.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

In the Matter of American Image Corporation, a corporation, and Marvin Schere, individually and as president of said corporation

Consent order requiring a New York City manufacturer and distributor of a skin preparation designated "Rebirth Beauty Masque", among other things to cease misrepresenting the cosmetic or beautifying effects of their product. Further, respondents are prohibited from making performance claims regarding their product without substantiating documentation in their possession backing up such claims.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

ORDER

It is ordered, That respondents American Image Corporation, a corporation, and its successors and assigns, and Marvin Schere, individually and as president of said corporation, and respondents' officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of Rebirth Beauty Masque or any other skin creme, ointment or salve in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication, that any such product:

1. Produces or helps to produce skin that is blemish-free, or is free of acne, pimples, or blackheads, or will cause skin blemishes to peel off or lift away, or to be removed or eliminated;

2. Removes or eliminates, or helps to remove or eliminate, circles from around the eyes;

3. Will perform in any given manner or is effective for any purpose unless such claims are true and have been substantiated.

It is further ordered, That respondents shall forthwith distribute a copy of this order to each of their operating divisions.

It is further ordered, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of this order.

It is further ordered, That each respondent shall within sixty (60) days and at the end of six (6) months after the effective date of the order served upon them, file with the Commission a report, in writing, signed by respondents, setting forth in detail the manner and form of their compliance with the order to cease and desist.

The Decision and Order was issued by the Commission February 2, 1976.

CHARLES A. TOBIN,
Secretary.

[FR Doc.76–7536 Filed 3–16–76;8:45 am]

[Docket C–2788]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Johnson Products Company, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly; 13.10–5 Knowingly by advertising agent; § 13.135 Nature of product or service; § 13.170 Qualities or properties of product or service; § 13.195 Safety; 13.195–60 Product; § 13.205 Scientific or other relevant facts. Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements; 13.533–15 Destruction of records and/or data; 13.533–20 Disclosures; 13.533–25 Displays, in-house; 13.533–45 Maintain records; 13.533–45 (k) Records, in general; 13.533–53 Recall of merchandise, advertising material, etc. Subpart—Misrepresenting oneself and goods—Goods: § 13.1685 Nature; § 13.1710 Qualities or properties; § 13.1740 Scientific or other relevant facts. Subpart—Neglecting, unfairly or

[1] Copies of the Complaint, Decision and Order, filed with the original document.

deceptively, to make material disclosure: § 13.1870 Nature; § 13.1885 Qualities or properties; § 13.1890 Safety; § 13.1895 Scientific or other relevant facts. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.2063 Scientific or other relevant facts.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

In the Matter of Johnson Products Company, Inc., a corporation; and Bozell & Jacobs, Inc., a corporation

Consent order requiring a Chicago, Ill., manufacturer and distributor of cosmetics and its Omaha, Neb., advertising agency, among other things to cease misrepresenting that Ultra Sheen Permanent Creme Relaxer is "gentle," "cool to the scalp," and "easy to use"; and failing to disclose in advertising certain material facts concerning health hazards associated with the use of its products. Further, respondents are required to place clear and specific warnings as to the safety of the product upon all packaging, displays and advertising.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

ORDER

I. *It is ordered,* That respondents Johnson Inc. and Bozell & Jacobs, Inc., corporations, their successors, assigns, officers, agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, sale, or distribution of Ultra Sheen relaxer, or any cosmetic in or affecting commerce, as "cosmetic" and "commerce" are defined in the Federal Trade Commission Act, as amended, do forthwith cease and desist from:

A. Representing in writing, orally, visually, or in any other manner, directly or by implication, that:

1. Any hair straightening product is gentle or safe.
2. Any hair straightening product feels cool to skin or scalp.
3. Any hair straightening product is easy to use or to apply.

B. Representing, in any manner, the safety or efficacy of any cosmetic or the ingredients therein, unless at the time such representation is made respondents have in their possession a reasonable basis, consisting of competent and reliable controlled tests, to support such representation; or misrepresenting in any manner the nature of any such product or its ingredients or the effect of any such product or its ingredients on hair or skin or any other structure of the body.

C. Disseminating or causing to be disseminated any advertisement of Ultra Sheen relaxer or any similar product, which fails to disclose, clearly and conspicuously with nothing to the contrary or in mitigation thereof, the following statement exactly as it appears below:

"WARNING: Follow directions carefully to avoid skin and scalp irritation, hair breakage and eye injury."

Provided, however, That Paragraph I of this order shall apply to respondent Bozell & Jacobs, Inc. only with respect to Ultra Sheen Relaxer, and any cosmetic manufactured by respondent Johnson Inc., and any hair straightening product or process.

Provided further, That Paragraph I of this order shall not become effective prior to September 8, 1975.

II. *It is further ordered,* That respondents Johnson Inc. and Bozell & Jacobs, Inc., corporations, their successors and assigns, and their officers, agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, sale or distribution of Ultra Sheen relaxer or any cosmetic, as "cosmetic" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Disseminating or causing to be disseminated by United States mails or by any means in or having an effect upon commerce, as "commerce" is defined in the Federal Trade Commission Act, for the purpose of inducing, or which is likely to induce, directly or indirectly the purchase of any such product, any advertisement which contains a representation prohibited by Paragraph I of this order or which omits a disclosure for such product required by Paragraph I of this order.

B. Disseminating or causing to be disseminated by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of any such product in or having an effect on commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains a representation prohibited by Paragraph I of this order or which omits a disclosure for such product required by Paragraph I of this order.

Provided, however, That Paragraph II of this order shall apply to respondent Bozell & Jacobs, Inc. only with respect to Ultra Sheen relaxer, and any cosmetic manufactured by respondent Johnson Inc., and any hair straightening product or process.

Provided further, That Paragraph II of this order shall not become effective prior to September 8, 1975.

III. *It is further ordered,* That respondent Johnson Inc., a corporation, its successors, assigns, officers, agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the offering for sale, sale, or distribution of Ultra Sheen relaxer or any similar product in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, as amended, do forthwith cease and desist from failing to include clearly and conspicuously on an information panel of the retail product package, on the package insert, and on the label of the relaxer container of any such product, with nothing to the contrary or in mitigation thereof, the following disclosures exactly as they appear below:

"WARNING: 1. This product contains [percentage] sodium hydroxide (lye). You must follow directions carefully to avoid skin and scalp burns, hair loss, and eye injury.

2. Do not use if scalp is irritated or injured.

3. Do not use on bleached, dyed or tinted hair. If you have previously relaxed your hair, relax only the new growth, as described in the directions.

4. If the relaxer causes skin or scalp irritation, rinse out immediately and neutralize with the shampoo in the kit. If irritation persists or if hair loss occurs, consult a physician.

5. If the relaxer gets into eyes, rinse immediately and consult a physician."

Respondents shall comply with this provision by August 15, 1975 or by the effective date of this order, whichever shall occur first.

IV. *It is further ordered,* That respondent Johnson Inc. shall instruct each beauty salon which sells or uses Ultra Sheen relaxer and each retail store and place of distribution of said product, to destroy each display advertisement for Ultra Sheen relaxer which contains any of the words or representations prohibited by Paragraph I of this order or which fails to make the affirmative disclosure for such product required by Paragraph I of this order.

V. *It is further ordered,* That respondents shall distribute a copy of this order to their present and future officers, directors, and operating divisions and that respondents secure from each such person a signed statement acknowledging receipt of the order.

VI. *It is further ordered,* That respondents maintain complete business records relative to the manner and form of their continuing compliance with the terms and provisions of this order. Each record shall be retained by respondents for at least three years after it is made.

VII. *It is further ordered,* That the corporate respondents notify the Commission at least thirty days prior to any proposed change in respondents such as dissolution, assignment or sale resulting in the emergence of a successor corporation or corporations, the creation or dissolution of subsidiaries, a change in corporate name or address, or any other change in the corporations which may affect compliance obligations arising out of this order.

VIII. *It is further ordered,* That respondents shall, within sixty days after service upon them of this order, file with the Commission a written report setting forth in detail the manner and form of their compliance with this order.

The Decision and Order was issued by the Commission February 10, 1976.

CHARLES A. TOBIN,
Secretary.

[FR Doc.76-7537 Filed 3-16-76;8:45 am]

[1] Copies of the Complaint, Decision and Order, filed with the original document.

Title 41—Public Contracts and Property Management

CHAPTER 14—DEPARTMENT OF THE INTERIOR

PART 14–10—BONDS AND INSURANCE

Subpart 14–10.4—Insurance Under Fixed-Price Contracts

Correction

In FR Doc. 76–5838, appearing at page 8972, in the issue for Tuesday, March 2, 1976, make the following changes:

1. On page 8973 in § 14–7.150–5(j) change the third and fourth lines to read as follows; 14–7.602–50(6)(2), 14–7.602–50(6)(d), 14–7.602–50(6)(e) and 14–7.602–50(6)(f).

2. On page 8974 in § 14–7.650–4 in the sixth line change word maximum to read minimum.

3. § 14–7.650–5 is reprinted in its entirety to read as follows;

§ 14–7.650–5 Local taxes.

(a) *North Carolina sales and use tax.* The following clause is prescribed for use in all fixed-price construction contracts when the work is to be performed in the State of North Carolina:

NORTH CAROLINA SALES AND USE TAX

(a) As used throughout this clause, the term "materials" means building materials, supplies, fixtures, and equipment which become a part of or are annexed to any building or structure erected, altered, or repaired under this contract.

(b) If this is a fixed-price contract as defined in the Federal Procurement Regulations, the contract price includes North Carolina sales and use taxes to be paid with respect to materials, notwithstanding any other provision of this contract. If this is a cost-reimbursement type contract as defined in such regulations, any North Carolina sales and use taxes paid by the contractor with respect to materials shall constitute an allowable cost under this contract.

(c) At the time specified in paragraph (d) below:

(i) The Contractor shall furnish the Contracting Officer certified statements setting forth the cost of the materials purchased from each vendor and the amount of North Carolina sales and use taxes paid thereon. In the event the Contractor makes several purchases from the same vendor, such certified statement shall indicate the invoice numbers, the inclusive dates of the invoices, the total amount of the invoices and the North Carolina sales and use taxes paid thereon. Such statement shall also include the cost of any tangible personal property withdrawn from the Contractor's warehouse stock and the amount of North Carolina sales or use tax paid thereon by the Contractor. The Contractor shall furnish additional information as the Commissioner of Revenue of the State of North Carolina may require to substantiate a refund claim for sales or use taxes.

(ii) The Contractor shall obtain and furnish to the Contracting Officer similar certified statements by its subcontractors.

(d) If this contract is completed before July 1, the certified statements to be furnished pursuant to paragraph (c) above shall be submitted within 60 days after completion. If this contract is not completed before the next July 1, such certified statements shall be submitted on or before the 31st day of August of each year and shall cover taxes paid during the 12-month period which ended the preceding June 30.

(e) The certified statements to be furnished pursuant to paragraph (c) above shall be in the following form:

I hereby certify that during the period _____ to _____, (name of contractor or subcontractor) paid North Carolina sales and use taxes aggregating $_____ with respect to building materials, supplies, fixtures, and equipment which have become a part of or annexed to a building or structure erected, altered or repaired by (name of contactor) for the United States of America, and that the vendors from whom the property was purchased, the dates and numbers of the invoices covering the purchases, the total amount of the invoices of each vendor, the North Carolina sales and use taxes paid thereon, and the cost of property withdrawn from warehouse stock and North Carolina sales and use taxes paid thereon are as set forth in the attachments hereto.

(b) *Texas limited sales, excise, and use tax.* The following clause is prescribed for use in all fixed-price construction contracts when the work is to be performed in the State of Texas:

TEXAS LIMITED SALES, EXCISE, AND USE TAX

(a) This contract is issued by an organization which qualifies for exemption pursuant to the provisions of Article 20.04(F) of the Texas Limited Sales, Excise, and Use Tax Act.

(b) The Contractor performing this contract may purchase, rent, or lease free of such tax all materials, supplies, and equipment used or consumed in the performance of this contract by issuing to his supplier an exemption certificate complying with State Comptroller's ruling No. 95–0.07. Any such exemption certificate issued by the Contractor in lieu of the tax shall be subject to the provisions of the State Comptroller's ruling No. 95–0.09 as amended to be effective October 2, 1968.

(c) *Colorado sales and use tax.* (1) A specific exemption from Colorado Sales and Use Tax is available with respect to materials of a value of $2,500 or more incorporated by a prime contractor or subcontractor into a structure furnished under contract to a Government agency.

(2) Exemption certificates will be issued to such contractors or subcontractors upon personal application therefor to the Department of Revenue, State of Colorado, State Capital, Denver, Colorado. The contractor or subcontractor will be required to submit the date of the contract, the contract number, the amount of the contract, and the proposed date of completion.

(3) Invitations for bids for construction contracts which may reasonably be expected to involve purchases of materials of more than $2,500 should contain a notification to bidders concerning the availability of this exemption, a requirement that the bidder exclude these taxes from the bid price, and the method of obtaining exemption certificates.

(d) *Indiana gross income tax.* (1) The Indiana Gross Income Tax is applicable to gross receipts reecived by a Government contractor under a contract for services performed in Indiana, and under a contract for supplies produced in Indiana and delivered to the Government in Indiana (including contracts requiring delivery f.o.b. carrier's equipment, wharf, or freight station in Indiana for shipment on a Government bill of lading to destination outside Indiana).

(2) The tax does not apply to gross receipts received by a Government contractor under a contract for supplies produced in Indiana and delivered to the Government at a destination outside Indiana if the contract provides that title to the supplies shall vest in the Government at destination, and shipment is made on a commercial bill of lading or a commercial bill of lading convertible to a Government bill of lading at destination.

(e) *Iowa sales and use tax.* (1) Government agencies may obtain from the Iowa State Tax Commission refunds of Sales or Use Tax paid by their construction contractors with respect to goods, wares, or merchandise which become an integral part of the project.

(2) The contracting officer shall obtain from the contractor the statement required by section 422.45(6a), Iowa Code Annotated, and file an application for a refund with the Iowa State Tax Commission within 60 days after final settlement as required by section 422.45 (6b), Iowa Code Annotated.

(3) A provision shall be inserted in invitations for bids and construction contracts to the effect that the contractor will be required to furnish to the contracting officer statements pursuant to section 422.45(6a), Iowa Code Annotated.

4. On page 8975 in § 14–11.302 in the first line change the word classes to read causes.

proposed rules

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

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INVESTMENT CREDIT

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Acting Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments pertaining thereto which are submitted in writing (preferably six copies) to the Acting Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by May 3, 1976. Pursuant to 26 CFR 601.601 (b), designations of material as confidential or not to be disclosed, contained in such comments, will not be accepted. Thus, persons submitting written comments should not include therein material that they consider to be confidential or inappropriate for disclosure to the public. It will be presumed by the Internal Revenue Service that every written comment submitted to it in response to this notice of proposed rule making is intended by the person submitting it to be subject in its entirety to public inspection and copying in accordance with the procedures of 26 CFR 601.702(d)(9). Any person submitting written comments who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit a request, in writing, to the Acting Commissioner by May 3, 1976. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER, unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in sections 38(b) (76 Stat. 963; 26 U.S.C. 38(b)), 47(a) (76 Stat. 966; 26 U.S.C. 47(a)), and 7805 (68A Stat. 917; 26 U.S.C. 7805) of the Internal Revenue Code of 1954.

WILLIAM E. WILLIAMS,
Acting Commissioner of Internal Revenue.

Preamble. This document contains proposed amendments to the Income Tax Regulations (26 CFR Part 1) in order to provide rules for the determination of useful life for purposes of computing investment credit for property depreciated by a method which does not measure the useful life of the property in years and to revise the rules relating to investment credit for motion picture and television films and tapes.

The proposed amendments provide rules which taxpayers must use to determine the useful life for computing investment credit for property depreciated by a method which does not measure the useful life of such property in years. Under section 46(c)(2) of the Internal Revenue Code, the useful life used to compute investment credit must be the useful life used in computing depreciation.

Taxpayers using the unit-of-production, machine-hour, income-forecast, or similar method of depreciation must determine the useful life of such property by comparing the accumulated depreciation which a taxpayer estimates he will take at the end of certain years with the accumulated depreciation which would be taken at the end of such years using a method of depreciation which would measure the useful life of such property in years. The comparison of estimated accumulated depreciation and actual accumulated depreciation is made by comparing the percentage of property basis (or cost) which the taxpayer estimates the accumulated allowable depreciation on the property will equal at the end of certain years with certain percentages set forth in the proposed amendments. The percentages set forth in the proposed amendments represent the most liberal depreciation which would be taken under the double declining balance or sum of the years-digits method of depreciation for an asset with a useful life of 3, 5, or 7 years increased by 20 percent but reduced so that the final percentages do not exceed 100 percent of basis (or cost) and a significant amount of basis (or cost) remains to be depreciated in all years of useful life except the last.

If the accumulated depreciation actually allowable to the taxpayer exceeds that allowable under the percentages set forth in the proposed amendments, such property is considered to have a new shorter useful life and the investment credit will be recomputed (recaptured) using the new shorter useful life.

This method of determining useful life cannot be used with the railroad retirement method of depreciation. Taxpayers using the railroad retirement method of depreciation must determine useful life on the basis of all the facts and circumstances.

The proposed amendments provide rules for determining whether a motion picture or television film or tape qualifies for the investment credit. Under the proposed amendments motion picture and television films and tapes not covered by section 50 of the Code are intangible property which cannot qualify for any investment credit. The amendments also provide that motion picture and television films and tapes are deemed to constitute tangible personal property for purposes of section 50 of the Code. See Senate Report No. 94–437, 92nd Congress, 1st Session, page 34. A motion picture or television film or tape is defined as an asset consisting of three elements: the artistic-dramatic creation, the physical films and tapes which embody the artistic-dramatic creation, and the copyright, which is the right to exploit the completed motion picture or television film or tape.

Rules are also provided with respect to determination of basis (or cost), the year placed in service, partial dispositions, use outside the United States, and ownership for all motion picture or television films and tapes which qualify for the investment credit. The basis or cost of a film or tape which qualifies for the credit includes all costs of obtaining the copyright and producing (or purchasing) the film or tape which are properly capitalized and recoverable over the life of such motion picture or television film or tape by depreciation. Films and tapes which qualify for the credit and are to be exploited by public exhibition are considered placed in service in the taxable year in which they are first released for public exhibition.

Recapture of investment credit is required whenever any part of a qualifying film or tape is disposed of. A partial disposition generally occurs whenever there is a sale or exchange of the exclusive right to exploit a qualifying film or tape in any medium of publication or exhibition. However, a transfer of foreign exploitation rights to a related person does not result in a disposition for investment credit purposes. The basis to be allocated to that part of a qualifying film or tape disposed of may be determined by any reasonable method.

A qualifying film or tape will be considered used predominantly outside the United States in any taxable year in which more than 50 percent of the gross receipts derived from its exploitation are derived from exploitation outside of the United States. Section 48(a)(2) of the Code excludes property from qualification for investment credit in any year in which such property is predominantly used outside the United States.

In determining whether a person has an ownership interest in a qualifying film or tape and is entitled to the investment credit on such interest, the principal factors to be taken into account are (1) the extent to which such person bears the risk of loss from production and ex-

ploitation of the qualifying film or tape, (2) whether or not such person shares in any net profits from exploitation of the qualifying film or tape, and (3) the period during which and the extent to which such person has control over exploitation of the qualifying film or tape.

Under the proposed amendments a motion picture or television film or tape which qualifies for the investment credit under section 50 of the Code will be considered completed on the date of completion of the final negative or other film or tape material designated to produce release prints and capable of being used to produce release prints.

Proposed amendments to the regulations. In order to provide rules for the determination of useful life for purposes of computing investment credit for property depreciated by a method which does not measure the useful life of the property in years and to revise the rules relating to investment credit for motion picture and television films and tapes, the Income Tax Regulations (26 CFR Part 1) are amended as follows:

1. Section 1.46–3 is amended as follows:

A. Paragraph (c) (3) is revised by adding the new sentence set forth below after the last sentence.

B. New paragraph (d) (5) is added to read as set forth below.

C. Paragraph (e) (7) (ii) is revised by deleting "subdivision (iv)" and inserting in lieu thereof "subdivisions (iv) and (v)" in the third sentence.

D. New paragraph (e) (7) (iv) and (v) is added to read as set forth below:

§ 1.46–3 Qualified investment.

* * * * *

(c) *Basis or cost.* * * *

(3) * * * For additional rules for determining the basis or cost of a motion picture or television film or tape which qualifies for the investment credit, see paragraph (d) of § 1.48–8.

(d) *Placed in service.* * * *

(5) Notwithstanding paragraph (d) (1) of this section, a motion picture or television film or tape which qualifies for the investment credit (see paragraph (c) (2) of § 1.48–8 of this chapter) and is to be exploited by public exhibition shall be considered placed in service in the taxable year in which it is first released for public exhibition.

(e) *Estimated useful life.* * * *

(7) *Section 50 property.* * * *

(iv) (*a*) If the taxpayer uses a method of depreciation which does not measure the useful life of property in years, he must estimate the useful life of the property in years in order to compute his qualified investment. If the unit-of-production, machine-hour, income-forecast, or other similar method of depreciation is used, the estimate of useful life must be based on the method set forth in paragraph (e) (7) (iv) (*b*) of this section. However, the method of determining useful life set forth in paragraph (e) (7) (iv) (*b*) of this section cannot be used if the railroad retirement method of depreciation is used, and in such case useful life must be determined on the basis of all the facts and circumstances.

(*b*) The useful life of property which is depreciated under a method of depreciation described in the second sentence of paragraph (e) (7) (iv) (*a*) of this section must be determined on the basis of the amount of accumulated depreciation which the taxpayer estimates (without taking salvage into consideration) will be allowable at the end of certain years after the property is placed in service. All estimates of accumulated depreciation allowable at the end of future years shall be based on all the facts and circumstances and the method of depreciation to be used. Property shall be considered to have a useful life of—

(*1*) Seven years or more if the accumulated depreciation estimated by the taxpayer (without taking salvage value into consideration) does not exceed 77 percent of the basis (or cost) of the property at the end of the 3rd year (beginning with the date the property was placed in service), 94 percent at the end of the 5th year, and 97 percent at the end of the 6th year;

(2) Five years or more but less than 7 years if the property fails to qualify for a useful life of 7 years or more under paragraph (e) (7) (iv) (*b*) (*1*) of this section and the accumulated depreciation estimated by the taxpayer (without taking salvage value into consideration) does not exceed 94 percent of the basis (or cost) of the property at the end of the 3rd year (beginning with the date the property was placed in service), and 97 percent at the end of the 4th year; or

(3) Three years or more but less than 5 years if the property fails to qualify for a useful life of 7 years or more under paragraph (e) (7) (iv) (*b*) (*1*) of this section or a useful life of 5 years or more but less than 7 years under paragraph (e) (7) (iv) (*b*) (2) of this section and the accumulated depreciation estimated by the taxpayer (without taking salvage value into consideration) does not exceed 97 percent of the basis (or cost) of the property at the end of the 2nd year (beginning with the date the property was placed in service).

For purposes of this paragraph (e) (7), a section 50 motion picture or television film or tape (see paragraph (c) (2) of § 1.48–8) which is exploited by public exhibition shall be considered placed in service on the date it is first released for public exhibition. Taxpayers who treat all episodes of a section 50 television film or tape series produced or purchased for one television viewing season as one television film or tape under paragraph (c) (2) of § 1.48–8 must treat all episodes of the series as placed in service on the date the last episode of the season is first released for public exhibition.

(v) Paragraph (e) (7) (iv) (*b*) of this section may be illustrated by the following example:

EXAMPLE. (a) X, a calendar year taxpayer, places a section 50 motion picture (see paragraph (c) (2) of § 1.48–8) in service on February 1, 1976. The basis, determined under paragraph (d) of § 1.48–8, is $100,000. X uses the income-forecast method of depreciation and estimates the following amounts of accumulated depreciation at the end of each of the first 7 years after the motion picture is placed in service.

Year ending	Year number	Estimated accumulated depreciation at end of year	Estimated accumulated depreciation as a percent of motion picture basis
Jan. 31:			
1977	1	$34,000	$34,000 divided by $100,000 equals 34 percent.
1978	2	58,000	$58,000 divided by $100,000 equals 58 percent.
1979	3	90,000	$90,000 divided by $100,000 equals 90 percent.
1980	4	93,000	$93,000 divided by $100,000 equals 93 percent.
1981	5	96,000	$96,000 divided by $100,000 equals 96 percent.
1982	6	98,000	$98,000 divided by $100,000 equals 98 percent.
1983	7	99,000	$99,000 divided by $100,000 equals 99 percent.

X must use the method set forth in paragraph (e) (7) (iv) (*b*) of this section to estimate the useful life of the motion picture in years in order to compute qualified investment.

(b) The taxpayer may not use a useful life of 7 years or more for purposes of determining qualified investment with respect to the motion picture since it fails to qualify under paragraph (e) (7) (iv) (*b*) (*1*) of this section (that is, the allowable accumulated depreciation of $90,000 (or 90 percent of the basis of the motion picture) estimated by X at the end of January 31, 1979 (the end of the 3rd year after the motion picture was placed in service) exceeds 77 percent of the basis of the motion picture).

(c) The taxpayer must use a useful life of 5 years or more but less than 7 years for purposes of determining the qualified investment with respect to the motion picture since it qualifies under paragraph (e) (7) (iv) (*b*) (2) of this section (that is, the allowable accumulated depreciation of $90,000 (or 90 percent of the basis of the motion picture) estimated by X at the end of January 31, 1979 (the end of the 3rd year after the motion picture was placed in service) does not exceed 94 percent of the basis of the motion picture and the allowable accumulated depreciation of $93,000 (or 93 percent of the basis of the motion picture) estimated by X at the end of January 31, 1980 (the end of the 4th year after the motion picture was placed in service) does not exceed 97 percent of the basis of the motion picture).

* * * * *

2. New paragraph (f) is added to § 1.47–2 to read as follows:

§ 1.47–2 "Disposition" and "cessation".

* * * * *

(f) *Property subject to certain methods of depreciation*—(1) *General rule.* The useful life of property determined under paragraph (e) (7) (iv) (*b*) of § 1.46–3 shall be redetermined and the credit earned with respect to such property shall be recomputed at the end of any year in which the accumulated depreciation allowable with respect to such property exceeds the maximum per-

centage of basis (or cost) provided in such paragraph for property having such useful life, The credit earned in the credit year (as defined in paragraph (a)(1)(ii)(*a*) of § 1.47–1) for such property shall be recomputed under the principles of paragraph (a) of § 1.47–1 substituting, in lieu of the estimated useful life used in computing qualified investment in the credit year, the useful life of the property determined below:

(i) If the useful life originally determined under paragraph (e)(7)(iv)(*b*) of § 1.46–3 in the credit year is 7 years or more and—

(*a*) The accumulated depreciation allowable at the end of the 1st or 2nd year after the property was placed in service exceeds (*1*) 77 percent but is less than or equal to 94 percent of the basis (or cost) of the property used to compute the credit allowed by section 38, then the credit allowed for such property shall be recomputed on the last day of such 1st or 2nd year using a new useful life of 5 years or more but less than 7 years, (*2*) 94 percent but is less than or equal to 97 percent of the basis (or cost) of the property used to compute the credit allowed by section 38, then the credit allowed for such property shall be recomputed on the last day of such 1st or 2nd year using a new useful life of 3 years or more but less than 5 years, or (*3*) 97 percent of the basis (or cost) of the property used to compute the credit allowed by section 38, then the credit allowed for such property shall be recomputed on the last day of such 1st or 2nd year using a new useful life of less than 3 years.

(*b*) The accumulated depreciation allowable at the end of the 3rd year after the property was placed in service exceeds (*1*) 77 percent but is less than or equal to 94 percent of the basis (or cost) of the property used to compute the credit allowed by section 38, then the credit allowed for such property shall be recomputed on the last day of such 3rd year using a new useful life of 5 years or more but less than 7 years, or (*2*) 94 percent of the basis (or cost) of the property used to compute the credit allowed by section 38, then the credit allowed for such property shall be recomputed on the last day of such 3rd year using a new useful life of 3 years or more but less than 5 years.

(*c*) The accumulated depreciation allowable at the end of the 4th year after the property was placed in service exceeds (*1*) 94 percent but is less than or equal to 97 percent of the basis (or cost) of the property used to compute the credit allowed by section 38, then the credit allowed for such property shall be recomputed on the last day of such 4th year using a new useful life of 5 years or more but less than 7 years, or (*2*) 97 percent of the basis (or cost) of the property used to compute the credit allowed by section 38, th n the credit allowed for such property shall be recomputed on the last day of such 4th year using a new useful life of 3 years or more but less than 5 years.

(*d*) The accumulated depreciation allowable at the end of the 5th year after the property was placed in service exceeds 94 percent of the basis (or cost) of the property used to compute the credit allowed by section 38, then the credit allowed for such property shall be recomputed on the last day of such 5th year using a new useful life of 5 years or more but less than 7 years.

(*e*) The accumulated depreciation allowable at the end of the 6th year after the property was placed in service exceeds 97 percent of the basis (or cost) of the property used to compute the credit allowed by section 38, then the credit allowed for such property shall be recomputed on the last day of such 6th year using a new useful life of 5 years or more but less than 7 years.

(ii) If the useful life originally determined under paragraph (e)(7)(iv)(*b*) of § 1.46–3 in the credit year (or, any new useful life determined in a prior recomputation under paragraph (f)(1)(i) of this section) is 5 years or more but less than 7 years and—

(*a*) The accumulated depreciation allowable at the end of the 1st or 2nd year after the property was placed in service exceeds (*1*) 94 percent but is less than or equal to 97 percent of the basis (or cost) of the property used to compute the credit allowed by section 38, then the credit allowed for such property shall be recomputed on the last day of such 1st or 2nd year using a new useful life of 3 years or more but less than 5 years, or (*2*) 97 percent of the basis (or cost) of the property used to compute the credit allowed by section 38, then the credit allowed for such property shall be recomputed on the last day of such 1st or 2nd year using a new useful life of less than 3 years.

(*b*) The accumulated depreciation allowable at the end of the 3rd year after the property was placed in service exceeds 94 percent of the basis (or cost) of the property used to compute the credit allowed by section 38, then the credit allowed for such property shall be recomputed on the last day of such 3rd year using a new useful life of 3 years or more but less than 5 years.

(*c*) The accumulated depreciation allowable at the end of the 4th year after the property was placed in service exceeds 97 percent of the basis (or cost) of the property used to compute the credit allowed by section 38, then the credit allowed for such property shall be recomputed on the last day of such 4th year using a new useful life of 3 years or more but less than 5 years.

(iii) If the useful life originally determined under paragraph (e)(7)(iv)(*b*) of § 1.46–3 in the credit year (or, any new useful life determined in a prior recomputation under paragraph (f)(1)(i) or (ii) of this section) is 3 years or more but less than 5 years and the accumulated depreciation allowable at the end of the 1st or 2nd year after the property was placed in service exceeds 97 percent of the basis (or cost) of the property used to compute the credit allowed by section 38, then the credit allowed for such property shall be recomputed on the last day of such 1st or 2nd year using a new useful life of less than 3 years. The computation of depreciation allowable as a percentage of basis (or cost) shall be made with respect to the total actual basis (or cost) as of the year of the computation. Thus, any additions to the basis (or cost) of a section 50 motion picture or television film or tape (see paragraph (c)(2) of § 1.48–8), in taxable years after such film or tape was placed in service, shall be added to the basis (or cost) of such film or tape for purposes of computing the depreciation allowable as a percentage of basis (or cost) in the year such addition was properly made.

(2) *Example.* Paragraph (f)(1) of this section may be illustrated by the following example:

Example. (a) X, a calendar year taxpayer, places a section 50 motion picture (see paragraph (c)(2) of § 1.48–8) in service on February 1, 1976. The motion picture has a basis, determined under paragraph (d) of § 1.48–8, of $100,000. The motion picture is depreciated by the income-forecast method. Under paragraph (e)(7)(iv)(*b*)(*1*) of § 1.46–3, the motion picture has a useful life of 7 years or more. The following amounts of accumulated depreciation are allowable at the end of each of the first 4 years after the motion picture was placed in service.

Year ending	Year number	Accumulated depreciation allowable at end of year	Accumulated depreciation allowable as a percent of motion picture basis
Jan. 31			
1977	1	$50,000	$50,000 divided by $100,000 equals 50 percent.
1978	2	75,000	$75,000 divided by $100,000 equals 75 percent.
1979	3	80,000	$80,000 divided by $100,000 equals 80 percent.
1980	4	98,000	$98,000 divided by $100,000 equals 98 percent.

(b) Under paragraph (f)(1)(i)(*b*)(*1*) of this section, the motion picture is considered to have a new useful life of 5 years or more but less than 7 years on January 31, 1979, because at the end of such day the accumulated depreciation allowable on the motion picture exceeds 77 percent but does not exceed 94 percent of the basis of the motion picture. The credit allowed by section 38 for the motion picture in the credit year (1976) must be recomputed on January 31, 1979, under the principles of paragraph (a) of § 1.47–1, substituting, in lieu of the estimated useful life of the motion picture that was originally taken into account in computing qualified investment, a new useful life of 5 years or more but less than 7 years.

(c) Under paragraph (f)(1)(ii)(*c*) of this section, the motion picture is considered to have a new useful life of 3 years or more but less than 5 years on January 31, 1980, because at the end of such day the accumulated depreciation allowable on the motion picture exceeds 97 percent of the basis of the motion picture. The credit allowed by section 38 for the motion picture in 1976 and recomputed

on January 31, 1979, must be recomputed again on January 31, 1980, under the principles of paragraph (a) of § 1.47–1 substituting, in lieu of the estimated useful life of the motion picture that was taken into account in recomputing qualified investment on January 31, 1979, a new useful life of 3 years or more but less than 5 years.

3. Section 1.48–1 is amended as follows:

A. Paragraph (f) is revised to read as set forth below.

B. Paragraph (g)(1)(i) is revised by adding a new sentence after the last sentence to read as set forth below.

§ 1.48–1 Definition of section 38 property.

* * * * *

(f) *Intangible property.* Intangible property, such as patents, copyrights, and subscription lists, does not qualify as section 38 property. The cost of intangible property, in the case of a patent or copyright, includes all costs of purchasing or producing the item patented or copyrighted. In the case of a book, the cost of the intangible property includes all costs of producing the original copyrighted manuscript, including the cost of illustration, research, and clerical and stenographic help. However, if tangible depreciable property is used in the production of such intangible property, see paragraph (b)(4) of this section. For rules with respect to motion picture and television films and tapes, see § 1.48–8.

(g) *Property used outside the United States*—(1) *General rule.* (i) * * * For rules with respect to motion picture and television films and tapes which qualify for the investment credit, see paragraph (g) of § 1.48–8.

* * * * *

4. New § 1.48–8 is added to read as set forth below:

§ 1.48–8 Motion picture and television films and tapes.

(a) *In general.* This section provides rules for determining whether a motion picture or television film or tape qualifies for the investment credit. Motion picture and television films and tapes are defined and rules are provided with respect to determination of basis (or cost), the year placed in service, partial dispositions, use outside the United States and ownership, for all motion picture and television films and tapes which qualify for the investment credit.

(b) *Definition of motion picture or television film or tape.* A motion picture or television film or tape is an asset consisting of three elements: the artistic-dramatic creation, the physical films and tapes (including the original negative and all duplicate negatives, release prints, original sound recordings, and all other sound recordings) which embody the artistic-dramatic creation, and the copyright (common law or statutory), which is the right to exploit the completed motion picture or television film or tape.

(c) *Tangibility*—(1) *Nonsection 50 motion picture and television films and tapes.* Motion picture and television films and tapes not covered by section 50 of the Code are intangible property which does not qualify as section 38 property. All costs of purchasing or producing such a film or tape are costs of purchasing or producing an item of intangible property. Thus, the cost of the intangible property includes manuscript and screenplay costs, the cost of wardrobe and set design, the salaries of cameramen, actors, directors, etc., the cost of the original negative and original sound recordings and all other tangible films and tapes properly capitalized, and all other costs properly includible in the basis of such film or tape.

2. *Section 50 motion picture and television films and tapes.* Motion picture and television films and tapes are deemed to constitute tangible personal property for purposes of section 50 of the Code (see Senate Report No. 92–437, 92nd Cong., 1st Sess., 34) and are hereinafter referred to as section 50 motion picture and television films and tapes. All costs of purchasing or producing such a film or tape are costs of purchasing or producing an item of tangible property. Thus, the cost of the tangible property includes manuscript and screenplay costs, the cost of wardrobe and set design, the salaries of cameramen, actors, directors, etc., the cost of the original negative and original sound recordings and all other tangible films and tapes properly capitalized, and all other costs properly includible in the basis of such film or tape. All episodes of a section 50 television film or tape series produced or purchased for one television viewing season may be treated as one television film or tape for investment credit purposes if all episodes are released for public exhibition in one taxable year. All episodes of a series must have substantially the same theme and principal actors. One television viewing season consists of the customary television program season which normally starts in the fall of one calendar year and ends in the spring of the following calendar year.

(d) *Basis (or cost).* In determining qualified investment under § 1.46–3, the basis (or cost) of a motion picture or television film or tape which qualifies for the investment credit shall include all costs of obtaining the copyright and producing (or purchasing) the film or tape which are properly capitalized and recoverable over the life of such motion picture or television film or tape by depreciation. Thus the cost of such motion picture or television film or tape includes the cost of manuscript, screenplay, wardrobe, set design and construction, salaries of cameramen, animal trainers, actors, directors, etc., special effects, music, transportation of personnel and equipment to and from location, original picture negative and all duplicate negatives, intermediate negatives, matrices, and other picture printing elements, protection copies, original sound recordings, master tapes, optical sound negatives, and other sound reproduction elements, protection master sound tapes, film laboratory special effects, negative cutting, synchronization of picture and sound, grading (to insure uniform appearance in terms of color and density from scene to scene and reel to reel), and printing daily work prints, master positives, and answer or check prints, including the final answer or check print. However, the basis (or cost) of any film or tape shall not include any payment which represents a distribution of profits. Thus, a share of profits paid to producers, directors, and starring actors on the basis of their ownership interests will not be included in basis (or cost) while compensation based on a percentage of net profits or based on gross income will be included in basis (or cost).

(e) *Placed in service.* Notwithstanding paragraph (d)(1) of § 1.46–3, a motion picture or television film or tape which qualifies for the investment credit and is to be exploited by public exhibition shall be considered placed in service in the taxable year in which it is first released for public exhibition.

(f) *Partial dispositions*—(1) *In general.* Except as provided in the following sentence, in the case of a sale or exchange of the exclusive right to exploit a motion picture or television film or tape which qualifies for the investment credit in any medium of publication or exhibition, the taxpayer shall be considered to have disposed of part of such motion picture or television film or tape and must recompute the credit earned on that part of the basis (or cost) properly allocable to that part of the motion picture or television film or tape disposed of. A sale or exchange to a related person of the exclusive right to exploit a motion picture or television film or tape in any medium of publication or exhibition outside of the United States does not constitute a disposition for investment credit purposes. The taxpayer and person to whom a disposition is made will be considered related if they are owned or controlled directly or indirectly by the same interests or if one is owned or directly or indirectly controlled by the other. The terms "owned" and "controlled" shall have the same meaning as in section 482 of the Code and the regulations thereunder. Whenever a partial disposition occurs, part of the transferor's basis (or cost) in the motion picture or television film or tape must be allocated to that part of the motion picture or television film or tape disposed of. This allocation may be made by any reasonable method. One such method, under appropriate circumstances, would be on the basis of the relative fair market values of the complete motion picture or television film or tape and that part of the motion picture or television film or tape disposed of, determined as of the time the motion picture or television film or tape was placed in service.

(2) *Examples.* This paragraph may be illustrated by the following examples:

Example (1). (a) A, a calendar-year taxpayer, completes and places a section 50 motion picture with a basis of $2,000,000 in service on January 1, 1975. A estimates that the motion picture has a useful life for investment credit purposes of 7 years or more.

The amount of the investment credit earned on the motion picture in the credit year is $140,000. All of the credit earned is allowed under section 38 as a credit against A's liability for tax in the credit year. On January 1, 1976, A disposes of part of the motion picture by selling the exclusive theater exhibition rights throughout Western Europe for the life of the copyright to B for $1,000,000. A and B are not related persons under paragraph (f) (1) of this section. A estimates that the fair market value of the theater exhibition rights in Western Europe was $1,000,000 as of the time the motion picture was placed in service and that the fair market value of the complete motion picture was $4,000,000 as of the time it was placed in service.

(b) A decides to use the relative fair market values of the complete motion picture and that part of the motion picture disposed of to allocate basis to that part of the motion picture disposed of. He therefore allocates $500,000 (25 percent of $2,000,000) of his basis in the complete motion picture to the part disposed of.

(c) The credit earned for the taxable year 1975 on that part of the motion picture disposed of was $35,000 (25 percent of $140,000, the credit earned on the complete motion picture in 1975). The recomputed qualified investment on that part of the motion picture disposed of is zero ($500,000 basis multiplied by zero applicable percentage) and the recomputed credit earned is zero. The income tax imposed by chapter 1 of the Code on A for the taxable year 1976 is increased by $35,000, the decrease in his credit earned for the taxable year 1975 due to the partial disposition in 1976.

Example (2). (a) The facts are the same as in example (1) and in addition on March 1, 1978, A sells all exhibition rights in all mediums in Canada throughout the life of his copyright to C (who is unrelated to A under paragraph (f)(1) of this section) for $200,000 and estimates that the fair market value of the exhibition rights in Canada was $200,000 at the time the motion picture was placed in service.

(b) A decides to use the relative fair market values of the complete motion picture and that part of the motion picture disposed of to allocate basis to that part of the motion picture disposed of in 1978. He therefore allocates $100,000 (5 percent of $2,000,000) of his basis in the complete motion picture to the part disposed of.

(c) The credit earned for the taxable year 1975 on that part of the motion picture disposed of in 1978 was $7,000 (5 percent of $140,000, the credit earned on the complete motion picture in 1975). The recomputed qualified investment on that part of the motion picture disposed of in 1978 is $33,333 ($100,000 basis multiplied by the applicable percentage of 33⅓ percent) and the recomputed credit earned is $2,333 (7 percent of $33,333). The income tax imposed by chapter 1 of the Code on A for the taxable year 1978 is increased by the $4,667 decrease in his credit earned for the taxable year 1975 (that is, $7,000, credit earned in 1975, minus $2,333, the recomputed credit earned).

(g) *Motion picture and television films and tapes used outside the United States.* Notwithstanding paragraph (g) of § 1.48–1, the determination of whether a motion picture or television film or tape which qualifies for the investment credit is used predominantly outside of the United States during the taxable year shall be made by comparing the gross receipts derived from exploitation within the United States during such year with the gross receipts derived from exploitation outside of the United States during such year. If more than 50 percent of the gross receipts derived from exploitation during the taxable year are derived from outside of the United States, the motion picture or television film or tape shall be considered used predominantly outside the United States during that year. Thus, a motion picture film generating $1,000,000 in gross receipts in a taxable year would be considered used predominantly outside the United States during such year if $750,000 or 75 percent of the gross receipts are derived from exhibition in foreign countries while only $250,000 or 25 percent of the gross receipts are derived from exhibition in the United States. The term gross receipts for purposes of this paragraph means all receipts (unreduced by any expenses, including the expenses of distribution and depreciation) from the exploitation or use of a motion picture or television film or tape by any method including the lease or license of exhibition rights or any sale, exchange, or other disposition of all or part of the exploitation rights which does not result in a complete disposition or a partial disposition under paragraph (f) of this section. If a motion picture or television film or tape is placed in service after the first day of the taxable year, the determination of whether more than 50 percent of the gross receipts are derived from outside of the United States shall be made with respect to the period beginning on the date on which the property is placed in service and ending on the last day of such taxable year. Predominant use of a motion picture or television film or tape outside of the United States may not be avoided by any sale or exchange of foreign exploitation rights to a related person, since such a disposition is not a partial disposition under paragraph (f) of this section. Any gross receipts derived from foreign exploitation of any part of a motion picture or television film or tape disposed of to a related person, shall continue to be taken into account by the transferor in determining whether or not the film or tape is used outside of the United States during a taxable year.

(h) *Ownership.* In determining whether a person has an ownership interest in a motion picture or television film or tape which qualifies for the investment credit and is entitled to the investment credit on such interest, the principal factors to be taken into account are—

(1) The extent to which such person bears the risk of loss from the production and exploitation of such motion picture or television film or tape,

(2) Whether or not such person shares in any net profits from exploitation of such motion picture or television film or tape, and

(3) The period during which and the extent to which such person has control over exploitation of such motion picture or television film or tape.

5. New paragraph (d) is added to § 1.50–1 to read as follows:

§ 1.50–1 Restoration of credit.

* * * * *

(d) *Motion picture and television films and tapes.* A section 50 motion picture or television film or tape (see paragraph (c)(2) of § 1.448–8) shall be considered completed on the date of completion of the final negative or other film or tape material which is designed to produce release prints and which is capable of being used to produce release prints. However, all episodes of a section 50 television film or tape series treated as one television film or tape under paragraph (c)(2) of § 1.48–8 shall be considered completed on the date of completion of the final negative or other film or tape material which is designed to and capable of being used to produce the release prints for the final television film or tape episode of such series. A release print is a film or tape made for public exhibition or some other use in completed form.

[FR Doc.76–7642 Filed 3–16–76;8:45 am]

DEPARTMENT OF TRANSPORTATION

Materials Transportation Bureau

[49 CFR Parts 173, 178]

[Docket Nos. HM–74, 74A; Notices 76–1 76–1A]

CYLINDERS MANUFACTURED OUTSIDE THE UNITED STATES

Separation of Published Proposals, Extension of Comment Period and Hearing on Severed Proposal

This notice severs from the revised notice of proposed rulemaking published January 13, 1976 (41 FR 1919) in Docket No. HM–74 and places in a new separate Docket No. HM–74A that part of the amendments proposed therein that would discontinue the existing authority for using "interested" inspectors to perform inspections and testing of domestically manufactured low-pressure compressed gas cyliners. In addition, this notice extends the period for public comments and announces a public hearing, with respect to the severed portion of the proposal.

Requests for an extension of time were submitted by the American Cylinder Manufacturers Committee (ACMC), the Compressed Gas Association, Inc. (CGA) and the Hazardous Materials Advisory Committee (HMAC).

The request from ACMC argues that additional comment time of unspecified duration is necessary because "new issues have been raised by publication of HM–74 and it is imperative for the Office of Hazardous Materials Operations to thoroughly determine the current condition of the foreign cylinder industry."

The request from the CGA argues that 60 days of additional comment time is necessary for them because their "technical committees have not had an opportunity to even consider the matter of third party inspection for DOT cylinders that have never required such inspection [i.e., low-pressure cylinders]." In their request, CGA also suggested that consideration be given to separating the proposed changes relating to cylinders

manufactured outside the United States from those covering the matter of third party or independent inspection for domestic cylinder manufacturers.

The request from the HMAC asks for an extension of four and a half months until August 1, 1976. The HMAC argues that "new issues have been raised, especially the requirement that all domestically manufactured cylinders be inspected by disinterested persons" and that "it is imperative that industry thoroughly consider the condition of the foreign cylinder industry." In addition, the HMAC request includes the pretentious assertion that "[i]ndustry segments have specific procedures for the development of comments on proposals of this magnitude. Through their associations they make a rule-by-rule analysis of each proposal, staff this information, and then disseminate it to their respective industry units for comment; then they are ready to express formal comments to the EPA (sic)."

The Materials Transportation Bureau (MTB) believes that the comment period provided in the January 13, 1976 notice (41 FR 1919), in addition to the extensive prior public participation in HM-74, is sufficient and provides the basis for consideration of those provisions in the Docket relating to proposed MTB approval of individual foreign cylinder manufacturers for non-domestic chemical analysis and test verification and proposed MTB approval of individual independent inspection agencies for inspection of foreign manufactured cylinders.

The foreign inspection tours performed by the Office of Hazardous Materials, and by the industry group which the ACMC was instrumental in arranging, provided a representative sampling of European cylinder manufacturers and inspection agencies. However, for the MTB to exhaustively examine the facilities of every actual or potential foreign cylinder manufacturer or inspection agency, without regard for which of those concerns may ever seek authority to engage in the manufacture or inspection of cylinders to be offered for transportation in the United States, would require excessive resources and would produce information of questionable value. The time required to conduct such a survey would result in its being outdated by the time it was completed, and such a survey would needlessly involve the examination of facilities which may never be used to produce or inspect cylinders for export to the United States.

The ACMC's assertions that the MTB must examine all foreign cylinder manufacturers before considering approving the manufacture of cylinders for export to the United States by any one of them, and the HMAC's statement that industry must thoroughly consider the condition of the foreign cylinder industry, overlook the substance of the proposals and are not a sufficient basis upon which to extend the time for public comment. Adequate time for comment on those proposals has already been provided.

The proposed requirement that all domestic cylinders be subject to inspection by an independent inspection agency, also contained in the January 13, 1976, FEDERAL REGISTER notice, was presaged in the June 10, 1971, FEDERAL REGISTER notice (36 FR 11224). There, the Hazardous Materials Regulations Board stated that "[q]uestions raised in the hearing regarding the needs for more effective approval and inspection procedures for domestic production of cylinders . . . will be treated in later rule making action." As pointed out by the ACMC, the matter was not again specifically addressed until the recent January 13 FEDERAL REGISTER notice. Although the sixty days provided for public comment appear more than adequate, all three requestors have asked for an extension of the opportunity to comment on this element which they feel, albeit incorrectly, to be a new issue. In view of the extended compliance period proposed (January 1, 1978) and the desire of the MTB that this new proposal be as thoroughly addressed by interested parties as the rest of the proposed rule has been, there is hereby established a new Docket HM-74A. This new Docket severs from HM-74 the proposed amendments contained therein that would discontinue the existing authority for using "interested" inspectors to perform inspections and testing of domestically manufactured low-pressure compressed gas cylinders. The period for public comment with respect to this element of the proposal is extended to the close of business April 15, 1976, and a public hearing as to this element is set for 10 a.m., April 7, 1976, in the third floor auditorium of the Federal Office Building 10A (commonly referred to as the FAA Building) located at 800 Independence Avenue, S.W. Washington, D.C.

It is not anticipated that the extension being granted on the proposed discontinuation of "interested" inspectors for domestic low-pressure cylinders will result in any extension of the proposed effective date of January 1, 1978, for that particular change to the regulations.

With respect to all other matters which continue in Docket HM-74 and are not hereby severed and transferred to Docket HM-74A, the closing time for the public comment period remains the close of business March 15, 1976.

This notice is issued under 18 U.S.C. 834, 46 U.S.C. 170(7), 49 U.S.C. 1472(h), and 49 CFR 1.53(f)-(h).

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

ALAN I. ROBERTS,
Director, Office of Hazardous Materials Operations.

[FR Doc.76-7601 Filed 3-16-76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

[45 CFR Part 121d]

STATEWIDE EARLY EDUCATION PLANS FOR HANDICAPPED CHILDREN

Proposed Implementation

Pursuant to the authority contained in Section 624 of the Education of the Handicapped Act (20 U.S.C. 1424), notice is hereby given that the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Title 45 of the Code of Federal Regulations by adding a new Subpart C to Part 121d to read as set forth below.

The proposed amendment to the regulations (Part 121d) would set forth rules and criteria governing the award of financial assistance to State educational agencies for the implementation of statewide plans for preschool and early education for handicapped children and the acceleration of special services to these children.

(a) *Summary of Proposed Amendment.*—1. *Organization.* The proposed amendment (Subpart C of Part 121d) is divided into five sections. Section 121d.50 lists the eligible parties; § 121d.51—states the purpose; § 121d.52—sets forth other applicable regulations; § 121d.53 contains provisions concerning application requirements; and § 121d.54—states the applicable criteria.

(b) *Citation of legal authority.* As required by section 431(a) of the General Education Provisions Act, a citation of stautory or other legal authority for each section of the proposed amendment has been placed in parentheses on the line following the text of the section.

(c) *Other applicable regulations.* The proposed amendment does not contain provisions relating to general fiscal and administrative matters. Requirements of this nature with respect to assistance under this subpart, including criteria for the selection of applications for funding (§ 100a.26(b)) are covered by the Office of Education General Provisions Regulations (45 CFR Part 100a), which also include rules on direct and indirect costs. Procedures for awarding Federal procurement contracts are covered by 41 CFR Chapters 1 and 3.

(d) *Notice to prospective applicants.* This first publication is not the final amendment to the regulations. It is followed by a thirty-day period which allows interested members of the public to submit comments and recommendations. Each comment will be given careful consideration and will be responded to in substance in the preamble to the amendment to the final regulations.

Following the review, the amendment will be published in final form, with any appropriate changes, in the FEDERAL REGISTER.

In the meantime, in addition to providing comments on the proposed amendment prospective applicants may wish, at this stage, to reflect upon the scope and nature of the projects they may later propose for awards in the light of the proposed rules set forth in this notice.

(e) *Submission of comments.* All interested parties are invited to submit written comments and recommendations concerning the proposed amendment to Ms. Jane DeWeerd, Program Development Branch, Room 2036, ROB–3, Bureau of Education for the Handicapped, USOE, 400 Maryland Avenue, SW. Washington, D.C. 20202. These comments and recommendations will be available for public inspection at the above address on Mondays through Fridays between 8 a.m. and 4:00 p.m. All relevant material must be received not later than April 16, 1976.

(Catalog of Federal Domestic Assistance No. 13.444 Handicapped Early Childhood Assistance)

Dated: January 19, 1976.

T. H. BELL,
U.S. Commissioner of Education.

Approved March 8, 1976.

MARJORIE LYNCH,
Acting Secretary of Health, Education, and Welfare.

Subpart C—Implementation of Statewide Early Education Plans

AUTHORITY: Sec. 624, Education of the Handicapped (20 U.S.C. 1424).

Subpart C—Implementation of Statewide Early Education Plans

§ 121d.50 Eligible parties.

Parties eligible to receive awards under this subpart are State Educational Agencies.

§ 121d.51 Purpose.

Payment of Federal funds under this subpart may be made for the purpose of assisting eligible parties in the implementation of Statewide plans for preschool and early education for handicapped children, and the acceleration of special services to those children.

§ 121d.52 Other applicable regulations.

(a) Funds provided under this subpart are subject to applicable provisions contained in Parts 100, 100a, 121, and 121e of this chapter.

(b) Subpart A (Early Education Projects) of this part shall not apply to funds provided under this subpart.

§ 121d.53 Applications.

An application under this subpart shall include: (a) A detailed Statewide plan for preschool and early education (as defined in § 121d.15) for al handicapped children in that State, which includes:

(1) A description including the age level and handicapping conditions of those children;

(2) Strategies for the provision of comprehensive special services for all of those children;

(3) A description of procedures for grouping those children according to their individual needs of special problems, for the provision of special services under the Statewide plan;

(4) A discussion of the overall goals and objectives of the Statewide plan;

(5) A timetable for the implementation of those goals and objectives for preschool and early education; and

(6) Strategies for providing parental participation in activities to be carried out under the Statewide plan.

(b) A review of existing State rules, policies, procedures and goals for the preschool and early education of handicapped children;

(c) A discussion of the relationship of the Statewide plan to the State's annual program plan under Part B of the Act;

(d) Strategies for training professional and allied personnel engaged in or preparing to engage in preschool or early education programs for handicapped children;

(e) A description of research and information gathering activities which are necessary to provide a full range of comprehensive services to meet the special needs or problems of handicapped children and their families;

(f) Plans for the development and coordination of programs which will accelerate special services to handicapped children throughout the State;

(g) A discussion of the anticipated impact of the Statewide plan on the handicapped preschool and early education population; and

(h) A description (including background and time commitment) of the staff (which may include an early childhood specialist at least half-time) to carry out the Statewide plan and activities under that plan.

(20 U.S.C. 1231d, 1424)

§ 121d.54 Criteria for selection of applications.

Applications submitted under this subpart will be evaluated under the criteria set forth in § 100a.26(b) of this chapter.

[FR Doc.76–7560 Filed 3–16–78;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Insurance Administration

[24 CFR Part 1917]

[Docket No. FI–913]

APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Proposed Flood Elevation Determinations 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 (§ 1917.4 (a)), hereby gives notice of his proposed determinations of flood elevations for the City of Cedar City, Missouri.

Under these Acts, the Administrator, to whom the Secretary has delegated the statutory authority, must develop criteria for flood plain management in identified flood hazard areas. In order to participate in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

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

Any person having knowledge, information, or wishing to make a comment on those determinations should immediately notify Mayor Louie Corley, City Hall, Cedar City, Missouri 65022. The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community or June 15, 1976, whichever is the later.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (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	Entire city inundated.	
Do	City west of Highway 54-63	556	Do.	

(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 F.R. 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 17, 1976.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–7448 Filed 3–16–76;8:45 am]

[24 CFR Part 1917]

[Docket No. FI–909]

APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Proposed Flood Elevation Determination for the Borough of Collingdale, Delaware County, Penn.

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

Under these Acts, the Administrator, to whom the Secretary has delegated the statutory authority, must develop criteria for flood plain management in identified flood hazard areas. In order to participate in the National Flood Insurance Program, the Borough must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at the counter of the main office, Borough Hall, Collingdale.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mr. William E. McGowan, Borough Manager, 237 Clifton Avenue, Collingdale, Pennsylvania 19023. The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community or June 15, 1976, whichever is the later.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (feet above mean sea level)	Width in feet (from bank of stream to 100-yr flood boundary facing downstream)	
			Left	Right
Darby Creek (flooding source entirely in adjacent community of Darby.	Upstream from 9th St	27	[1] 340	240
Darby Creek	Upstream from MacDade Blvd	28	[1] 590	[2] 270
Pusey Run studied by approximate methods.	Upstream from Eden Cemetery Rd.		140	135
Do	Upstream from Andrews Rd. extended.		150	90
Hermsprota Run studied by approximate methods.	Upstream from B. & O. Railroad.		60	40
Do	MacDade Blvd		60	50

[1] Left bank and area inundated by 100-yr flood is entirely within adjacent community of Darby.
[2] Left bank and approximately one-half of the area inundated by 100-yr flood is within the adjacent community of Darby.

(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: February 23, 1976.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76–7452 Filed 3–16–76;8:45 am]

[24 CFR Part 1917]

[Docket No. FI908]

APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Proposed Flood Elevation Determination for the Borough of Rose Valley, Delaware County, Penn.

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

Under these Acts, the Administrator, to whom the Secretary has delegated the statutory authority, must develop criteria for flood plain management in identified flood hazard areas. In order to participate in the National Flood Insurance Program, the borough must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood eleva-

tions are available for review at the Borough Office, Old Mill Lane, Rose Valley.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mr. R. E. Van Leer, Borough Secretary, P.O. Box 198, Rose Valley/Moylan, Pennsylvania 19065. The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community or June 15, 1976, whichever is the later.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (feet above mean sea level)	Width in feet (from bank of stream to 100-yr flood boundary facing downstream)	
			Left	Right
Vernon Run	Rose Valley		75	150
	Corporate limits north		75	100
Unnamed tributary	Corporate limits north		25	50
Ridley Creek	Roylencroft Lane (extended)	96	125	(1)
	Old Mill Lane (extended)	89	400	125
	South corporate limits near South Longpoint Lane.	75	125	125
	South corporate limits near Tomorden Dr.	68	100	(1)

[1] West corporate limits.

(National Flood Insurance Act of 1968 (Title XII 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: February 23, 1976.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-7453 Filed 3-16-76;8:45 am]

[24 CFR Part 1917]

[Docket No. FI-906]

APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Proposed Flood Elevation Determination for the City of Lock Haven, Clinton County, Penn.

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

Under these Acts, the Administrator, to whom the Secretary has delegated the statutory authority, must develop criteria for flood plain management in identified flood hazard areas. In order to participate in the National Flood Insurance Program, the city must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at City Hall, 20 East Church Street, Lock Haven, Pennsylvania.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mr. Frank Taggart, City Manager, 20 East Church Street, Lock Haven, Pennsylvania 17745. The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community or June 15, 1976, whichever is the later.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (feet above mean sea level)	Width in feet (from bank of stream to 100-yr flood boundary facing downstream)	
			Left	Right
West Branch of Susquehanna River.	Northwest corporate limit	569	(1)	1,144
	Lusk Run Rd. (extended)	567	(1)	170
	Intersection Route 120 and Penn Central Railroad.	567	(1)	520
	Sixth St.	566	(1)	1,390
	Fifth St. (extended)	566	(1)	2,275
	Fourth St. (extended)	566	(1)	3,120
	Third St. (extended)	566	(1)	3,930
	Bellefonte Ave. (extended to River)	566	(1)	5,590
	Vesper St. (extended)	565	(1)	7,390
	Jay St. (extended to southern corporate limit).	565	(1)	5,600
	Henderson St. (extended to new highway.	565	(1)	4,990
	Washington St.	565	(1)	5,160
	Grant St. (extended)	564	(1)	3,700
	Race St. (extended)	564	(1)	3,485
	Lock Haven Airport	564	(2)	

[1] Corporate limit.
[2] All of airport.

(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: February 23, 1976.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-7455 Filed 3-16-76;8:45 am]

[24 CFR Part 1917]

[Docket No. FI-911]

APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Proposed Flood Elevation Determination for the City of Lytle, Counties of Atascosa, Medina, and Bexar, Texas

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

Under these Acts, the Administrator, to whom the Secretary has delegated the statutory authority, must develop criteria for flood plain management in identified flood hazard areas. In order to participate in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations Maps and other information showing the detailed outlines of the floor-prone areas and the proposed flood elevations are available for review at the City Hall, Lytle, Texas.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mayor John Lopt, Box 743, Lytle, Texas 78052. The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community or June 15, 1976, whichever is the later.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (feet above mean sea level)	Width in feet (from bank of stream to 100-yr flood boundary facing downstream)	
			Left	Right
Lytle Creek	Pilgrim Lake	742	150	70
	Wisdom Rd	743	80	500
	Live Oak St	720	350	180
	Adams St	717	680	530
	Railroad St	714	660	550
	U.S. Highway 81	713	500	270
	Lytle Somerset Rd	697	70	200
	Confluence with West Prong Atascosa River.	683	230	470
West Prong Atascosa River.	Laredo St	715	200	270
	Railroad St	698	20	10
	Martin Dam	693	170	200
	Benton City Rd	683	400	380
North Prong Atascosa River.	Wisdom Rd	711	200	230
	Railroad St	696	20	230

(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: February 25, 1976.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-7450 Filed 3-16-76;8:45 am]

[24 CFR 1917]

[Docket No. FI-912]

APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Proposed Flood Elevation Determination for the City of Painesville, Lake County, Ohio

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 2917 (§ 1917.4 (a)) hereby gives notice of his proposed determinations of flood elevations for the City of Painesville, Lake County, Ohio.

Under these Acts, the Administrator, to whom the Secretary has delegated the statutory authority, must develop criteria for flood plain management in identified flood hazard areas. In order to participate in the National Flood Insurance Program, the city must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at the City Manager's office, City Hall, 7 Richmond Street, Painesville.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Lester N. Nero, City Manager, City Hall, 7 Richmond Street, Painesville, Ohio 44077. The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community or June 15, 1976, whichever is the later.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (feet above mean sea level)	Width in feet (from bank of stream to 100-year flood boundary facing downstream)	
			Left	Right
Tiber Creek	Jackson St		40	60
	Newell St	646	270	455
	Hayer Dr	643	(1)	240
	Chicago St	641	(1)	410
Grand River	St. Clair St	581	65	(1)
	At corporate limits north of St. Clair St	583	205	10
	At corporate limits north of State route 2	592	25	(1)
	State route 2	594	310	(1)
	Penn Central Railroad	596	25	(1)
	Recreation Park	600/601	(2)	(2)
	East Main St	603	60	90
	Grand River Ave. (extended)	607	30	920
	New York, Chicago and St. Louis Railroad.	616	10	390
	Walnut Ave	613	90	240
West Branch of Tiber Creek.	New York, Chicago and St. Louis Railroad.		110	125
	South corporate limits parallel to Lucille Ave.		260	270
Tributary 1	Elm St		30	25

[1] Outside corporate limits.
[2] All of Park.

(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: February 19, 1976.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–7449 Filed 3–16–76;8:45 am]

[24 CFR Part 1917]

[Docket No. FI907]

APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Proposed Flood Elevation Determination for the Township of Lower Mt. Bethel, Northampton County, Penn.

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

Under these Acts, the Administrator, to whom the Secretary has delegated the statutory authority, must develop criteria for flood plain management in identified flood hazard areas. In order to participate in the National Flood Insurance Program, the Township must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevation (100-year flood) are listed below for elected locations. Maps and other information showing the detailed outlines of the floodprone areas and the proposed flood elevations are available for review at the Township Building, Township Road, Mt. Bethel, Pennsylvania.

Any person having knowledge, information, or wishiing to make a comment on these determinatitons should immediately notify Mr. William B. Carpenter, President of the Board of Supervisors, R.D. 1, Mt. Bethel, Pennsylvania 18343. The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community or June 15, 1976, whichever is the later.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (feet above mean sea level)	Width in feet (from bank of stream to 100-year flood boundary facing downstream)	
			Left	Right
Delaware River	T660 extended	217	(1)	400
	Southern corporate limits	216	(1)	300
	T649 extended	222	(1)	540
	Hillendale Rd. (extended)	229	(1)	280
	T661 extended	233	(1)	80
	Penn Central Railroad Bridge	236	(1)	260
	T678 extended	240	(1)	400
	LR48025 bridge	261	(1)	780
Martins Creek	5th St. (extended)	225	140	280
	T684 bridge	245	140	200
	T682 extended		80	20
Little Martin's Creek	T690 bridge		40	20
	T659 bridge		20	20
Oughoughton Creek	LR48025 bridge		30	30
	T678 bridge		40	40
	Miller Rd. Bridge		20	60
Mud Run	LR48025 bridge		50	50

[1] Corporate limit.

(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, aJnuary 24, 1974.)

Issued: February 25, 1976.

HOWARD B. CLARK,
Acting Federal
Insurance Administrator.

[FR Doc.76–7454 Filed 3–16–76;8:45 am]

[24 CFR Part 1917]

[Docket No. FI–910]

APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Proposed Flood Elevation Determinations for the Township of Meridian, Michigan

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

Under these Acts, the Administrator, to whom the Secretary has delegated the statutory authority, must develop criteria for flood plain management in identified flood hazard areas. In order to participate in the National Flood Insurance Program, the Township of Meridian, Michigan must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

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

Any person having knowledge, information, or wishing to make a commment on these determinations should immediately notify Mayor William A. Brehm, Town Hall, 5100 Marsh Road, Meridian, Michigan. The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community or June 15, 1976, whichever is the later.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (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	40.0	[1] 100.0
	Van Atta Rd	850.8	800.0	410.0
	Dobie Rd	848.1	600.0	40.0
	Okemos Rd	844.0	750.0	30.0
	Nakoma Rd	842.8	700.0	1,300.0
	G. T. W. Railroad	841.7	180.0	240.0
	Hagadorn Rd	839.7	[1] 100.0	720.0
Herron Creek	Bennett Rd	848.0	500.0	200.0
	C. & O. Railroad	842.6	160.0	200.0
	Mt. Hope Rd	842.5	190.0	210.0
	Sequoia Trail	842.5	350.0	300.0
Smith Drain	Bennett Rd	863.7	50.0	50.0
	Okemos Rd	860.0	200.0	200.0
	C. & O. Railroad (north side)	850.9	100.0	120.0
Pine Lake outlet	Marsh Rd	853.1	40.0	40.0
	Lake Lansing Rd	848.5	40.0	60.0
	Haslett Rd	848.5	20.0	100.0
	G.T.W. Railroad	845.5	180.0	1,880.0
	Okemos Rd	842.5	500.0	280.0
	Grand River Ave	842.5	60.0	80.0
Mud Lake/Foster drains.	Van Atta Rd	863.4	40.0	90.0
	Cornell Rd	853.5	190.0	580.0
	Tihart Rd. (east)	846.8	860.0	600.0
	Tihart Rd. (west)	846.0	270.0	600.0
	Marsh Rd	844.0	80.0	180.0

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

(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 February 23, 1976.

HOWARD B. CLARK,
Acting Federal
Insurance Administrator.

[FR Doc.76-7451 Filed 3-16-76;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

[Public Notice CM-6/28]

SECRETARY OF STATE'S ADVISORY COMMITTEE ON PRIVATE INTERNATIONAL LAW; STUDY GROUP ON AGENCY

Meeting

A meeting of the Study Group on Agency, a subgroup of the Secretary of State's Advisory Committee on Private International Law, will be held on Saturday, April 10, 1976, at 9:00 a.m. in room 209, Law Building, University of Illinois, Champaign, Illinois.

The purpose of the meeting is to review a preliminary draft convention on the law applicable to agency and to formulate comments on that text.

The meeting will be open to the public and members of the general public may attend up to the limits of the capacity of the meeting room and participate in the discussion subject to instructions of the Chairman. It is requested that prior to April 10, 1976, members of the general public who plan to attend the meeting inform their name and affiliation and address to Mr. Robert E. Dalton, Office of the Legal Adviser, Department of State; the telephone number is (202) 632-2107.

Dated: March 8, 1976.

ROBERT E. DALTON,
Executive Director.

[FR Doc.76-7559 Filed 3-16-76;8:45 am]

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Public Debt Series No. 8-76]

TREASURY NOTES OF SERIES K-1978

Interest Rates

MARCH 12, 1976.

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 $3,000,000,000, or thereabouts, of notes of the United States, designated Treasury Notes of Series K-1978. 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 and as agents of foreign and international monetary authorities. Tenders will be received up to 1:30 p.m., Eastern Standard time, Thursday, March 18, 1976, under competitive and noncompetitive bidding, as set forth in Section III hereof. The 8 percent Treasury Notes of Series H-1976 maturing March 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

1. The notes will be dated March 31, 1976, and will bear interest from that date, payable semiannually on September 30, 1976, March 31, 1977, September 30, 1977, and March 31, 1978. They will mature March 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 aceptable 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 standard time, Thursday, March 18, 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 subdivisions 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 the notes referred to in Section I 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, an interest rate will be established at the nearest ⅛ of one percent necessary to make the average accepted price 100.000 or less. That will be the rate of interest that 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 $3,000,000,000 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 price (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 Wednesday, March 31, 1976, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt. Payment must be in cash. 8% Treasury Notes of Series H–1976 (interest coupons dated March 31, 1976, should be detached), in other funds immediately available to the Treasury by March 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, March 25, 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, March 23, 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 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 K–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 K–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.

WILLIAM E. SIMON,
Secretary of the Treasury.

[FR Doc.76–7688 Filed 3–15–76;10:38 am]

DEPARTMENT OF DEFENSE

Department of the Army

NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE

Notice of Open Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following Committee meeting:

Name of committee: National Board for the Promotion of Rifle Practice.
Date of meeting: 31 March 1976.
Place: Secretary of the Army Conference Room, room 1E687, the Pentagon.
Time: 0930 hours.
Proposed agenda:
A. Range fees.
B. Range facilities for civilian clubs.
C. Heavy barrel for civilian competitors.
D. Scheduling of 1977 annual board meeting.
E. Nomination for board membership.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee at the time and in the manner permitted by the committee.

Dated: March 12, 1976.

JACK R. ROLLINGER,
Colonel, Infantry Executive Officer.

[FR Doc.76–7588 Filed 3–16–76;8:45 am]

DEPARTMENT OF THE INTERIOR

Geological Survey

POWER SITE CANCELLATION 334

American River Basin, California

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and 220 Departmental Manual 6.1, Power Site Classification 168 of February 9, 1927, is hereby cancelled to the extent that it affects the following described land:

MOUNT DIABLO MERIDIAN

T. 16 N., R. 14 E.,
Sec. 14, N½SW¼.

The area described above aggregates about 80 acres.

Dated: March 8, 1976.

W. A. RADLINSKI,
Acting Director.

[FR Doc.76–7585 Filed 3–16–76;8:45 am]

Bureau of Land Management

[CA 1775]

CALIFORNIA

Order Providing for Opening of Lands

MARCH 8, 1976.

Pursuant to the order of the Federal Power Commission issued April 16, 1974 (39 FR 14543–14544), and by virtue of the authority contained in Section 24 of the Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818) (1970), as amended, and pursuant to the authority redelegated to me by the State Director, California State Office, Bureau of Land Management (37 FR 491, January 12, 1972), as amended, it is ordered as follows:

1. The Commission finds that the withdrawal for Project 152, dated March 29, 1921, as amended, December 10, 1926, serves no useful purpose and has vacated the withdrawal insofar as it affects the lands described as follows:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 23 S., R. 35 E.,
Sec. 23, NW¼NE¼;
Sec. 24, SW¼SW¼;
Sec. 25, NW¼NW¼;
Sec. 26, NE¼NE¼, NE¼SW¼, NW¼SE¼;
Sec. 27, NE¼NW¼;
Sec. 34, SE¼SE¼;
Sec. 35, NW¼NW¼, SW¼SW¼.
T. 24 S., R. 35 E.,
Sec. 2, lots 3, 4, S½NW¼, E½SW¼, W½SE¼;
Sec. 3, lot 1;
Sec. 4, lot 1, S½NE¼, N½SE¼, SE¼SE¼;
Sec. 8, SE¼SW¼, SE¼;
Sec. 9, NE¼, S½NW¼, N½SW¼, SW¼SW¼;
Sec. 11, N½NE¼, SE¼NE¼, NE¼SE¼;
Sec. 12, SW¼NW¼, SW¼;
Sec. 13, NE¼NW¼, S½NW¼, SW¼;
Sec. 17, E½, NE¼NW¼;
Sec. 20, NW¼NE¼, S½NE¼, E½NW¼;
Sec. 21, SW¼NW¼, SW¼;
Sec. 24, W½W½;
Sec. 25, W½W½;
Sec. 26, SE¼NE¼, E½SE¼;
Sec. 28, W½;
Sec. 32, SE¼SE¼;
Sec. 33, W½W½;
Sec. 35, E½E½.
T. 25 S., R. 35 E.,
Sec. 1, lots 1, 2 SE¼NE¼, E½SE¼;
Sec. 4, lots 1, 2, 3, SW¼NE¼, S½NW¼, SW¼;
Sec. 9, E½, N½NW¼;
Sec. 10, SW¼SW¼;
Sec. 13, SE¼;
Sec. 14, NW¼SW¼, S½SW¼;
Sec. 15, NW¼NW¼, S½NW¼, NE¼SW¼, SE¼;
Sec. 16, NE¼NE¼;
Sec. 23, NE¼NW¼;
Sec. 24, N½NE¼, SW¼NE¼.

T. 25 S., R. 36 E.,
Sec. 6, lots 6, 7;
Sec. 7, lots 1, 2, 3, SE¼NW¼, E½SW¼;
Sec. 18, lots 2, 3, W½NE¼, E½NW¼, NE¼SW¼.

2. Also vacated from the withdrawal are those certain Federal lands which were included in the application for Project No. 152 but were inadvertently omitted from the Commission's notices of land withdrawal and are not listed in Land List A of the Federal Power Commission Order issued April 16, 1974. The areas described include both public and national forest lands within the Sequoia National Forest and aggregate approximately 6,518.77 acres.

The State of California has waivered its preference right of application for highway rights-of-way or material sites afforded it by Section 24 of said Act.

3. At 10 a.m. on April 19, 1976, the public lands shall be open to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on April 19, 1976, the national forest lands shall be open to such forms of disposition as may by law be made of such lands. The lands have been open to applications and offers under the mineral leasing laws and to location under the U.S. mining laws subject to the provisions of the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

Inquiries concerning the lands should be addressed to the Bureau of Land Management, Federal Office Building, Room E–2841, 2800 Cottage Way, Sacramento, California 95825.

WALTER F. HOLMES,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.76–7583 Filed 3–16–76;8:45 am]

[NM 27255]

NEW MEXICO

Notice of Application

MARCH 10, 1976.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Burleson and Huff has applied for a 2-inch plastic water pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO
T. 19 S., R. 32 E.,
Sec. 27, SE¼SW¼;
Sec. 34, E½W½.
T. 19 S., R. 32 E.,
Sec. 3, NW¼.

This pipeline will convey water across 1.741 miles of national resource lands in Lea County, New Mexico.

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

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, New Mexico 88201.

STELLA V. GONZALES,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.76–7584 Filed 3–16–76;8:45 am]

Mining Enforcement and Safety Administration

SCOTIA MINE, OVEN FORK, KENTUCKY

Public Hearing

Notice is hereby given that the Mining Enforcement and Safety Administration pursuant to its authority under Section 103(d) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. Section 813(d), will conduct a public hearing beginning on April 5, 1976 at Whitesburg, Kentucky. The time and place of the hearing will be announced shortly. The hearing will be held for the purpose of inquiring into the facts and circumstances surrounding the ignition and explosion occurring on March 9 to 11, 1976 and subsequent events. The explosion occurred at the Scotia Mine, near Oven Fork, Letcher County, Kentucky at a mine operated by the Scotia Coal Co., Inc. and involved the death of 26 men.

Persons who will be required to testify at the hearing will be notified in writing approximately one (1) week prior to the date of the hearing.

Members of the public and anyone who has information relating to this accident are invited to attend the hearing.

Anyone having questions regarding the hearing should write to: Assistant Administrator, Coal Mine Health and Safety, 4015 Wilson Blvd., Arlington, Virginia 22203.

Dated: March 12, 1976.

ARTHUR B. NELSON,
Acting Administrator, Mining Enforcement and Safety Administration.

[FR Doc.76–7666 Filed 3–16–76;8:45 am]

National Park Service

ORGAN PIPE CACTUS NATIONAL MONUMENT, ARIZ., MASTER PLAN AND LUKEVILLE DEVELOPMENT CONCEPT PLAN ENVIRONMENTAL ASSESSMENTS

Intent

Notice is hereby given that the National Park Service will hold two public meetings in Arizona during April, 1976, to provide for public involvement in developing the Master Plan for Organ Pipe Cactus National Monument and the Development Concept Plan for the Monument's Lukeville area.

The public meetings will be held at 1 p.m., Thursday, April 8, 1976, in the Visitor Center of the Monument, and at 1 p.m., Saturday, April 10, 1976, in the Arizona-Sonora Desert Museum, Tucson, Arizona.

Prior to and concurrent with these public meetings will be a series of consultations between members of the National Park Service and appropriate Federal, State and local government officials, organizations and individuals.

The purpose of these meetings and consultations is to provide for extensive public involvement, including comments from individuals and organizations on the elements of the Draft Master Plan and its Environmental Assessment, and the Lukeville Draft Development Concept Plan and its Environmental Assessment, prior to drafting final versions of the planning documents.

Anyone wanting additional information on the public meetings, the National Park Service planning process, or wishing to submit comments on the draft planning documents and their environmental assessments may write to the Superintendent, Organ Pipe Cactus National Monument, P.O. Box 38, Ajo, Arizona 85321.

Dated: March 3, 1976.

JOHN H. DAVIS,
Acting Regional Director, Western Region, National Park Service.

[FR Doc.76–7667 Filed 3–15–76;9:39 am]

Bureau of Reclamation

DALLAS CREEK PROJECT, COLORADO

Public Hearings on Draft Environmental Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement for the Dallas Creek Project, Colorado. This statement (INT-DES 76–11) was filed with the Council on Environmental Quality on March 8, 1976.

The draft environmental statement concerns the construction and operation of a multipurpose water resources project that would develop and utilize flows of the Uncompahgre River and its tributaries to provide water for municipal, industrial, and irrigation uses in the Uncompahgre River Basin.

A public hearing will be held at Montrose High School Cafeteria, 700 South Townsend Avenue, in Montrose, Colorado, April 17, 1976, at 10:00 a.m., to receive views and comments from interested organizations and individuals relating to the environmental impacts of this proposed project. Oral statements at the hearings will be limited to a period of 10 minutes. Speakers will not trade their time to obtain a longer oral presentation; however, the person authorized to conduct the hearings may allow any speaker to provide additional oral comment after all persons wishing to comment have been heard. Speakers will be scheduled according to their time preference, if any, requested by letter or telephone. Any scheduled speaker not present when called will lose his privilege in the scheduled order, and his name will be

recalled at the end of the scheduled speakers. Requests for scheduled presentations will be accepted until 4:00 p.m., April 14, 1976, and any subsequent requests will be handled on a first-come-first-serve basis following the scheduled presentations.

Organizations or individuals desiring to present statements at the hearings should contact one of the following offices by letter or telephone and announce their intentions to participate:

Office of the Regional Director, Federal Building, 125 South State Street, Bureau of Reclamation, Department of the Interior, Salt Lake City, Utah 84147, Telephone 524-5520.

Western Colorado Projects Office, Building 8, ERDA Compound, Bureau of Reclamation, Department of the Interior, Grand Junction, Colorado 81501, Telephone (303) 242-8621.

Written comments from those unable to attend and from those wishing to supplement their oral presentations at the hearings should be received by April 30, 1976, to be included in the hearing record.

G. G. STAMM,
Commissioner,
Bureau of Reclamation.

[FR Doc.76-7817 Filed 3-16-76; 8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

ROCK CREEK ADVISORY COMMITTEE

Meeting

The Rock Creek Advisory Committee will meet at 7:00 p.m. on Tuesday, April 20, 1976. Meeting place will be Drummond, Montana, in the St. Michael's Catholic Church basement.

The purpose of this meeting is to receive a status report from the Deerlodge National Forest on the progress of the Upper Rock Creek Plan and the Lolo National Forest to present and discuss preliminary management alternatives for the Lower Rock Creek Planning Unit.

The meeting will be open to the public. Any member of the public who wishes to do so shall be permitted to file a written statement with the Committee before or after the meeting. To the extent that time permits, the Committee Chairman may permit interested persons to present oral statements at the meeting.

General participation by members of the public or questioning of Committee members or other participants shall not be permitted unless approved by the majority of Committee members.

Dated: March 8, 1976.

CHARLES B. TRIBE,
Multiple Use Coordinator,
Lolo National Forest.

[FR Doc.76-7580 Filed 3-16-76;8:45 am]

Soil Conservation Service

COTTON-COON-MISSION CREEK WATERSHED, OKLAHOMA AND KANSAS

Notice of Availability of Negative Declaration

Pursuant to Section 102(2(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 650.8 (b) (3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for a portion of the Cotton-Coon-Mission Creek Watershed Project in Osage County, Oklahoma, and Chautauqua County, Kansas.

The environmental assessment of this federal action indicates that this portion of the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with this portion of the project. As a result of these findings, Mr. Roland Willis, State Conservationist, Soil Conservation Service, USDA Building, Farm Road and Brumley Street, Stillwater, Oklahoma, has determined that the preparation and review of an environmental impact statement is not needed for this portion of the project.

The project concerns a plan for watershed protection and flood prevention. The planed works of improvement, as described in the negative declaration, include conservation land treatment supplemented by five floodwater retarding structures.

Cotton-Coon-Mission Creek Watershed Project, Oklahoma and Kansas, Notice of Availability of Negative Declaration.

The environmental assessment file is available for inspection during regular working hours and the negative declaration is available for single copy requests at the following location:

Soil Conservation Service, USDA Building, Farm Road and Brumley Street, Stillwater, Oklahoma 74074.

No administrative action on implementation of the proposal will be taken until 15 days after the date of this publication.

JAMES W. MITCHELL,
Acting Deputy Administrator for Water Resources Soil Conservation Service.

Dated: March 8, 1976.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

[FR Doc.76-7581 Filed 3-16-76;8:45 am]

RUNNING WATER DRAW AND LOWER RUNNING WATER DRAW WATERSHED PROJECTS, TEXAS

Notice of Availability of Negative Declaration

Pursuant ot Section 102(2)(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Lower Running Water Draw and Running Water Draw Watershed Projects, Curry County, New Mexico, and Parmer, Castro, Hale, Lamb and Swisher Counties, Texas.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. George C. Marks, State Conservationist, Soil Conservation Service, USDA, First National Bank Building, Temple, Texas 76501, has determined that the preparation and review of an environmental impact statement is not needed for this project. The project concerns a plan for watershed protection and flood prevention. The remaining planned works of improvement, as described in the negative declaration, include conservation land treatment supplemented by five single-purpose floodwater retarding structures.

The environmental assessment file is available for inspection during regular working hours at the following location:

Soil Conservation Service, USDA, First National Bank Building, Temple, Texas 76501

Requests for the negative declaration should be sent to the above address.

No administrative action on implementation of the proposal will be taken until April 1, 1976.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

JAMES W. MITCHELL,
Acting Deputy Administrator for Water Resources, Soil Conservation Service.

Dated: March 8, 1976.

[FR Doc.76-7582, Filed 3-16-76;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

MERCK INSTITUTE

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

The following is a decision on an application for duty-free entry of a sci-

entific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 397) and the regulations issued thereunder as amended (40 F.R. 12253 et seq., 15 CFR 701, 1975).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75–00285–33–46040. Applicant: Merck Institute for Therapeutic Research, Sumneytown Pike, West Point, Pa. 19486. Article: Electron Microscope, Model EM 201S and Accessories. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for the study of viruses, bacteria, human and animal cells and tissues in both basic research and as a service tool in support of ongoing projects in Virology and Cancer Research.

Comments: No comments have been received with respect to this application. Decision: Application denied. An instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: This application is a resubmission of Docket Number 74–00425–33–46040 which was denied without prejudice to resubmission on August 7, 1974 for information deficiencies.

At the time the foreign article was ordered (February 19, 1974) two electron microscopes of domestic manufacture, the Model ETEM 101 manufactured by Elektros Incorporated (Elektros) and the Model EMU–4C manufactured by Adam David Company (Adam David), were available. In this submission, the applicant, in response to Question 8, points out that the magnifications (50,000X) and accelerating voltages (80–100 kilovolts (kv) which are routinely needed for the investigations to be performed, rules out the use of the ETEM 101 (resolution–10 Angstroms (Å); magnification—to 38,000X; accelerating voltage—40 kv). The Department of Health, Education, and Welfare in its memorandum dated April 22, 1975 concurs with the applicant with respect to the inadequacy of the ETEM 101 and advises that the EMU–4C is the domestic instrument most closely comparable to the foreign article.

In connection with the comparability of the foreign article and the EMU–4C, the Department notes that the EMU–4C provides a guaranteed resolving power of 5Å point to point (point), magnification to 240,000X and accelerating voltages of 25, 50, 75 and 100 kv whereas the foreign article provides similar resolution, magnification to 200,000X and accelerating voltages of 20, 40, 60, 80 and 100 kv. The applicant makes no claim that the foreign article provides magnification and accelerating voltage superior to the 4C but does allege, in response to Question 8 of this submission, that the EMU–4C is obsolete and does not match certain features of the article which are pertinent to the applicant's research studies. As to these allegations, HEW advises that the applicant provides no pertinent specification within the meaning of subsection 301.2(n) of the regulations upon which duty-free entry could be based. In this connection, each of the applicant's specific allegations and a discussion thereof, is provided below:

(1) *Allegation.*—"Contrary to the statement made in the descriptive literature of Adam David Co., the RCA [Radio Corporation of America] EMU4C is not manufactured by this company. The RCA EMU4 series of electron microscopes was introduced by the RCA Co. in 1963–64. Up to the time during which the RCA Scientific Instruments Div. was purchased by Forgeflo Corp. (in July, 1969), no significant improvements in the design of the EMU4 series were introduced. This was true also for the period of July, 1969–71 during which EMU14's were being distributed by Forgeflo. The Adam David Co. purchased the Forgeflo inventory of RCA EMU4 electron microscopes in 1973. Their manufacturing capability consists merely of assembling these instruments. The EMU4C is therefore a 1963–64 electron microscope without even the benefit of a newer designation.

The technical advances in the field of transmission electron microscopy in the areas of solid state electronics, lens and column design (during the last decade) have resulted in a new generation of electron microscopes (all designed and manufactured in Europe and Japan), with highly improved resolution (1.4 angstrom is now attainable in the more expensive microscopes) and human engineering facilities (operator convenience). None of these advances have been incorporated into the RCA EMU4 microscopes being sold today. It is thus impossible for the EMU4 to be equivalent to the foreign microscopes in the comparable price range." *Discussion.*—In July 1968 (presumably after the applicant purchased an instrument of the EMU–4 series having a guaranteed resolving power of 8Å Fresnel fringe), RCA announced that it had substantially upgraded its Model EMU–4 electron microscope. For example, resolution was increased to 5Å point and two additional accelerating voltages were added. The enhanced instruments were eventually termed the Model EMU–4B. RCA did not further improve on the EMU–4B but instead sold its electron microscope business to Forgeflo in 1969. In 1970, Forgeflo announced further improvements in its products and identified the model embodying these improvements with a new designation, EMU–4C.

The EMU–4C has been continuously manufactured (for stock and on order) in the United States since the date it was first announced. Further (and relevant to the applicant's allegations concerning the capability of the domestic manufacturer), the United States Court of Customs and Patent Appeals, in the case of Leo Goodwin Institute for Cancer Research versus the United States, (Relating to the Department's decision on Docket No. 74–00344–33–46040 which, in certain respects, is analogous to this case) held that assembling completed units (EMU–4C's) from parts, which a company had previously manufactured or purchased elsewhere, constitutes manufacture of the completed unit within the purview of Public Law 89–651 and implementing regulations. The court also noted that completed EMU–4C's were available for sale in finding that the EMU–4C is being manufactured in the United States. In this connection the Department notes that the applicant did not contact the domestic manufacturer and, thereby, obtain first-hand knowledge of manufacturing capability or specifications of available products at the time purchase of the foreign article was imminent. The applicant alleges that it is impossible for the "EMU–4" to be equivalent to foreign microscopes in the comparable price range because the EMU–4 microscopes being sold today do not benefit from technical advances found in the foreign instruments. In this connection it is noted that the literature of both domestic and foreign microscopes contain similar claims relating to effective utilization of the latest developments in the state of the art. Thus, HEW advises that both the article and the EMU–4C represent upgrading of earlier electron microscopes. Moreover, cost cannot be considered a pertinent feature as defined by Subsection 301.2(n) of the regulations. At any rate the determination of scientific equivalency depends on the comparison of pertinent specifications of the foreign article and similar pertinent specifications of the EMU–4C and not on the issues raised in allegation (1).

(2) *Allegation.*—"The EMU4C has a single plate camera with an 18 picture capacity. There are not options available. The [article] has a plate camera, 70 millimeter (mm) and 35 mm film cameras (with a total capacity of 150–160 pictures)." *Discussion.*—The EMU–4C provides a plate camera with a capacity of 240 exposures and HEW advises that the manufacturer also provides 35 mm and 70 mm cameras. The manufacturer of the article provides the option of a plate, 35 mm or 70 mm camera system (for combinations thereof). According to the specifications attached to this application, use of all three cameras provides a total of 106 exposures. The purchase order for the foreign article lists only the plate camera system indicating that the 35 and 70 mm cameras were not ordered with the article. Since Subsections 301.2(d) and 301.6(a)(3) of the regulations, preclude our consideration of unordered accessories, the 35 mm and the 70 mm cameras do not enter into the Department's decision. Accordingly, we find that the camera system of the EMU–4C matches that of the article. Moreover, HEW advises that these additional cameras constitute a non-pertinent convenience. (3) *Allegation.*—"The

EMU4C has a manual photographic function. The [article] has a fully automatic, 1-button photographic system." *Discussion.* Specifications for the EMU–4C provide for push-button controlled automatic operation (with manual override to permit multiple exposure). However, the 4C's specifications also stipulate that electrometer readout (a measure of beam intensity) must be converted to exposure time and set on the automatic exposure timer manually. Specifications for the article submitted with this application describe a similar system but indicate that a completely automatic exposure system is available as an optional extra. Inasmuch as the purchase order for the article does not list this extra as a part of the article, this exposure system cannot be considered in our determination. In any case, HEW advises that feature (3) is a non-pertinent convenience.

(4) *Allegation.*—"The column alignment procedure for obtaining an optimum electron beam in the fine lens system of the EMU4C is almost completely manual. It is time consuming and highly unsatisfactory. In the 4-lens system of the [article] the alignment is fully automatic (electronic) and, in fact, 3 of the lenses (the condenser, intermediate and projector lenses) need no alignment whatsoever." *Discussion.*—HEW advises that rapid alignment (i.e., feature (4)) is a non-pertinent convenience. (5) *Allegation.*—". . . the RCA EMU4C had a guaranteed resolution of 8 angstroms based on Fresnel fringe measurements (which are not truly representative of the microscope resolution which should be judged on a measurement of its point resolution). This resolution was never achieved in the EMU4C purchased by this laboratory in 1968. Indeed there has been a steady deterioration in resolving power of this microscope over a 5-year period (so much so that a resolution of 15 angstroms was the best attainable and our primary reason for the decision to purchase a more modern instrument. In contrast, the guaranteed resolution of the [article] (better than 5 angstroms) has been easily achieved and we have regularly obtained a 3.5 angstrom [point] resolution with this electron microscope since its installation . . ."

Discussion. The applicant could not have ordered an EMU–4C (which was first announced in 1970) in 1968. Further the purchase order for the article indicates that the applicant is trading in an EMU–4 (presumably the one bought in 1968 having an 8Å Fresnel fringe guarantee). Thus the applicant inaccurately assumes prior experience with the EMU–4C through prior ownership of an EMU–4. Moreover, service (a cost-related feature which is not pertinent within the meaning of Subsection 301.2(n) of the regulations) which should have prevented deterioration of the applicant's EMU–4, could have been obtained from the RCA service organization at a price.

The EMU–4C has a resolution guarantee of 5Å point or better. The specifications of the foreign article submitted with this application stipulate a guaranteed resolution better than 5A point. The purchase order for the article stipulates a "guaranteed resolving power of 5Å (under favorable conditions 4Å can be obtained)." Thus HEW advises that there is no significant difference in the resolution guarantees of the two instruments and notes that a claim is made that the best resolution will be needed for the intended use but the applicant did not purchase the instrument having the highest resolution from the product line of the article's manufacturer. In this connection we note that Subsection 301.11(a) of the regulations provides that the guaranteed specifications of the foreign and domestic instruments under comparison will be utilized in the determination of scientific equivalency. Thus we find that the EMU–4C matches the article with respect to guaranteed resolution.

For the foregoing reasons, we find that the Model EMU–4C electron microscope is of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Education and Scientific Materials.)

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

[FR Doc.76–7589 Filed 316–76;8:45 am]

UNIVERSITY OF KENTUCKY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (40 F.R. 12253 et seq., 15 CFR 701, 1975).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75–00374–33–46046. Applicant: University of Kentucky, College of Agriculture, Department of Veterinary Science, Lexington, Kentucky 40506. Article: Electron Microscope, Model EM 201C. Manufacturer: Philips Electronic Instruments NVD. The Netherlands. Intended use of article: The article is intended to be used in the following studies: (1) Virus studies: Thin section studies of virus-infected equine tissues and virus-infected tissue culture cells. Negatively stained virus particles and virion components, shadowed and stained nucleic acid (both RNA and DNA) molecules from virus particles and virus-infected cells, ^{125}I and ^{3}H labelled antibody to virus and virus components (thin section autoradiography) and ferritin labelled antibody to virus and virus components. (1) Pathology: Thin sections of equine tumors and other pathological specimens from the horse. Ferritin labelled antibody to bacterial and viral agents applied to thin sections from pathological lesions of the horse.

Comments: No comments have been received with respect to this application. Decision: Application denied. An instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The applicant in reply to Question 8 alleges that the foreign article provides the following pertinent features:

(1) Guaranteed resolution of 4 Angstroms (Å) point to point.

(2) Full magnification range of 200X–200,000X without a polepiece change and without breaking the column by the use of a single console mounted control.

(3) Single condenser. A double condenser instrument has inherent instability and alignment difficulties.

(4) A specimen chamber airlock device which is not cumbersome and difficult to use.

(5) Provision for multiple camera use (plate, 35 and 70 millimeter (mm)).

(6) A goniometer stage can be fitted for use in x-ray dispersion analysis which, it is contemplated, will be used in the future.

(7) Better design of electronics and electron optics, and

(8) Simple to use, reliable instrument with a high performance level.

The Department of Health, Education, and Welfare (HEW) in its memorandum dated May 9, 1975 compared the article with the domestic Model EMU–4C electron microscope supplied by the Adam David Company with installation and servicing provided by the Radio Corporation of America (RCA). HEW advises that the applicant provides no pertinent specification within the meaning of subsection 301.2(n) of the regulations upon which duty-free entry could be based. As to the specifications alleged by the applicant to be pertinent in the order listed above (1–8), the following is noted:

(1) The domestic Model EMU–4C provides a guaranteed resolution of 5 Angstroms (Å) point to point (pt.). Specifications for the article submitted with this application guarantees 4 Å pt. HEW advises that for the applicant's intended purposes the 5Å pt. resolution guaranteed for the EMU–4C is not significantly different from that guaranteed for the article.

(2) The Model EMU–4C has a specified magnification range of 1400 to 240,000X (plus 250X or less for scanning) without a pole piece change. Magnification change is achieved through the use of simple controls on the console. The foreign article has a specified magnification range of 1500 to 200,000X (plus 200x for scanning) without a pole piece change. Thus, with the EMU–4C, a mag-

nification range equivalent to that of the article can be achieved without dismantling the column and breaking the vacuum. Accordingly, the Department finds that the magnification capabilities of the EMU–4C are scientifically equivalent to those of the article for the applicant's intended purposes. HEW, in its advice, concurs.

(3) HEW advises that the EMU–4C can be obtained with either a single or double condenser lens system. In this connection the Department notes that the 4C's double condensers are prealigned with respect to each other at the factory. It is further noted that stability, in itself, is not pertinent since the benefits conferred by better stability contribute principally to better resolution.

(4) The specimen chamber of the EMU–4C is equipped with a standard airlock which permits specimen exchange in 20 seconds or less without breaking the column vacuum. The airlock is prepumped to foreline pressure, so that the specimen can be exchanged without introducing air at atmospheric pressure. It is not necessary to center the specimen stage during the exchange period. The foreign article's airlock is specified to permit rapid specimen exchange without breaking the vacuum in less than 20 seconds. Thus specifications for the two airlocks are essentially the same. Accordingly, the Department finds that the specimen chamber airlocks of the foreign and domestic articles are scientifically equivalent for the applicant's intended purposes. HEW, in its advice, concurs.

(5) The article provides optionally a plate, 35 mm and 70 mm camera, but the purchase order for the article shows that only the plate camera was ordered. Since, pursuant to Subsections 301.2(d) and 301.6(a)(3) of the regulations, only the capabilities of the basic instrument and accompanying accessories (i.e., accessories ordered therewith) can be considered in the determination of scientific equivalency, the additional cameras cannot be a factor in the Department's decision. Moreover, the EMU–4C can be equipped by the manufacturer with plate, as well as 35 mm and 70 mm cameras.

(6) The purchase order for the article does not include a goniometer stage. Thus (as noted above) the goniometer stage cannot be considered in the Department's determination. Moreover, it is noted that the stage is intended for a future use. According to Subsections 301.5 and 301.6(a)(3) purposes which may be undertaken at some unspecified future time cannot be considered in the determination of scientific equivalency.

(7) Design features in electron optics and electronics are not considered pertinent (within the meaning of subsection 301.2(n) of the regulations) unless it can be shown that such features confer capabilities vital to the purposes for which the article is intended to be used. Reliability is associated with the level of maintenance and is thereby, a matter of cost which is not pertinent within the meaning of subsection 301.2(n) of the regulations. As to simplicity and level of performance, HEW advises that the foreign article is not known to be a simple instrument and deems the EMU–4C adequate for the applicant's intended purposes. For these reasons, we find that the Model EMU–4C electron microscope is of equivalent scientific value to the foreign article for such purposes as the foreign article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

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

[FR Doc.76–7590 Filed 3–16–76;8:45 am]

Maritime Administration

[Docket No. S–500]

INGRAM OCEAN SYSTEMS INC.

Application

Notice is hereby given that application has been filed under the Merchant Marine Act, 1936, as amended (the Act), for operating-differential subsidy with respect to bulk carrying service in the U.S. foreign trade, principally between the United States and the Union of Soviet Socialist Republics, to expire on December 31, 1976, or upon completion of a voyage(s) in progress on that date.

Inasmuch as the applicant, and/or related persons or firms, employ or may employ ships in the domestic intercoastal or coastwise service, written permission of the Maritime Administration under section 805(a) of the Act will be required if its application for operating-differential subsidy is to be granted.

Ingram Ocean Systems Inc. operates two tug/barge units in U.S. coastwise service. Ingram Barge Company, Ingram Barge Inc., and Ingram Materials Inc., affiliates of the applicant, operate towboats and barges on the inland waterways of the United States.

Written permission is now required under section 805(a) notwithstanding the fact that a voyage in the proposed service on which the vessel engaged in domestic intercoastal or coastwise trade would not be eligible for subsidy.

Any person, firm, or corporation having any interest (within the meaning of section (a)) in such application and desiring to be heard on issues pertinent to section 805(a) and desiring to submit comments or views concerning the application must, by close of business on March 22, 1976 file same with the Secretary, Maritime Administration, in writing, in triplicate, together with petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief.

If no petitions for leave to intervene are received within the specified time or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Administration will take such action as may be deemed appropriate.

In the event petitions regarding the relevant section 805(a) issues are received from parties with standing to be heard, a hearing will be held, the purpose of which will be to receive evidence under section 805(a) relative to whether the proposed operation (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service, or (b) would be prejudicial to the objects and policy of the Act relative to domestic trade operations.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential Subsidies (ODS))

By Order of the Assistant Secretary for Maritime Affairs.

Dated: March 12, 1976.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.76–7645 Filed 3–16–76;8:45 am]

[Docket No. S–501]

ZAPATA PRODUCTS TANKERS, INC.

Application

Notice is hereby given that Zapata Products Tankers, Inc. (Products), has filed an application dated March 11, 1976, with the Maritime Subsidy Board (Board), to amend its Operating-Differential Subsidy Agreement, Contract No. MA/MSB–167 (the Agreement), to provide that the vessels under the Agreement shall operate in the worldwide carriage of commercial liquid and dry bulk cargoes in the foreign oceanborne commerce of the United States and in the carriage of such cargoes between foreign ports and shall carry exclusively commercial liquid and dry bulk cargoes not subject to the cargo preference statutes of the United States, including, but not limited to, 10 U.S.C. 2631, 46 U.S.C. 1241, and 15 U.S.C. 616a.

The Agreement now permits the vessels to be operated in the worldwide carriage of commercial liquid cargo only, not subject to the cargo preference statutes of the United States, including, but not limited to, those cited above.

The Agreement covers the operation of four 35,000 DWT product tankers which are presently under construction. The first is scheduled for delivery in the latter part of March 1976.

Any party having an interest in this application and who would contest a finding by the Board that the service now provided by vessels of United States registry for the worldwide carriage of liquid and dry bulk cargoes as proposed by Products moving in the foreign commerce of the United States or in any particular trade in the foreign commerce of the United States is inadequate, must, on or before March 22, 1976 notify the Secretary, Maritime Subsidy Board, in writing, of his interest and of his position and file petition for leave to inter-

vene in accordance with the Rules of Practice and Procedure of the Board (46 CFR Part 201). Each such statement of interest and petition to intervene shall state whether a hearing is requested under section 605(c) of the Merchant Marine Act, 1936, as amended (the Act) (46 U.S.C. 1175), and, with as much specificity as possible, the facts that the intervenor would undertake to prove at such hearing.

In the event that a section 605(c) hearing is ordered to be held, the purpose of such hearing will be to receive evidence relevant to whether the service already provided by vessels of U.S. registry for the worldwide movement of liquid and dry bulk cargoes in the foreign oceanborne commerce of the United States is inadequate and whether in the accomplishment of the purposes and policy Act additional vessels should be operated in such service.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Board determines that petitions for leave to intervene filed within the specified time to not demonstrate sufficient interest to warrant a hearing, the Board will take such action as may be deemed appropriate.

Dated: March 12, 1976.

By Order of the Maritime Sudsidy Board.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential Subsidies (ODS)).

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.76-7646 Filed 3-16-76;8:45 am]

National Fire Prevention and Control Administration

NATIONAL ACADEMY FOR FIRE PREVENTION AND CONTROL SITE SELECTION BOARD

Training and Facility Needs of the Academy and Certain Other Administrative Matters

In accordance with the Charter of the National Academy for Fire Prevention and Control Site Selection Board filed on July 29, 1975, in accordance with the Federal Advisory Committee Act, the Administrator, National Fire Prevention and Control Administration, has issued the following instructions to the Site Selection Board in a letter dated March 12, 1976 concerning the training and facility needs of the Academy to include certain administrative considerations for the guidance of the Board during the conduct of its activities.

Dated: March 12, 1976.

HOWARD D. TIPTON,
Administrator, National Fire Prevention and Control Administration.

In accordance with the provisions of section 7(g) of the Federal Fire Prevention and Control Act of 1974, the Charter of the National Academy for Fire Prevention and Control Site Selection Board and the Federal Advisory Committee Act, the following information and guidance are provided you to assist in the execution of your responsibilities.

I. *Objectives and Duties.* The Board will survey the most suitable sites for the location of the Academy and make recommendations to the Secretary. The Act also requires that the Board, in making its recommendations, give consideration to the training and facility needs of the Academy, environmental effects, the possibility of using excess Government property, and such other factors as are deemed important and relevant. Accordingly, the Board will:

Function solely as an advisory body. The duties and meetings of the Board will be conducted in accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. IV 1974), and 5 U.S.C. 301. Specifically, all meetings and other activities and operations of the Board shall be open to the public. The public must be advised of each meeting by means of a notice published in the FEDERAL REGISTER at least 35 days before the meeting.

Transmit its recommendations in the form of a written report to the Secretary, through the Administrator of the National Fire Prevention and Control Administration.

Recommend at least one suitable site for each of the feasible Academy options set forth in II below. The Board may also recommend sites they consider suitable falling between options 1 and 2 of II below. Specific training and facility needs for the Academy will depend upon program goals, objectives and plans which have not yet been developed in final form. Furthermore, these factors are expected to change over a period of time, i.e., Academy programs in the long term (5 to 10 years) are likely to be much different than in the near term (1 to 5 years). Accordingly, the training and facility needs of the Academy can be described only in terms of broad ranges of possible options, each based on a somewhat diferent set of assumptions, at the present time. The Board should recommend to the Secretary sites which would be suitable for carrying out each of those options.

In recommending suitable sites, the Board will not be limited only to those proposals submitted to it, but may also consider those sites identified by its own initiative.

They should give primary and preferential consideration to the identification and recommendation of sites which can be acquired from the public or private sector at no cost, or at nominal cost, to the Federal Government, and which contain existing structures generally meeting the facility requirements.

The Board will take into account, in making its recommendations, that the Act authorizes no more than $9 million for the construction (or modification/rehabilitation) of facilities on whatever site the Secretary selects.

II. *Academy Mission and Mode of Operations.* The mission of the National Academy for Fire Prevention and Control is to help reduce the Nation's losses caused by fire through advancing the ability of fire service personnel, and others concerned with fire safety problems, to prevent and control fires. The Academy will serve as a delivery mechanism for other programs of the NFPCA and will encourage the development of new education and training programs, or the strengthening of existing programs, offered by local fire services, units and departments; state and local governments; and private institutions. The focus of the Academy program will be on fire prevention and control; fire suppression training will not be conducted by the Academy.

Specific, long-term objectives and suitable plans for their implementation have not yet been fully developed and approved. Accordingly, a firm list of training and facility requirements cannot be provided to the Board. Instead, the Board should identify and recommend sites which would be suitable for carrying out programs within the broad range of options listed below. Estimates of the training and facility requirements associated with the option at either end of the range of possible sites have been indicated.

Option 1: With Minimal Direct Federal Training. Under this option, Academy program emphasis would be directed to carrying out the authorities specified in Section 7(d), paragraphs (1) through (5) of the Act, at current authorized FY 77 program levels, namely:

Train fire service personnel in such skills and knowledge as may be useful to advance their ability to prevent and control fires.

Development of model curricula, training programs, and other educational materials suitable for use at other educational institutions.

Development of a program of correspondence courses.

Provision of model questions suitable for use in conducting entrance and promotional examinations for fire service personnel.

Encouragement of educational and professional practices which include fire prevention and detection technology.

Under this option only minimal direct training would be conducted by the Federal Academy.

The training and facility requirements associated with this program option are, for the most part, those associated with a minimum training and education operation. A special audio-visual facility and four or five classrooms might also be needed. However, special purpose facilities would not be required to carry out an acedemy program of this type.

Option 2: With Direct Federal Training. Under this option, direct Federal training would be added to the functions listed in option (1) above. The Academy would conduct actual courses in such fields as:

Techniques of fire prevention, fire inspection, fire fighting, and fire and arson investigation.

Tactics and commands of fire fighting.

Administration and management of fire services.

Tactical training in specialized fields, such as aircraft fires and fires aboard waterborne vessels.

In each of the above areas, emphasis would be given to the training of present and future instructors in these fields.

The training and facility needs associated with this option are flexible and will depend on the extent of direct training to be conducted. However, a maximum set of training and facility requirements is set forth below for consideration by the Board:

1. Maximum operating conditions:

Facility will be in operation 250 days per year.

Maximum resident enrollment of 300; maximum attendance on any one day of 1,000.

Approximately 210 employees, both resident and visiting faculty and support personnel.

2. Maximum facility requirements:

Twenty classrooms, including seminars, demonstration, and audio-visual rooms.

Auditorium seating 500 persons.

Library and reference center.

Dormitory space for 300 resident students.

Cafeteria.

Instructional media center.

Administration office space.

Maintenance and support facilities for approximately 35 people.

Sufficient land to insure an appropriate instructional setting and room for some potential future growth. Estimated maximum need

of 50 to 100 acres, but may be less for initial use.

Neither of the above options make special provisions for other potential Academy programs mentioned in the Act, such as technical and financial assistance. No special site or facility requirements are associated with these programs and they need not be considered during the site selection process.

III. *Environmental, Physical and Geographic Factors.* The following are factors which you should consider important in your evaluation of sites:

A. Favorable land use/zoning, air quality, water quality, sewage and noise level.

B. Ready access to a variety of transportation arrangements, including airports.

C. Ready access (30–50 miles) to a major urban center having metropolitan fire department facilities.

D. Readily serviced by vendors.

E. Community receptivity to the Academy with adequate health, education, religious and cultural opportunities and adequate housing for staff and faculty.

IV. *Other Important Factors Governing Site Selections.* The mission of the Academy is interrelated with the overall mission of the NFPCA and its other major elements. Academy programs are and will be dependent on on-going research of the National Fire Safety and Research Office. The National Fire Data Center is an indispensable store of data feeding directly to Academy programs and curricula. The Public Education Office will provide information and techniques used by the Academy, and, in turn, the Academy will serve that Office with its instructional resources. Generally these other programs will be major generators of new knowledge for inclusion in the Academy programs. Therefore, close interaction is essential.

For purposes of efficiency and cost effectiveness in sharing resources such as the library and computer systems, consideration should be given to the selection of a site which can either house the Academy, together with the NFPCA, or be in such close proximity as to make conference facilities and resource sharing practical and administration more effective.

V. *Time Schedule.* Because of the statutory requirement that the Secretary of Commerce make his final selection of a site for the Academy no later than October 29, 1976, you are to adhere to the following schedule of Board proceedings.

Date	Place	Purpose
March 22 and 23, 1976	Conference Room 6802, Department of Commerce, 14th St. between Constitution Ave. and E St N.W., Washington, D.C.	Receipt of oral comments and proposals for site.
March 25 and 26, 1976	Ballroom, Holiday Inn Civic Center, 50 Eighth St., San Francisco, Calif.	Do.
Postmarked no later than April 25, 1976.	National Fire Prevention and Control Administration, P.O. Box 19518, Washington, D.C. 20036.	Last date proposals will be received.
April 26–30, 1976	NFPCA, Room 320, 2400 M St. NW., Washington, D.C.	Evaluation and screening of proposals.
May 10–21, 1976	Site visit to most suitable sites meeting academy training and facility needs.	Visits to most suitable sites for final evaluation.
June 24 and 25, 1976	NFPCA, Room 320, 2400 M St. NW., Washington, D.C.	Final evaluation, recommendation and development of report.
June 30, 1976	Department of Commerce, Washington, D.C.	Delivery of report to Secretary of Commerce.
September 30–October 29, 1976	do	Secretary announces site selection.

VI. *Proposals for Site Location.* Despite the severe time constraints indicated in the schedule above, in fairness to interested localities, proposals and/or revisions may be sent to the Board so as to be postmarked no later than April 25, 1976. NFPCA has on file, at present, 103 proposals previously submitted. These are being turned over to you for consideration. Previous proposers need not resubmit proposals but may revise or furnish additional supportive material. All proposals will be directed to the Chairman, Site Selection Board, National Fire Prevention and Control Administration, P.O. Box 19518, Washington, D.C. 20036.

VII. *Attendance at Site Selection Board Meetings.* The meeting on March 22 and 23 in Washington, D.C. and the March 25 and 26 meeting in San Francisco will be primarily for the purpose of receiving written and/or oral comments including discussion of proposals from interested persons, organizations or jurisdictions concerning the identification and selection of potential Academy sites. Attendance and participation shall be on a first-come, first-served basis. Oral presentations shall be limited to 15 minutes per comment or proposal with additional time being allowed by the Chairman at his discretion if time permits. Advanced scheduling of presentations is encouraged and may be made by writing: Chairman, Site Selection Board, National Fire Prevention and Control Administration, P.O. Box 19518, Washington, D.C. 20036. All meetings will be open to the public. A transcript of all meetings will be prepared by the Board and will be available for public viewing in Room 302, National Fire Prevention and Control Administration, 2400 M Street, N.W., Washington, D.C. The public may file written statements with the Board concerning any matter pertaining to the Board's responsibilities at any time before or after any meeting.

VIII. *Administrative Provisions.* A. The Site Selection Board will report to the Secretary of Commerce through the Administrator, NFPCA.

B. You will be provided by the National Fire Academy with such professional consulting expertise, clerical and supporting services as the Administrator, NFPCA, deems appropriate.

C. Members of the Board will not be compensated for their services, but, upon request, will be reimbursed for travel and per diem expenses.

IX. *Duration.* The Board shall terminate on October 29, 1976, unless earlier terminated or renewed by proper authority and by appropriate action.

Sincerely,

HOWARD D. TIPTON,
Administrator.

[FR Doc.76-7591 Filed 3-16-76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

EARLY EDUCATION FOR HANDICAPPED CHILDREN

Closing Date for Receipt of Applications for Implementation of Statewide Early Education Plans

Notice is hereby given that pursuant to the authority contained in sections 623 and 624 of the Education of the Handicapped Act (20 U.S.C. 1423 and 1424), the U.S. Commissioner of Education has established a final closing date of April 19, 1976 for receipt of applications for new Implementation of Statewide Early Education Plans projects.

Applications must be received by the U.S. Office of Education Application Control Center on or before the aforementioned date.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Grants and Procurement Management Division, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Attention: 13.444. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than April 14, 1976, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

B. *Hand delivered applications.* An application to be hand delivered must be delivered to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8:00 a.m. and 4:00 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted by the Application Control Center after 4:00 p.m. Washington, D.C. time on the closing date.

C. *Program information and forms.* Information and applications may be obtained from the Early Education for Handicapped Children Program, Program Development Branch, Bureau of Education for the Handicapped, U.S. Office of Education, 400 Maryland Avenue SW., Washington, D.C. 20202.

D. *Application regulations.* Proposed regulations for the Implementation of Statewide Early Education Plans are published in this issue of the FEDERAL REGISTER. Subject to revision, when these proposed regulations are published as a final rule, they will govern operations of the program, including grants made under the above noted closing date. If substantive changes are made in the final regulation affecting the preparation of applications, applicants will be afforded additional time to respond such changes.

In addition, awards under the Implementation of Statewide Early Education Plans projects will be governed by the Office of Education General Provisions Regulations (45 CFR Parts 100,

100a) and other applicable regulations (45 CFR Parts 121, 121e).

(20 U.S.C. 1423, 1424).

(Catalog of Federal Domestic Assistance No. 13.444, Early Education for Handicapped Children)

Dated: February 9, 1976.

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.76-7561 Filed 3-16-76;8:45 am]

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

Addendum

Notice is hereby given, pursuant to PL 92-463, that the next meeting of the National Advisory Council on the Education of Disadvantaged Children will be held on March 19, 1976 from 9:00 a.m.-5:00 p.m., and on March 20, 1976 from 9:30 a.m.-2:30 p.m. The meeting will be held at 425 Thirteenth Street, N.W., Suite 1012, Washington, D.C.

The National Advisory Council on the Education of Disadvantaged Children is established under section 148 of the Elementary and Secondary Act (20 U.S.C. 2411) to advise the President and the Congress on the effectiveness of compensatory education to improve the educational attainment of disadvantaged children.

The purpose of the meeting is for the Council to receive briefings on proposed and pending legislation which impact compensatory education programs from Federal officials and private citizens, and the effect of the plans for transitional quarter funding on Title I and other compensatory education programs.

ADDENDUM

The Council has accepted the request of Mr. Lloyd Hargrave, President of the National Coalition of ESEA Title I Parents to appear on the Agenda to brief the Council on the functions, operation and activities of the Coalition. Time has been allotted on March 20, 1976 at 10:00 a.m., for his presentation.

Signed at Washington, D.C., on March 11, 1976.

ROBERTA LOVENHEIM,
Executive Director.

[FR Doc.76-7644 Filed 3-16-76;8:45 am]

Food and Drug Administration

[Docket No. 76C-0062]

AMERICAN CYANAMID CO.

Filing of Petition for Color Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(d), 74 Stat. 402 (21 U.S.C. 376(d))), notice is given that a petition (CAP 6C0114) has been filed by Davis and Geck Division, American Cyanamid Co., Pearl River, NY 10965, proposing the issuance of a regulation (21 CFR Part 8) to provide for the safe and suitable use of a logwood for coloring nylon or silk nonabsorbable surgical sutures, USP, for use in general and ophthalmic surgery.

The environmental impact analysis report and other relevant material have been reviewed, and it has been determined that the proposed use of the additive will not have a significant environmental impact. Copies of the environmental impact analysis report may be seen in the office of the Assistant Commissioner for Public Affairs, Rm. 15B-42 or the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, during working hours, Monday through Friday.

Dated: March 9, 1976.

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

[FR Doc.76-7573 Filed 3-16-76;8:45 am]

[Docket No. 76P-0061]

DIAGNOSTIC X-RAY SYSTEMS AND THEIR MAJOR COMPONENTS

Extension of Variance to Continental X-Ray Corporation

Pursuant to § 1010.4 (21 CFR 1010.4) of the regulations for the administration and enforcement of the Radiation Control for Health and Safety Act of 1968, concerning the granting of variances to electronic products for which there are performance standards promulgated pursuant to section 358 of the act (42 U.S.C. 263f), notice is hereby given that an extension to Variance No. 75001 has been granted by the Director, Bureau of Radiological Health, Food and Drug Administration, to Continental X-ray Corp., 641 West Lake St., Chicago, IL 60606. Approval of this variance was originally announced in the FEDERAL REGISTER on March 19, 1975 (40 FR 12534).

This variance, which applies to the Continental Compere Temporal Bone Radiographic Unit, a special purpose diagnostic x-ray system marketed by the applicant, expires on March 19, 1976. The Director has determined that, under the conditions imposed in granting the original variance, the electronic products continue to use suitable means for providing radiation protection required under §§ 1020.30 and 1020.31 (21 CFR 1020.30 and 1020.31). Further, the provisions of Variance No. 75001 are being incorporated into a proposal to amend § 1020.31 of the performance standard so that systems of the type covered by the variance, which provide equivalent radiation protection, would be in compliance with the performance standard.

The Director has determined that an extension should be granted for Variance No. 75001, effective on March 19, 1976, and shall end on March 19, 1977, unless written objections and supporting information are filed with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, on or before April 16, 1976, requesting that the extension be modified or not be granted. Upon receipt of such objections and supporting documentation, the effective date of the extension will be stayed until the Director rules on them. Pursuant to § 1010.4(c)(3), the applicant shall be notified by certified mail, and a notice of the stay shall be published in the FEDERAL REGISTER. The ruling on the objections shall be made within 60 days, shall be published in the FEDERAL REGISTER, and shall constitute final agency action subject to judicial review pursuant to section 358 (d) of the act. The application for this variance extension, the original variance application, and all related correspondence are available for public disclosure in the office of the Hearing Clerk, Food and Drug Administration, except for information covered by the confidentiality provisions of section 360A(e) of the act.

Dated: March 11, 1976.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.76-7574 Filed 3-16-76;8:45 am]

PUBLIC ADVISORY COMMITTEES

Request for Nomination of Members

The Food and Drug Administration (FDA) requests nominations for members for the Toxicology Advisory Committee. As of September 30, 1976, there will be three vacancies.

The Toxicology Advisory Committee reviews and evaluates all available data relating to evaluation of the safety of chemicals present in food, drugs, cosmetics, and medical devices; advises the Commissioner of Food and Drugs concerning the safety of specific human drugs, animal drugs, color and food additives, cosmetic components, and components of devices; and recommends the development of standardized methodologies for the toxicity testing of such materials.

The term of office is 4 years. Members shall be knowledgeable in one or more of the following fields: Toxicology, pharmacology, and metabolism of chemicals, and carcinogenesis, mutagenesis, and teratogenesis testing.

Any interested person may nominate one or more qualified persons for membership. A complete curriculum vitae of the nominee shall be included. Nominations shall state that the nominee is aware of the nomination, is willing to serve as a member of the committee, and appears to have no conflict of interest that would preclude committee membership.

Nominations should be submitted to Jeffrey A. Staffa, Ph.D., Office of Science (HFS-50), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852, no later than April 15, 1976.

Dated: March 10, 1976.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.76-7575 Filed 3-16-76;8:45 am]

Public Health Service

Health Services Administration

CALIFORNIA STATEWIDE PROFESSIONAL STANDARDS REVIEW COUNCIL

Nominations for Public Member Positions

Notice is hereby given that pursuant to section 1162(b) of the Social Security Act (the Act) (42 U.S.C. 1320c–11(b)) nominations are being accepted for public member positions on the California Statewide Professional Standards Review Council (Statewide Council). Section 1162(a) of the Act mandates that a Council shall be established in each State where there are located three or more Professional Standards Review Organizations (PSROs). As there are now located seven conditional PSROs in California, the California Statewide Council is being formed.

The PSOO program is established under Title XI, Part B of the Act, enacted by the 1972 Amendments to the Act (Pub. L. 92–603) to provide for physician-directed review of the utilization and quality of medical care services paid for by the Medicare, Medicaid, and Maternal and Child Health and Crippled Children Services program. The Statewide Council component of the PSRO program will perform a number of functions, including: (1) Coordinating activities of PSROs and disseminating information and data among PSROs in the State under section 1162(c) of the Act; (2) reviewing PSRO reconsiderations under section 1159(a) of the Act; (3) reviewing PSRO sanction reports under section 1157 of the Act; (4) using its influence to assure that practitioners and providers comply with the obligations of the legislation under section 1160(c) of the Act; (5) assisting the Secretary of the Department of Health, Education, and Welfare in developing uniform data gathering and operating procedures among PSROs in the State, in evaluating PSRO performance, and, should it become necessary, assisting him in developing and arranging for a qualified replacement for a PSRO under section 1162 (c) of the Act.

There will be four public representatives on the Statewide Council. Persons or organizations wishing to submit nominations for public members are advised that each nominee will be considered by the Secretary on the basis of whether such nominee is:

(1) Knowledgeable about health care in California as provided under the Material and Child Health and Crippled Children Services, Medicare and Medicaid programs (Titles V, XVIII, XIX of the Social Security Act respectively);

(2) Willing and able to represent the view of the public; and

(3) Willing and able to discharge the responsibilities of membership in the Statewide Council.

After due consideration of all nominees, including nominees of the Governor of California, the Secretary of the Department of Health, Education, and Welfare will appoint four public representatives at least two of whom shall have been recommended by the Governor under section 1162(b) (3) of the Act.

All nominations for public members to the Statewide Council, together with a brief curriculum vitae must be sent to Sheridan Weinstein, M.D., Regional Health Administrator, at the Department of Health, Education, and Welfare, Region IX Office, at the Federal Office Building, 50 Fulton Street, San Francisco, California, 94102, and must be received on or before April 16, 1976. Further information concerning the nature and function of the Statewide Council and the role of public members in Council activities may be obtained by contacting the Office of the Regional Health Administrator at Area Code (415) 556–5810.

Dated: March 4, 1976.

ROBERT VAN HOEK,
Acting Administrator,
Health Service Administration.

[FR Doc.76–7552 Filed 3–16–76;8:45 am]

CONNECTICUT STATEWIDE PROFESSIONAL STANDARDS REVIEW COUNCIL

Nominations for Public Member Positions

Notice is hereby given that pursuant to section 1162(b) of the Social Security Act (the Act) (42 U.S.C. 1320c–11(b)), nominations are being accepted for public member positions on the Connecticut Statewide Professional Standards Review Council (Statewide Council). Section 1162(a) of the Act mandates that a Council shall be established in each State where there are located three or more Professional Standards Review Organizations (PSROs). As there are now located four conditional PSROs in Connecticut, the Connecticut Statewide Council is being formed.

The PSRO program is established under Title XI, Part B of the Act, enacted by the 1972 Amendments to the Act (Pub. L. 92–603) to provide for physician-directed review of the utilization and quality of medical care services paid for by the Medicare, Medicaid, and Maternal and Child Health and Crippled Children Services program. The Statewide Council component of the PSRO program will perform a number of functions, including: (1) Coordinating activities of PSROs and disseminating information and data among PSROs in the State under section 1162(c) of the Act; (2) reviewing PSRO reconsiderations under section 1159(a) of the Act; (3) reviewing PSRO sanction reports under section 1157 of the Act; (4) using its influence to assure that practitioners and providers comply with the obligations of the legislation under section 1160(c) of the Act; (5) assisting the Secretary of the Department of Health, Education, and Welfare in developing uniform data gathering and operating procedures among PSROs in the State, in evaluating PSRO performance, and, should it become necessary, assisting him in developing and arranging for a qualified replacement for a PSRO under section 1162(c) of the Act.

There will be four public representatives on the Statewide Council. Persons or organizations wishing to submit nominations for public members are advised that each nominee will be considered by the Secretary on the basis of whether such nominee is:

(1) Knowledgeable about health care in Connecticut as provided under the Maternal and Child Health and Crippled Children Services, Medicare and Medicaid programs (Titles V, XVIII, XIX of the Social Security Act respectively);

(2) Willing and able to represent the view of the public; and

(3) Willing and able to discharge the responsibilities of membership in the Statewide Council.

After due consideration of all nominees, including nominees of the Governor of Connecticut, the Secretary of the Department of Health, Education, and Welfare will appoint four public representatives at least two of whom shall have been recommended by the Governor under section 1162(b) (3) of the Act.

All nominations for public members to the Statewide Council, together with a brief curriculum vitae must be sent to Gertrude T. Hunter, M.D., Regional Health Administrator at the Department of Health, Education, and Welfare, Region I Office at the John F. Kennedy Federal Building, Government Center, Boston, Massachusetts, 02203, and must be received on or before April 16, 1976. Further information concerning the nature and function of the Statewide Council and the role of public members in Council activities may also be obtained by contacting the Office of the Regional Health Administrator at Area Code (617) 223–6827.

Dated: March 4, 1976.

ROBERT VAN HOEK,
Acting Administrator,
Health Services Administration.

[FR Doc.76–7553 Filed 3–16–76;8:45 am]

MARYLAND STATEWIDE PROFESSIONAL STANDARDS REVIEW COUNCIL

Nominations for Public Member Positions

Notice is hereby given that pursuant to section 1162(b) of the Social Security Act (the Act) (42 U.S.C. 1320c–11(b)), nominations are being accepted for public member positions on the Maryland Statewide Professional Standards Review Council (Statewide Council). Section 1162(a) of the Act mandates that a Council shall be established in each State where there are located three or more Professional Standards Review Organizations (PSROs). As there are now located six conditional PSROs in Maryland, the Maryland Statewide Council is being formed.

The PSRO program is established under Title XI, Part B of the Act, enacted by the 1972 Amendments to the Act (Pub. L. 92–603) to provide for physician-directed review of the utilization and quality of medical care services paid for by the Medicare, Medicaid, and Maternal and Child Health and Crippled

Children Services program. The Statewide Council component of the PSRO program will perform a number of functions, including: (1) Coordinating activities of PSROs and disseminating information and data among PSROs in the State under Section 1162(c) of the Act; (2) reviewing PSRO reconsiderations under Section 1159(a) of the Act; (3) reviewing PSRO sanction reports under section 1157 of the Act; (4) using its influence to assure that practitioners and providers comply with the obligations of the legislation under section 1160(c) of the Act; (5) assisting the Secretary of the Department of Health, Education, and Welfare in developing uniform data gathering and operating procedures among PSROs in the State, in evaluating PSRO performance, and, should it become necessary, assisting him in developing and arranging for a qualified replacement for a PSRO under section 1162(c) of the Act.

There will be four public representatives on the Statewide Council. Persons or organizations wishing to submit nominations for public members are advised that each nominee will be considered by the Secretary on the basis of whether such nominee is:

(1) Knowledgeable about health care in Maryland as provided under the Maternal and Child Health and Crippled Children Services, Medicare and Medicaid programs (Titles V, XVIII, XIX of the Social Security Act respectively);

(2) Willing and able to represent the view of the public; and

(3) Willing and able to discharge the responsibilities of membership in the Statewide Council.

After due consideration of all nominees, including nominees of the Governor of Maryland, the Secretary of the Department of Health, Education, and Welfare will appoint four public representatives at least two of whom shall have been recommended by the Governor under section 1162(b)(3) of the Act.

All nominations for public members to the Statewide Council, together with a brief curriculum vitae must be sent to George Gardiner, M.D., Regional Health Administrator at the Department of Health, Education, and Welfare, Region III Office at 3535 Market Street, Philadelphia, Pennsylvania, 19101, and must be received on or before April 16, 1976. Further information concerning the nature and function of the Statewide Council and the role of public members in Council activities may also be obtained by contacting the Office of the Regional Health Administrator at Area Code (215) 596-6637.

Dated: March 4, 1976.

ROBERT VAN HOEK,
Acting Administrator,
Health Services Administration.

[FR Doc.76-7554 Filed 3-16-76;8:45 am]

MASSACHUSETTS STATEWIDE PROFESSIONAL STANDARDS REVIEW COUNCIL

Nominations for Public Member Positions

Notice is hereby given that pursuant to section 1162(b) of the Social Security Act (the Act) (42 U.S.C. 1320c-11(b)), nominations are being accepted for public member positions on the Massachusetts Statewide Professional Standards Review Council (Statewide Council). Section 1162(a) of the Act mandates that a Council shall be established in each State where there are located three or more Professionals Standards Review Organizations (PSROs). As there are now located four conditional PSROs in Massachusetts, the Massachusetts Statewide Council is being formed.

The PSRO program is established under Title XI, Part B of the Act, enacted by the 1972 Amendments to the Act (Pub. L. 92-603) to provide for physican-directed review of the utilization and quality of medical care services paid for by the Medicare, Medicaid, and Maternal and Child Health and Crippled Children Services program. The Statewide Council component of the PSRO program will perform a number of functions, including: (1) Coordinating activities of PSROs and disseminating information and data among PSROs in the State under Section 1162(c) of the Act; (2) reviewing PSRO reconsiderations under Section 1159(a) of the Act; (3) reviewing PSRO sanction reports under section 1157 of the Act; (4) using its influence to assure the practitioners and providers comply with the obligations of the legislation under Section 1160(c) of the Act; (5) assisting the Secretary of the Department of Health, Education, and Welfare in developing uniform data gathering and operating procedures among PSROs in the State, in evaluating PSRO performance, and, should it become necessary, assisting him in develfluence to assure that practitioners and replacement for a PSRO under Section 1162(c) of the Act.

There will be four public representatives on the Statewide Council. Persons or organizations wishing to submit nominations for public members are advised that each nominee will be considered by the Secretary on the basis of whether such nominee is:

(1) Knowledgeable about health care in Massachusetts as provided under the Maternal and Child Health and Crippled Children Services, Medicare and Medicaid programs (Titles V, XVIII, XIX of the Social Security Act respectively);

(2) Willing and able to represent the view of the public; and

(3) Willing and able to discharge the responsibilities of membership in the Statewide Council.

After due consideration of all nominees, including nominees of the Governor of Massachusetts, the Secretary of the Department of Health, Education, and Welfare will appoint four public representatives at least two of whom shall have been recommended by the Governor under section 1162(b)(3) of the Act.

All nominations for public members to the Statewide Council, together with a brief curriculum vitae must be sent to Gertrude T. Hunter, M.D., Regional Health Administrator at the Department of Health, Education, and Welfare, Region I Office at the John F. Kennedy Federal Building, Government Center, Boston, Massachusetts, 02203, and must be received on or before April 16, 1976. Further information concerning the nature and function of the Statewide Council and the role of public members in Council activities may also be obtained by contacting the Office of the Regional Health Administrator at Area Code (617) 223-6827.

Dated: March 4, 1976.

ROBERT VAN HOEK,
Acting Administrator,
Health Services Administration.

[FR Doc.76-7555 Filed 3-16-76;8:45 am]

NEW YORK STATEWIDE PROFESSIONAL STANDARDS REVIEW COUNCIL

Nominations for Public Member Positions

Notice is hereby given that pursuant to Section 1162(b) of the Social Security Act (the Act) [42 U.S.C. 1320c-11(b)], nominations are being accepted for public member positions on the New York Statewide Professional Standards Review Council (Statewide Council) Section 1162(a) of the Act mandates that a Council shall be established in each State where there are located three or more Professional Standards Review Organizations (PSROs). As there are now located nine conditional PSROs in New York, the New York Statewide Council is being formed.

The PSRO program is established under Title XI, Part B of the Act, enacted by the 1972 Amendments to the Act (P.L. 92-603) to provide for physician-directed review of the utilization and quality of medical care services paid for by the Medicare, Medicaid, and Maternal and Child Health and Crippled Children Services program. The Statewide Council component of the PSRO program will perform a number of functions, including: (1) Coordinating activities of PSROs and disseminating information and data among PSROs in the State under Section 1162(c) of the Act; (2) reviewing PSRO reconsiderations under Section 1159(a) of the Act; (3) reviewing PSRO sanction reports under Section 1157 of the Act; (4) using its influence to assure that practitioners and providers comply with the obligations of the legislation under Section 1160(c) of

the Act; (5) assisting the Secretary of the Department of Health, Education, and Welfare in developing uniform data gathering and operating procedures among PSROs in the State, in evaluating PSRO performance, and, should it become necessary, assisting him in developing and arranging for a qualified replacement for a PSRO under Section 1162(c) of the Act.

There will be four public representatives on the Statewide Council. Persons or organizations wishing to submit nominations for public members are advised that each nominee will be considered by the Secretary on the basis of whether such nominee is:

(1) Knowledgeable about health care in New York as provided under the Maternal and Child Health and Crippled Children Services, Medicare and Medicaid programs (Titles V, XVIII, XIX of the Social Security Act respectively);

(2) Willing and able to represent the view of the public; and

(3) Willing and able to discharge the responsibilities of membership in the Statewide Council.

After due consideration of all nominees, including nominees of the Governor of New York, the Secretary of the Department of Health, Education, and Welfare will appoint four public representatives at least two of whom shall have been recommended by the Governor under Section 1162(b)(3) of the Act.

All nominations for public members to the Statewide Council, together with a brief curriculum vitae must be sent to Nicholas I. Galluzzi, M.D., Regional Health Administrator at the Department of Health, Education, and Welfare, Region II Office at Federal Building, 26 Federal Plaza, New York, New York, 10007, and must be received on or before April 16, 1976. Further information concerning the nature and function of the Statewide Council and the role of public members in Council activities may also be obtained by contacting the Office of the Regional Health Administrator at Area Code (212) 264-2560.

Dated: March 4, 1976.

ROBERT VAN HOEK,
Acting Administrator,
Health Services Administration.

[FR Doc.76-7556 Filed 3-16-76;8:45 am]

PENNSYLVANIA STATEWIDE PROFESSIONAL STANDARDS REVIEW COUNCIL

Nominations for Public Member Positions

Notice is hereby given that pursuant to Section 1162(b) of the Social Security Act (the Act) [42 U.S.C. 1320c-11(b)], nominations are being accepted for public member positions on the Pennsylvania Statewide Professional Standards Review Council (Statewide Council). Section 1162(a) of the Act mandates that a Council shall be established in each State where there are located three or more Professional Standards Review Organizations (PSROs). As there are now located five conditional PSROs in Pennsylvania, the Pennsylvania Statewide Council is being formed.

The PSRO program is established under Title XI, Part B of the Act, enacted by the 1972 Amendments to the Act (P.L. 92-603) to provide for physician-directed review of the utilization and quality of medical care services paid for by the Medicare, Medicaid, and Maternal and Child Health and Crippled Children Services program. The Statewide Council component of the PSRO program will perform a number of functions, including: (1) Coordinating activities of PSROs and disseminating information and data among PSROs in the State under Section 1162(c) of the Act; (2) reviewing PSRO reconsiderations under Section 1159(a) of the Act; (3) reviewing PSRO sanction reports under Section 1157 of the Act; (4) using its influence to assure that practitioners and providers comply with the obligations of the legislation under Section 1160(c) of the Act; (5) assisting the Secretary of the Department of Health, Education, and Welfare in developing uniform data gathering and operating procedures among PSROs in the State, in evaluating PSRO performance, and, should it become necessary, assisting him in developing and arranging for a qualified replacement for a PSRO under Section 1162(c) of the Act.

There will be four public representatives on the Statewide Council. Persons or organizations wishing to submit nominations for public members are advised that each nominee will be considered by the Secretary on the basis of whether such nominee is:

(1) Knowledgeable about health care in Pennsylvania as provided under the Maternal and Child Health and Crippled Children Services, Medicare and Medicaid programs (Titles V, XVIII, XIX of the Social Security Act respectively);

(2) Willing and able to represent the view of the public; and

(3) Willing and able to discharge the responsibilities of membership in the Statewide Council.

After due consideration of all nominees, including nominees of the Governor of Pennsylvania, the Secretary of the Department of Health, Education, and Welfare will appoint four public representatives at least two of whom shall have been recommended by the Governor under Section 1162(b)(3) of the Act.

All nominations for public members to the Statewide Council, together with a brief curriculum vitae must be sent to George Gardiner, M.D., Regional Health Administrator at the Department of Health, Education, and Welfare, Region III Office at 3535 Market Street, Philadelphia, Pennsylvania 19101, and must be received within 30 days of the publication of this notice. Further information concerning the nature and function of the Statewide Council and the role of public members in Council activities may also be obtained by contacting the Office of the Regional Health Administrator at Area Code (215) 596-6637.

Dated: March 4, 1976.

ROBERT VAN HOEK,
Acting Administrator,
Health Services Administration.

[FR Doc.76-7558 Filed 3-16-76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Insurance Administration

[Docket No. FI-921]

TOWN OF GRIFFIN, IN

Appeals From Flood Elevation Determination and Judicial Review

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (P.L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968 (P.L. 90-448), 42 U.S.C. 4001-4128, and 23 CFR Part 1917 (Section 1917.10)), hereby gives notice of his final determinations of flood hazards for the Town of Griffin, IN under Section 1917.8 of Title 24 of the Code of Federal Regulations.

Accordingly, the Administrator has determined that no 100-year flood frequency elevation is known to exist in the above named community.

(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: February 11, 1976.

J. ROBERT HUNTER,
Acting Federal
Insurance Administrator.

[FR Doc.76-7624 Filed 3-16-76;8:45 am]

[Docket No. FI 916]

TOWN OF PAMPLIN, VIRGINIA

Appeals From Flood Elevation Determination and Judicial Review

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 (Section 1917.10)), hereby gives notice of his final determinations of flood hazards for the Town of Pamplin, Virginia, under § 1917.8 of Title 24 of the Code of Federal Regulations.

Accordingly, the Administrator has determined that no 100-year flood frequency elevation is known to exist in the above named community.

(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: February 12, 1976.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–7629 Filed 3–16–76;8:45 am]

[Docket No. FI 915]

TOWN OF PATEROS, WASHINGTON

Appeals From Flood Elevation Determination and Judicial Review

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (P.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 (P.L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (Section 1917.10)), hereby gives notice of his final determinations of flood hazards for the Town of Pateros, Washington, under Section 1917.8 of Title 24 of the Code of Federal Regulations.

Accordingly, the Administrator has determined that no 100-year flood frequency elevation is known to exist in the above named community.

(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: February 12, 1976.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–7630 Filed 3–16–76;8:45 am]

[No. FI 917]

CITY OF ALPINE, UT

Appeals From Flood Elevation Determination and Judicial Review

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (P.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 (P.L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (Section 1917.10)), hereby gives notice of his final determinations of flood hazards for the City of Alpine, UT under Section 1917.8 of Title 24 of the Code of Federal Regulations.

Accordingly, the Administrator has determined that no 100-year flood frequency elevation is known to exist in the above named community.

(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: February 11, 1976.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–7628 Filed 3–16–76;8:45 am]

[Docket No. FI 920]

CITY OF HAYWOOD CITY, MO

Appeals From Flood Elevation Determination and Judicial Review

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (P.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 (P.L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (Section 1917.10), hereby gives notice of his final determinations of flood hazards for the City of Haywood City, MO under Section 1917.8 of Title 24 of the Code of Federal Regulations.

Accordingly, the Administrator has determined that no 100-year flood frequency elevation is known to exist in the above named community.

(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: February 11, 1976.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–7625 Filed 3–16–76;8:45 am]

[Docket No. FI 919]

CITY OF KING CITY, OR

Appeals From Flood Elevation Determination and Judicial Review

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (P.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 (P.L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (Section 1917.10), hereby gives notice of his final determinations of flood hazards for the City of King City, OR under Section 1917.8 of Title 24 of the Code of Federal Regulations.

Accordingly, the Administrator has determined that no 100-year flood frequency elevation is known to exist in the above named community.

(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: February 11, 1976.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–7626 Filed 3–16–76;8:45 am]

[Docket No. FI 914]

CITY OF SEGUIM, WA

Appeals From Flood Elevation Determination and Judicial Review

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (P.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 (P.L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (Section 1917.10)), hereby gives notice of his final determinations of flood hazards for the City of Sequim, WA under Section 1917.8 of Title 24 of the Code of Federal Regulations.

Accordingly, the Administrator has determined that no 100-year flood frequency elevation is known to exist in the above named community.

(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: February 11, 1976.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–7631 Filed 3–16–76;8:45 am]

[Docket No. FI 918]

CITY OF SOUTHSIDE PLACE, TX

Appeals From Flood Elevation Determination and Judicial Review

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (P.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 (P.L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (Section 1917.10)),

hereby gives notice of his final determinations of flood hazards for the City of Southside Place, TX under Section 1917.8 of Title 24 of the Code of Federal Regulations.

Accordingly, the Administrator has determined that no 100-year flood frequency elevation is known to exist in the above named community.

(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: February 11, 1976.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–7627 Filed 3–16–76;8:45 am]

[Docket No. D–76–408]

ALBANY INSURING OFFICE, NEW YORK (II)

Designation and Delegation of Authority

SECTION A. *Designation of Acting Director.* Each of the officials appointed to the following positions is designated to serve as Acting Director during the absence of, or vacancy in the positions of, the Director, with all the powers, functions, and duties redelegated or assigned to the Directors; Provided, That no official is authorized to serve as Acting Director unless all officials listed before him in this designation are unavailable to act by reason of absence or vacancy in the position:

1. The Deputy Director.
2. The Attorney—Advisor.
3. The Chief Underwriter.
4. The Chief, Housing Management Division.

Effective Date. This designation and delegation shall be effective March 17, 1976.

S. WILLIAM GREEN,
Regional Administrator, New York Regional Office, II.

[FR Doc. 76–7577 Filed 3–16–76;8:45 am]

[Docket No. D–76–410]

AREA DIRECTOR, CHICAGO AREA OFFICE REG. V

Designation and Delegation of Authority

Designation of Acting Area Director. Each of the officials appointed to the following positions is designated to serve as Acting Area Director during the absence of the Area Director, with all the powers, functions, and duties redelegated or assigned to the Area Directors: *Provided,* That no official is authorized to serve as Acting Area Director unless all officials listed before him in this designation are unavailable to act by reason of absence or vacancy in the position:

1. The Deputy Area Director.
2. The Director, Housing Production and Mortage Credit Division.
3. Area Counsel.
4. The Director, Housing Management Division.
5. The Director, Community Planning and Development Division.
6. Chief, Multi-family Branch, HPMC.

Effective date—This designation and delegation shall be effective as of February 2, 1976.

JOHN L. WANER,
Director, Chicago Area Office.

[FR Doc.76–7576 Filed 3–16–76;8:45 am]

ADVISORY COUNCIL ON HISTORIC PRESERVATION

INTERNATIONAL CENTRE COMMITTEE

Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 92–463) that the regular meeting of the International Centre Committee of the Advisory Council on Historic Preservation will be held on April 1, 1976, beginning at 9:30 a.m. in the Board Room of The American Institute of Architects Building, Washington, D.C. This meeting will be open to the public.

The International Centre Committee coordinates United States membership and participation in the International Centre for the Study of the Preservation and the Restoration of Cultural Property in Rome, Italy. The Committee identifies special preservation problems in the United States, arranges for International Centre assistance in solving them, reviews American applicants for Centre training courses, convenes meetings of experts, and makes recommendations on American criteria and standards for preservation and restoration. The Committee's membership includes representatives of 28 national institutions and Federal agencies interested in the Centre's activities.

The agenda is as follows:

Call to Order.
Chairman's Welcome.
Introduction.
Order of Business.
Consideration of December 4, 1975, Meeting Minutes.
I. Report of Executive Director.
II. Report of Chairman.
III. Special Reports:
A. Selection Committee Report.
B. Fact Finding Mission to the International Centre.
C. Conservation Practices and the Restoration Workshops in the U.S.S.R.
IV. Proposed New Activities:
A. US/ICOMOS Proposal for a Cooperative Project with the ICC in Mud-Brick Conservation in the American Southwest.
B. Proposal for a National Historic Preservation College Without Walls.
V. Other Business.

Additional information is available from the Executive Director, International Centre Committee, Suite 1030, 1522 K Street, NW, Washington, D.C. 20005.

Dated: March 8, 1976.

ROBERT R. GARVEY, JR.,
Executive Director.

[FR Doc.76–7425 Filed 3–16–76;8:45 am]

CIVIL AERONAUTICS BOARD

[Order 76–3–76]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Passenger Fares and Currency Matters

[Docket 27813 Agreement C.A.B. 25572 R–1 through R–23, Docket 26494 Agreement C.A.B. 25678 R–1 through R–4]

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 11th day of March 1976.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreements were adopted at the 1975 Cannes Composite Passenger Traffic Conference and the Reconvened San Diego Passenger Traffic Conference and have been assigned the above C.A.B. agreement numbers. Agreement C.A.B. 25572 is proposed for effect on April 1, 1976 and Agreement C.A.B. 25678 for effect on March 1, 1976.

In general, Agreement C.A.B. 25572 would revalidate numerous resolutions governing currency matters among and within the various conference areas. Additionally, there are a number of technical, clarifying or editorial changes to and revalidations of resolutions relating to filing requirements, government disapproval of resolutions, and currency conversions and adjustments. More specifically, the agreement would: rescind the definition of the maximum-stay provisions so that it will now be determined as the date on which the journey must be completed rather than the date on which travel on the last continuous sector starts; recognize the changed status of Papua, New Guinea through editorial changes in several resolutions; amend the conversion rate of the Argentinian peso and the Thai baht; amend a number of resolutions to increase rates for sales in local currencies to reflect changes in exchange rates; change the procedure for rounding passenger fares and separate it from the rounding of prorates; [1] and clarify the treatment of children's

[1] The currency unit for rounding under the current resolution is the same for fares as for prorates. Under the proposed amendment, certain fares would be rounded up to a higher currency unit than the corresponding prorates. For example, for U.S. dollar sales, it is proposed that fares be rounded to the next highest dollar whereas prorates would be rounded to the next highest ten cents.

fares in counting group fare passengers. Further, the agreement contains a new resolution on affinity, own-use and incentive provisions; deletes service charges for earphones for first-class passengers in all areas other than the Caribbean; permits notification by cable of action taken to meet breaches of IATA resolutions within TC1 and shortens the period before a rescission notice becomes effective within that conference; and permits an agent to issue tickets for reduced fares granted by a carrier to that agent.

Agreement C.A.B. 25678 adjusts various currency surcharge/discount factors for travel over the North and Mid Atlantic in response to worldwide currency fluctuations.

The Board, acting pursuant to Sections 102, 204(a) and 412 of the Act makes the following findings:

1. It is not found that the following resolutions, incorporated in the agreements indicated, are adverse to the public interest or in violation of the Act provided that approval is subject to conditions previously imposed, where applicable, or imposed herein by the Board:

Agreement CAB	IATA No.	Title	Application
25572:			
R-1	001	Permanent Effectiveness Resolution	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-2	002	Standard Revalidation Resolution	1; 2; 3.
R-3	003	Standard Rescission Resolution (North and Mid Atlantic)	1/2; 1/2/3.
R-4	012c	Definition of South West Pacific (Amending)	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-5	021b	Rates of Exchange (Revalidating and Amending)	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-6	021bb	Special Conversion Rates (TC1) (Amending)	1.
R-7	021L	Special Rules for Fares Currency Adjustments (Revalidating and Amending).	1; 2; 3.
R-13	023a	Rounding-off Passenger Fares (Amending). Provided that, with respect to rounding-off U.S. dollar fares under Resolution 023a, such rounding shall be accomplished by dropping amounts less than 50 cents and increasing amounts of 50 cents or more. Round-trip fares in U.S. currency shall not exceed twice the one-way fare.	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-14	026	Counting of Group Fare Passengers (NEW)	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-15	047	General Applicability Resolution (Amending)	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-16	076xx	Affinity, Own-Use and/or Incentive Provisions (NEW). Provided that, with respect to Resolution 076xx, the provisions imposing numerical limitation and/or population standards on affinity groups from which passengers may be drawn shall not be applicable in air transportation, as defined by the Act.	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-18	100	Conditions of Service—In-Flight Entertainment (Revalidating and Amending).	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-20	102	Passenger Expenses en Route (Revalidating and Amending)	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-21	116	Meeting Fares, Rates, and Practices (Amending)	1; 2; 3; 1/2; 2/3; 3/1 1/2/3.
R-22	203	Reduced Fares for Passenger Agents (USA) (Amending)	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-23	203	Reduced Fares for Passenger Agents (Except USA) (Amending).	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
25678:			
R-1	022l	(Expedited) JT12 and JT123 (North Atlantic) Special Rules for Sales of Passenger Air Transportation (Amending).	1/2; 1/2/3 (North Atlantic).
R-2	022n	(Expedited) JT12 and JT123 (Mid Atlantic) Special Rules for Sales of Passenger Air Transportation (Amending).	1/2; 1/2/3 (Mid Atlantic).
R-3	022y	(Expedited) JT12 (Mid Atlantic) Special Rules for Sales of Passenger Air Transportation from TC2 to TC1 (Amending).	1/2 (Mid Atlantic).
R-4	022z	(Expedited) JT12 (North Atlantic) Special Rules for Sales of Air Transportation from TC2 to TC1 (Amending).	1/2 (North Atlantic).

2. It is not found that the following resolutions, incorporated in Agreement C.A.B. 25572 as indicated and which have indirect application in air transportation as defined by the Act, are adverse to the public interest or in violation of the Act:

Agreement CAB	IATA No.	Title	Application
25572:			
R-8	022d	TC2 (Except within Europe) Special Rules for Sales of Passenger Air Transportation (Revalidating and Amending).	2.
R-9	022dd	TC2 (Except within Europe) Special Rules for Sales of Passenger Air Transportation (Revalidating and Amending).	2.
R-10	022h	JT12/123 (South Atlantic) Special Rules for Sales of Passenger Air Transportation (Amending).	1/2;1/2/3.
R-11	022q I	TC2 (Within Europe) Special Rules for Sales of Passenger Air Transportation (Revalidating and Amending).	2.
R-12	022q II	TC2 (Within Europe) Special Rules for Sales of Passenger Air Transportation (Amending) (Effective November 1, 1976).	2.
R-19	100a	Conditions of Service—In-Flight Entertainment (Within Middle East) (Readopting).	2.

3. It is not found that the following resolution, incorporated in the Agreement indicated, affects air transportation within the meaning of the Act:

Agreement CAB	IATA No.	Title	Application
25572:			
R-17	092	Student Fares (Amending)	1;2;3;1/2;2/3;1/2/3.

Accordingly, it is ordered, That: 1. Those portions of Agreements C.A.B. 25572 and 25678, described in finding paragraph 1 above, be and hereby are approved subject to conditions previously imposed, where applicable, or imposed herein by the Board;

2. Those portions of Agreement C.A.B. 25572, described in finding paragraph 2 above, which have indirect application in air transportation as defined by the Act, be and hereby are approved; and

3. Jurisdiction is disclaimed with respect to that portion of Agreement C.A.B. 25572 described in finding paragraph 3 above.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.76-7507 Filed 3-16-75;8:45 am]

[Docket 26980]

AMERICAN AIRLINES, INC.

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 11th day of March, 1976.

On August 23, 1974, American Airlines filed an application for amendment of its certificate for route 4 so as to revise three conditions and delete a fourth. Concurrently, American filed a petition requesting the Board to grant the requested changes by show cause procedures.

American requests modification of condition (27),[1] which requires flights on segment 8 (American's San Antonio-Detroit route via St. Louis and Indianapolis) and segment 9 (American's Dallas/Ft. Worth-Detroit route via Indianapolis) to serve both terminals and no more than one intermediate point, so as to free American flights on segment 9 of the requirement of serving Detroit.[2] It requests modification of condition (15), which provides that flights serving Houston on segment 4 (American's Houston-New York/Newark route via Nashville, Columbus and Pittsburgh) shall also serve Pittsburgh, to permit American, as alternatives to Pittsburgh, to originate or terminate segment 4 Houston flights at Nashville or to route them over Nashville and Cincinnati or Cleve-

[1] All references herein will be to conditions as *currently* numbered in American's certificate for route 4. For instance, American refers to condition (27) by its previous number, condition (30).

[2] Revised condition (27) would read: "(27) Flights on segment 8 shall serve both terminals of such segment and no more than one intermediate point between such terminals, and flights on segment 9 shall serve Dallas-Ft. Worth, Tex."

land.[3] Further, American requests modification of condition (6), which requires that Dayton/Columbus-Phoenix/Los Angeles/Ontario/San Francisco/San Jose/Oakland flights must also serve Nashville, so as to permit a wider choice of intermediate points, *i.e.*, (a) Nashville or Memphis or Dallas *or* (b) Tulsa or Oklahoma City, and at least one additional point west of Tulsa. Finally, American requests the deletion of condition (19), which reads:

"(19) Flights scheduled to serve San Antonio, Tex., on the one hand, and a point north of Houston, Tex., on the other hand (except flights on segment 7 or 8), shall originate or terminate in California."

American contends that the conditions in question hamper its efficiency and operating flexibility and inhibit fuel conservation; that the grant of the requested relief will not have even a minimal impact on other carriers; and that the original reasons for imposing the limitations involved are no longer valid.

Answers were filed by the Cities of Dallas and Fort Worth, the Chambers of Commerce of those cities and the North Texas Commission in support of modification of conditions (6) and (27), the City of Dayton and the Dayton Chamber of Commerce in support of the revision of condition (6), Houston and the Houston Chamber of Commerce in support of modification of conditions (15) and (19), and the Indianapolis Airport Authority in support of the modification of condition (27).

Answers in opposition to parts of American's petition have been filed by Trans World Airlines, Delta Air Lines, United Air Lines and Texas International Airlines (TXI).

TWA objects to the requested modification of condition (6) on the ground that it will permit American to enter the Dayton/Columbus-Far West markets in direct competition with TWA. Delta objects to the amendment of conditions (6), (15)[4] and (27). Delta states that modification of condition (15) in the manner proposed by American would provide that carrier with the opportunity to tack authority at the segment junction point Nashville so as to enable it to provide single-plane service in the Houston-Cincinnati/Columbus/Dayton/Louisville markets, in the first of which Delta is a major participant and in the other three the carrier of virtually all single-plane traffic.[5] United opposes modification of condition (6) on the grounds that such a change would be prejudicial to United and other applicants in the *Ohio/Indiana Points Nonstop Service Investigation*, Docket 21162, and would improve American's competitive position against United whose Dayton/Columbus-California authority is subject to a mandatory intermediate stop at Chicago. TXI opposes deletion of condition (19) on the ground that it will greatly improve American's ability to route aircraft over the San Antonio-Houston portion of segment 5 to the detriment of TXI who has an application on file (Docket 25305) for removal of its own long-haul restriction between those two points.

American has filed a reply to the answers in opposition,[6] in which it states, *inter alia*, that Delta's opposition to the inclusion of Nashville as an alternative intermediate point in condition (15) is based on the mistaken assumption that American might combine segment 4 Houston-Nashville turnaround authority with other Nashville-Northeast authority; that American is willing to stipulate that, if the modification of condition (15) is granted, any segment 4 flight serving Houston which does not originate or terminate at Nashville will serve one of the other alternative mandatory stopping points in the modified form of condition (15); that the inclusion of Cincinnati as an alternate stop in condition (15) is justified by the fact that American provides all of the through-plane service in the Houston-Cincinnati market, has superior authority to Delta's, and is the dominant participant; that TXI's stake in the San Antonio-Houston market is too small to justify the denial of American's request for deletion of condition (19), especially since condition (18), not (19) was intended to limit American's ability to serve the San Antonio-Houston market;[7] and that, in response to the objection of TWA and United, it is willing to revise its proposal for modification of condition (6) to provide that all operations via any of the proposed additional intermediate points must make two stops.[8]

TWA has filed a reply to American's answer rejecting the latter's revised proposal for condition 6.[9]

Upon consideration of the above pleadings and of all relevant facts, we have decided to issue an order to show cause proposing to amend American's certificate for route 4 so as to modify conditions (27) and (15) as requested and to delete condition (19). On the other hand, we have decided to deny American's request for modification of condition (6). We tentatively find and conclude that the public convenience and necessity require the amendment of American's certificate for route 4 so as to eliminate condition 19 and modify conditions (27) and (15), as follows:

"(27) Flights on segment 8 shall serve both terminals of such segment and no more than one intermediate point between such terminals, and flights on segment 9 shall serve Dallas-Ft. Worth, Tex."

"(15) Flights serving Houston, Tex., on segment 4 shall (a) serve Pittsburgh, Pa., or (b) originate or terminate at Nashville, Tenn., or (c) serve both Nashville, Tenn., and Cincinnati or Cleveland, Ohio."

It is the Board's long-standing policy to remove or modify obsolete restrictions which reduce a carrier's operating flexibility and its ability to provide better service to the traveling public without serving any beneficial purpose. In support of our findings, we tentatively conclude that conditions (19), (27) and (15) of American's certificate for route 4 segment fall within the class of restrictions which the Board has found require deletion or modification. Thus, condition (27) as presently framed, no longer serves any beneficial purpose, but hampers American's operational flexibility in the Dallas/Ft. Worth-Indianapolis market. Its modification will harm no other carrier[10] since American is the only carrier authorized to provide service between Dallas/Ft. Worth and Indianapolis.[11] Similarly, while limiting American's operating efficiency and flexibility, condition (15), in its present form, is not needed to prevent American from having an undue impact on the Houston-New York market, since American now has authority between Houston and other points to the northeast which can perform the mandatory-stop function as well as Pittsburgh. Moreover, as in the case of condition (27), no other carrier will be injured by the requested modification of condition (15).[12] Delta's objection that the modification will enable

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[3] Revised condition (15) would read: "(15) Flights serving Houston, Tex., on segment 4 shall (a) serve Pittsburgh, Pa., or (b) originate or terminate at Nashville, Tenn., or (c) serve both Nashville, Tenn., and Cincinnati or Cleveland, Ohio."

[4] Delta has no objection to the addition of Cleveland as a named intermediate point with Pittsburgh in condition (15), but only to the addition of Nashville and Cincinnati.

[5] Delta opposes modification of conditions (6) and (27) until the Board has dealt with Delta's complaint of unfair competitive practices against American in Docket 26885. However, in Order 75-8-39, August 8, 1975, the Board dismissed Delta's complaint, and therefore, this ground of opposition is moot.

[6] It accompanies its reply with a motion for leave to file, which motion will be granted.

[7] Condition (18) reads: "(18) The holder shall not schedule flights over segment 5 which (a) originate at one point in Texas and terminate at any other point in Texas, or (b) originate at Tucson or Phoenix, Ariz., and terminate at San Antonio, Tex."

[8] Condition (6) as thus amended, would read: "(6) Flights serving Dayton or Columbus, Ohio, on the one hand, and Phoenix, Ariz., or Los Angeles-Ontario, San Francisco-San Jose, or Oakland, Calif., on the other hand, shall also serve (a) Nashville, Tenn., (b) Memphis, Tenn., or Dallas, Tex., and at least one additional point between Dayton or Columbus and Phoenix, Los Angeles-Ontario, San Francisco-San Jose, or Oakland, or (c) Tulsa or Oklahoma City, Okla., and at least one additional intermediate point west of Tulsa."

[9] TWA accompanies its reply with a motion to file, which motion shall be granted.

[10] Only Delta objects to its modification, on the ground that American's Dallas/Ft. Worth authority should not be improved until Delta's complaint against American's Dallas/Ft. Worth-West scheduling practices has been resolved. However, Delta's complaint has been dismissed by the Board and its objection based upon that complaint is consequently moot. (see footnote 5, supra).

[11] Nor will the Indianapolis-Detroit and Dallas/Ft. Worth-Detroit markets suffer. Both receive substantial service and the Dallas Parties and Indianapolis support American's request.

[12] American states in its petition that it will continue to provide daily nonstop Houston-Pittsburgh service and, on that basis, the Houston Parties support its re-

American to provide new single-plane service by combining segment 4 Houston-Nashville authority with other Nashville-Northwest authority is not borne out by the language of proposed condition (15), which gives American the choice of serving Pittsburgh *or* serving Nashville and Cincinnati or Cleveland *or originating* or *terminating* at Nashville. As for Houston-Cincinnati, American is now the dominant carrier in the market and provides all of the through-plane service via St. Louis. Thus, Delta has not shown that it would in any substantial manner be affected by the requested alteration of condition (15).

Condition (19) too is a needless impediment to American's operations. Only TXI objects to its deletion on the ground that American might be able to improve its service in the San Antonio-Houston market. However, condition (19) was not imposed to protect carriers in that local market, but to limit American's ability to serve San Antonio-Northeast markets. Moreover, condition (18) will remain to limit American's Houston-San Antonio service. Thus, TXI has no standing to object to the requested deletion.

However, we have decided not to proceed with American's request for modification of its condition (6) through show-cause procedures at this time. Improved authority in the Dayton/Columbus-Los Angeles markets, the largest of those which would be affected by the request, is in issue in the recently reactivated *Ohio/Indiana Points Nonstop Service Investigation*, Docket 21162.[13] We note, moreover, that American has subsequently requested the Board to expand the scope of that proceeding and has sought consolidation therein of an application for improved service in, *inter alia*, the Dayton/Columbus-San Francisco/Oakland/San Jose markets.[14] Since the only remaining markets affected by American's present request would be the rather small Dayton/Columbus-Phoenix markets, on which no party has focused, it does not appear that anything useful can be accomplished by show-cause procedures at this time with respect to condition (6).

We further tentatively find that American is a citizen of the United States within the meaning of the Act, and is fit, willing, and able properly to perform the transportation authorized by the proposed amended certificate and to conform to the provisions of the Act and the Board's rules, regulations, and requirements thereunder. We also tentatively find that the proposed changes in American's certificate for route 4 are not likely to result in a level of service adjustments which will constitute a "major Federal action significantly affecting the quality of the environment" within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969.

Interested persons will be given thirty days following the date of adoption of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to support their objections, if any, with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis. If an evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he would expect to establish through such a hearing that cannot be established in written pleadings. General, vague, or unsupported objections will not be entertained.

ACCORDINGLY, IT IS ORDERED THAT:

1. All interested parties are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein, deleting condition (19) of American Airlines' certificate for route 4 and modifying conditions (15) and (27) as follows:

"(15) Flights serving Houston, Tex., on segment 4 shall (a) serve Pittsburgh, Pa., or (b) originate or terminate at Nashville, Tenn., or (c) serve both Nashville, Tenn., and Cincinnati or Cleveland, Ohio."

"(27) Flights on segment 8 shall serve both terminals of such segment and no more than one intermediate point between such terminals, and flights on segment 9 shall serve Dallas-Ft. Worth, Tex."

2. Any interested person having objection to the issuance of an order making final the proposed findings or conclusions set forth herein shall, within 30 days after the date of adoption of this order, file with the Board and serve upon all persons listed in paragraph 7, a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections; [15]

3. If timely and properly supported objections are filed, full consideration will be accorded the matters and issues raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein;

5. The petition of American Airlines for an order to show cause, be and it hereby is granted to the extent indicated above and denied in all other respects;

6. The motions of American Airlines, Inc. and of Trans World Airlines, Inc. for leave to file otherwise unauthorized pleadings, be and they hereby are granted; and

7. A copy of this order shall be served upon all parties who have filed pleadings via this proceeding, and the City of Tulsa, Tulsa Chamber of Commerce, and Tulsa Airport Authority.

This order will be published in the FEDERAL REGISTER.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.76-7619 Filed 3-16-76;8:45 am]

[13] See Order 76-2-34, February 11, 1976.

[14] These requests will be dealt with in a subsequent order in that proceeding, and our present action implies no view thereon.

[15] All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further such motions, requests, or petitions for reconsideration of this order will be entertained.

[Docket 28791]

CARAIBISCHE LUCHT TRANSPORT MAATSCHAPPIJ NV

Change in the Time and Date of Prehearing Conference and Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the prehearing conference and hearing in the above-entitled proceeding, which was assigned to be held on March 23, 1976, at 10:00 a.m., in Room 1003, Hearing Room "B", (41 F.R. 7168, February 17, 1976), has been changed to 9:30 a.m., April 8, 1976 (local time), in Room 1003, Hearing Room "B", North Universal Building, 1875 Connecticut Avenue, NW., Washington, D.C.

Dated at Washington, D.C., March 11, 1976.

[SEAL] RICHARD M. HARTSOCK,
Administrative Law Judge.

[FR Doc.76-7618 Filed 3-16-76;8:45 am]

[Docket 28982]

EMERY AIR FREIGHT CORPORATION

Order of Suspension and Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 12th day of March, 1976.

By tariff revisions issued February 13 and marked to become effective March 15, 1976, Emery Air Freight Corporation (Emery), an air freight forwarder, proposes, *inter alia*, (1) to increase excess-valuation charges from 15 cents to 50 cents per $100 of excess valuation by which such value exceeds 50 cents per pound or $50, whichever is higher, for cameras, watches, jewelry, and certain precious metals except as part of electrical or electronic machinery,[1] and (2) to

[1] Revisions to Rule 95, Tariff C.A.B. No. 45 issued by Emery Air Freight Corporation. Specifically:

a. Cameras, assembled.

b. Watches, clocks, chronographs, time pieces or time modules with or without the watch or clock cases.

c. Jewelry and costume jewelry.

d. The following precious metals in any pure form, namely: bars, bullion, cyanides, concentrates, precipitates, sulphides, powders, dusts, pastes, or wire except as an integral part of electrical or electronic machinery:

Dore Bullion	Platinum
Gallium	Rhodium
Gold	Ruthenium
Iridium	Rhenium
Osmium	Silver
Palladium	

revise its current provisions to refuse to carry (a) certain additional precious metals, except as part of electrical or electronic machinery, with a declared value of more than $75,000 per shipment, (b) gem stones, (c) industrial or synthetic diamonds, (d) pearls, and (e) stamps, bonds, and certain other negotiables.[2] Depending upon the commodity, the proposal is more or less stringent than current restrictions.

In support of its proposal to increase excess-value charges, Emery asserts, *inter alia*, that procedures and related costs to protect all commodities to the same degree so as to insure protection of a few would be prohibitive, and the proposal thus would isolate and provide protection on those commodities whose loss statistics and claims expense ratios are abnormally high; that data clearly indicate, on the basis of a claims ratio, that watches, cameras, and jewelry are susceptible to theft; that, based on a man-minute study, the cost of providing extra security for these high-value shipments is about $15.91 per shipment; that, while precious metals are also included, Emery, prior to the end of the operations of REA Express, Inc. (REA), never handled this traffic in pure form, but believes that the risk of loss and required security procedures are at least equal to those necessary with jewelry, cameras, and watches; and that the additional revenue obtained from increasing the excess-value charge on cameras, jewelry, and watches would be about $33,550 per month, or $14.14 per shipment. In addition, the forwarder submits several letters from precious metals shippers in support of this filing. Justifying its proposal to refuse to accept certain commodities, Emery essentially declares that these exclusions are similar to present rules of a number of competitors.

Upon consideration of all relevant factors, the Board finds that both proposals may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and should be investigated. The Board further concludes that the proposals should be suspended pending investigation.[3]

Emery has not adequately justified its proposal to increase excess-value charges from 15 to 50 cents per $100 of value for certain selected commodities, involving a 233 percent increase. The man-minute study does not indicate how, when, and where it was conducted so as to permit evaluation. Claims cost data include both domestic and international shipments and cover different time periods. In any event, the figures shown—claims ratio and excess-value revenue—do not support a charge of $.50 per $100 of excess valuation. While Emery shows the relationship of total revenues to claims payments by commodity, the forwarder fails to indicate the net amount of such claims after deducting (1) the normal (no declared value) experienced claim expense which would be covered by the basic transportation rates, as well as (2) subrogations and recoveries from the underlying direct air carriers. Although the Board has on numerous occasions outlined the data necessary to establish the relationship of the excess-valuation charges to the cost of rendering this service, Emery has not met the test.[4] Accordingly the proposed increase will be suspended.

The proposed nonacceptance of certain commodities would result in a significant reduction in the forwarder's common-carrier responsibilities to provide service.[5] The Board has traditionally suspended similar proposals by both direct and indirect carriers on this ground.[6]

Emery supports its proposal to lift the ban on transportation of precious metals (albeit subject to significant limitations) with requests from former REA shippers to transport these commodities. In the *Express Service Investigation*, Docket 22388, the Board relied on statements from Emery and other forwarders that, should the express category of freight be abolished, there would be no injurious hiatus in the transportation of valuables or other commodities covered by REA's security services, and that Emery and others would continue to provide this service. REA had accepted precious metals and other valuable articles for transportation, subject to the requirement that signature service and armed guard service be provided at additional charges. Emery, however, is now seeking not to provide service to replace REA but to limit the amount of such precious metals accepted and to refuse acceptance of other commodities formerly transported by REA.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly Sections 204(a), 403, 404, and 1002 thereof,

IT IS ORDERED THAT:

1. An investigation is instituted to determine whether the provisions in Rule No. 25C on 16th Revised Page 6 and Rule No. 95B on 4th Revised Page 10–A of C.A.B. No. 45 issued by Emery Air Freight Corporation, and rules, regulations, or practices affecting such provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and, if found to be unlawful, to determine and prescribe the lawful provisions, and rules, regulations, and practices affecting such provisions;

2. Pending hearing and decision by the Board, Rule No. 25C on 16th Revised Page 6 and Rule No. 95B on 4th Revised Page 10–A of C.A.B. No. 45 issued by Emery Air Freight Corporation, are suspended and their use deferred to and including June 12, 1976, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding herein designated Docket 28982, be assigned for hearing before an Administrative Law Judge of the Board at a time and place hereafter to be designated; and

4. Copies of this order shall be filed with the tariff and served on Emery Air Freight Corporation, which is hereby made a party to Docket 28982.

This order will be published in the FEDERAL REGISTER.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.76–7622 Filed 3–16–76;8:45 am]

[Docket 28672; Agreement CAB 25606 R1 through R4]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Setting Matter for Oral Argument

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 12th day of March, 1976.

There have been filed with the Board, pursuant to section 412(a) of the Federal

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[2] Revision to Rule 25, Tariff C.A.B. No. 45 issued by Emery Air Freight Corporation. Specifically, Emery proposes to refuse to carry:

a. Gallium, Iridium, Osmium, Palladium, Rhodium, Ruthenium and Rhenium in any pure form, (except as an integral part of electrical or electronic machinery) and these metals that have been coated, plated, bonded, laminated, impregnated, alloyed, mixed or affixed to any metal, substance or material, with a declared value of more than $75,000.

b. Gem stones, cut or uncut, namely: diamonds, rubies, emeralds, and opals.

c. Industrial or synthetic diamonds, except carborundum wheels or stones containing industrial or synthetic diamonds which will be accepted with a declared value not exceeding $1,000 per shipment.

d. Stamps, namely: postage, tax or trading.

e. Bonds, Bills of Exchange, Deeds, Evidence of Debt, Money, Promissory Notes, and Stock Certificates.

The foregoing commodities with a declared value limitation and artwork, etc., with a declared value limit of $500 per shipment, which is unchanged, will be acceptable at lower values (than $75,000 for precious metals, $1,000 for carborundum wheels, and $500 for artwork) only to the extent of one shipment per day from one consignor to one consignee.

[3] By Order 75–11–118, dated November 28, 1975, the Board suspended similar but not identical proposals by Emery for essentially the same reasons as indicated herein.

[4] See Orders 75–11–118, 73–3–89, 72–5–92 and other orders.

[5] Currently, precious stones, cut or uncut, are not acceptable under any circumstances, and thus the specific listing of four precious gems is actually a liberalization of the existing rule. However, due to tariff suspension technicalities, we must suspend this provision along with the rest of this rule. Furthermore, we note that precious metals previously not acceptable under any circumstances will now be accepted up to $75,000 per shipment. However, the addition of a limit on precious metals as well as artwork of one shipment per day from one consignor to one consignee is sufficiently onerous to cause us to also suspend these proposed provisions.

[6] See Orders 76–2–112, 76–2–72, 75–11–118, 74–12–86, 74–4–156, 72–11–112, 72–11–10, and 72–8–55.

Aviation Act of 1958, as amended (the Act), and Part 261 of the Board's Economic Regulations, four agreements among the members of the International Air Transport Association (IATA) to establish or amend certain IATA resolutions on agency matters. The resolutions, adopted at the IATA Reconvened Composite Traffic Conference held in Geneva on December 8–11, 1975, deal primarily with payments by the carriers for services rendered in the sale of international passenger transportation by air.

The agreements, filed on behalf of the U.S. members of IATA,[1] while undocketed at the time of filing, were subsequently docketed by the Director, Bureau of Operating Rights, pursuant to Rule 1207 of the Board's Rules of Practice (14 CFR 302.1207). By Order 75–12–141, issued December 29, 1975, procedures were established to solicit comments from interested persons and arguments in support of approval from the carriers, and thus to develop a record in the proceeding. The carriers and interested persons were given 20 days to submit their filings and then a 10-day period was allowed for rebuttal comments. The order was served on IATA, its U.S. members, various travel agent associations, and the U.S. Departments of Justice and Transportation, and was published in the Federal Register.

Initial comments were filed by eleven persons.[2] The five carriers that filed comments urged the Board to grant unqualified approval to the agreements. The other persons were either basically opposed to the present uniform commission structure or urged an investigation of various issues before any Board decision on the case. Rebuttal comments were filed by DOT and IATA.[3]

Upon consideration of the material available at this time, we have decided to set for oral argument the issues raised by agreements CAB 25606 R–1 and R–3.[4] Before setting out the precise issues to be focused upon, however, we deem it appropriate to engage in some discussion in the following paragraphs of the matters to be considered.

THE AGREEMENTS

In April 1975, one IATA member renounced parts of the IATA agency program and this, in turn, led other members to rescind portions of the resolutions which regulate commission payments and control the members' relationships with tour operators. After several Traffic Conference meetings, the establishment of task forces to review and make recommendations on the agency program, and the nomination of a liaison group to meet with an international organization representing travel agents,[5] the carriers now present the agreements resulting from their reviews, surveys, proposals, and compromises.[6] The complete text of each resolution here under consideration was reproduced as an appendix to order 75–12–141.

SPECIAL READOPTION RESOLUTION—IATA RESOLUTION 002Z—AGREEMENT CAB 25606 R–1 (THE COMMISSION PACKAGE)

The principal feature of the commission package is an increase in the rate of commission for the sale of international, point-to-point, passenger transportation by air from 7 percent to 8 percent of the applicable fares.[7] The remaining commission rates are being maintained at their previous levels.[8] Several of the provisions of the resolutions that were rescinded by the action of the members in April 1975 are reinstated.

A provision is made whereby any member who believes that its competitive position is being adversely affected by the established commission rates may, at any time after April 1, 1977, give notice that it will no longer be bound by the rates. The notice, accompanied by a statement of the circumstances affecting the member's competitive situation, will prompt a special meeting of all the traffic conferences within 30 days. If the members fail to reach a unanimous agreement at the special meeting, the commission rates will cease to be effective 60 days from the date of notice from the objecting member.

INDUSTRY INCENTIVE SCHEME FOR APPROVED AGENTS—IATA RESOLUTION 815—AGREEMENT 25610 R–3 (THE INCENTIVE SCHEME)

As a reward for increased productivity on behalf of the members, IATA proposes a new incentive commission for its passenger sales agents. A Commission of 4% would be paid on the agent's eligible sales in excess of a uniform productivity target established annually by the traffic conferences meeting in composite session. Eligible sales generally include commissionable sales on international scheduled services of IATA members. However, a non-IATA member may participate if it agrees to be bound by the incentive scheme resolution and the other IATA resolutions governing the payment of commissions. During the first year of the incentive scheme, all IATA agents will be allowed to participate, however, in subsequent years a minimum performance standard must be met in order to qualify for participation. The first-year productivity target has been set at 110% of the previous year's productivity. 1976 will be the base year for the collection of sales data. Applying the scheme in its first year, an incentive commission of 4% will be paid to an approved agent when eligible sales during 1977 exceed eligible sales during 1976 by more than 10%.[9] Productivity targets are subject to adjustments by a vote of the members. Upward adjustments in target levels shall require a two-thirds majority, while a downward adjustment shall require unanimous agreement.

COMMENTS OF RESPONDENTS

The overriding issue raised in the comments was the proper structure to be utilized to set commission rates. The carriers argue that for good and sufficient reasons the Board has in the past rightfully approved their agreements establishing uniform commission rates. Those persons opposed to the present commission setting structure argue that commissions should be determined by free and open market forces to ensure that they are fair and adequate, and will also provide a sufficient sales incentive to the agents and a degree of spending flexibility for management.

The carriers point to the fact that the Board has, for the past 35 years, consistently approved intercarrier agreements embodying uniform commisison rates.[10] The carriers argue that the agreements clearly meet serious transportation needs and secure important public benefits.[11] They believe that uniform

[1] Allegheny Airlines, American Airlines, Braniff International Airways, Delta Air Lines, Eastern Air Lines, National Airlines, Pan American World Airways, Trans World Airlines, The Flying Tiger Line, and United Air Lines.

[2] The United States Departments of Justice and Transportation, Japan Air Lines, Association of Retail Travel Agents, International Airfreight Agents Association, American Automobile Association, American Society of Travel Agents, Eastern Air Lines, Trans World Airlines, Pan American World Airways, and National Airlines. National's comments were submitted late accompanied by a sufficient motion for leave to file, which we will grant.

[3] The IATA comments were filed on behalf of certain U.S. and foreign air carrier members of IATA.

[4] These agreements are identified by IATA, respectively, as Special Readoption Resolution (New), Resolution 002z, and Industry Incentive Scheme for Approved Agents (New). Resolution 815, both of which have worldwide application. Since they are relatively noncontroversial, action on Agreements CAB 25606 R2 and R4 identified by IATA, respectively, as Tour and Travel Organizers Study (New), Resolution 016d and Commission on Interline Sales (Amending Resolution 860) will be deferred pending the outcome of this proceeding.

[5] The Universal Federation of Travel Agents' Association.

[6] See, *Reports and Proceedings, IATA 31st Annual General Meeting*, at p. 10–11 which describes the activities of IATA prior to final agreement.

[7] Although the resolutions herein contain numerous provisions, our action involves only those provisions affecting air transportation as defined in the Act.

[8]

Product line	*Commission rate*
Charter	Not over 5 percent.
Inclusive tours	Additional 3 percent.
In-plant office sales	3 percent.
Annual incentive sales under Resolution 815	4 percent.
Between Canada and United States	As authorized by the carrier.

[9] The agent's total eligible sales must exceed the total eligible sales in the base year by the target level to qualify the agent for incentive commissions. The incentive override payments will be made to an agent by only the carrier(s) who have experienced a growth in sales over the base year.

[10] The first agreement was submitted by the domestic carrier members of the Air Traffic Conference and approved by order No. 983 (1941).

[11] *Local Cartage Agreement Case*, 15 CAB 850, 853 (1952).

rates have helped insure that agents book passengers over routes that best fit the passenger's needs rather than those that provide the greatest remuneration to the agent. The consequences of an open rate situation are pictured as upward spiraling commissions due to attempts by the carriers to buy business away from each other. They see no increase in the total travel market but only increased costs for the carriers which would ultimately lead to higher fares and pressures to engage in illegal rebating. The carriers see an open commission structure as eventually destroying the present IATA agency structure which will mean losing the services of impartial travel agents on whom the airlines and the public now rely.[12]

Those persons filing comments in opposition to approval of the agreements (hereinafter, opponents), do so because they believe that either an open commission system is preferable to the uniform system proposed or the agreements were not adequately supported or fairly established. The opponents regard the forces in the market place as a better determinant of commission levels than a joint decision among competitors. They view the IATA conference-established commission rates as based exclusively upon what the carriers are willing to pay, with little or no regard to the costs of the agents and little or no discussion with the agents. A rate established by fair and open bargaining is viewed as ensuring that the agents would be adequately compensated. A rate determined by the managerial judgment of the carrier is seen as allowing flexibility to compete for increased traffic where desired, while in other areas offering smaller commissions for air transportation which does not require extensive promotions. The opponents argue that commission expenses should be regarded as a cost of sales comparable to advertising expenses and that it should be left to each carrier to determine for itself the value of the agents' services and how much of its resources it wishes to allocate to that expense in order to generate business.

Beyond their basic dissatisfaction with the agreements, the opponents attack the commission package as one presented without any supportable basis in fact. It is urged that a commission agreement, which affects the economic welfare of more than ten thousand U.S. travel agents and which should give the agents a fair opportunity to cover costs and realize a profit for their efforts, must be supported by economic facts, detailing the direct cost to the carriers and the agents of the agents' services and the value of those services to the carriers. A lack of meaningful participation by the agents in the process of establishing the commission levels is alleged and, moreover, presented as an indication of not only the unfairness of the present process but also the absence of an economic basis for the levels proposed.

To the extent that the carriers have used the past positions of the Board in approving uniform commission agreements, as support for approval of the agreements herein, the opponents believe the "old axioms" of the Board are either wrong, or under serious doubt, and, in either case, should be subjected to a full evidentiary hearing. It is pointed out that since April 1975 there has been no IATA agreement on a uniform commission level. This open rate experience in the market place is viewed as presenting a unique opportunity to gather information and test it against the concerns of the Board and the carriers. A hearing is urged to assist the Board in determining how the rates fluctuated, as well as how the carriers and the agents have reacted, and whether the previous concerns of the Board were manifested. The Board is urged to view the agreements as highly anticompetitive and ones that should not be approved until it is abundantly clear that there is first a serious public need for uniformity of commissions and then a justification for the levels proposed.

The Board's Views

Intercarrier's agreements on agents' commissions

The agreements are submitted to the Board in accordance with section 412(a) of the Act (49 USC 1382(a)), which requires any intercarrier agreement affecting air transportation to be filed with the Board. It is settled that intercarrier agreements establishing commissions to be paid by the carriers to their agents are ones falling within the terms of section 412.[13]

Section 412(b) of the Act provides that the Board shall approve any agreement that it does not find to be adverse to the public interest or in violation of the Act, and shall disapprove any such contract or agreement that it finds to be adverse to the public interest or in violation of the Act. In determining whether an agreement is adverse to the public interest or in violation of the Act, the Board is governed by the criteria of public interest enumerated in section 102 of the Act. Section 102 of the Act directs the Board to consider as being in the public interest, among other things, the regulation of air transportation so as to foster sound economic conditions in such transportation, and improve the relations between, and coordinate transportation by, air carriers; the promotion of adequate, economic, and efficient service by air carriers at reasonable charges without destructive competitive practices; and competition to the extent necessary to assure the development of an air transportation system properly adapted to the needs of the foreign and domestic commerce of the United States. In addition, in determining whether a particlar agreement should be approved under section 412, the Board must take into consideration applicable antitrust laws and consider the agreement's probable impact on the air transportation system as a whole. The Board has stated[14] that:

Where an agreement has among its significant aspects elements which are plainly repugnant to established antitrust principles, approval should not be granted unless there is a clear showing that the agreement is required by a serious transportation need, of in order to secure important public benefits.

The Board has regarded and continues to regard the IATA carriers' agreement to bind themselves to a uniform price that each carrier may pay to travel agents for their services as indeed contrary to established antitrust principles and subject to the *Local Cartage* standards.[15]

The Board has historically approved intercarrier agreements establishing uniform commission rates to be paid to travel agents in the belief that they secure important public benefits.[16] The Board recognizes, however, that there may be justification for not continuing to adhere to a policy based on uniform commission rates, but rather to permit commission levels to be dictated by normal economic interplay between agents and carriers. Thus, as a means of reaching an ultimate decision on the issues raised by the respondents in this proceeding, we have decided to hear oral argument on the following questions:

1. What procedures should the Board follow to reach a determination on whether the agreements are adverse to the public interest or in violation of the Act, including specifically whether there should be open rates or uniform rates of commission payable to travel agents for the sale of passenger and cargo transportation by air; and

2. Pending completion of such further procedure, whether the Board should approve the agreements on an interim basis.

Accordingly, it is ordered, That:

1. Agreements CAB 25606 R–1 and R–3 be and they hereby are assigned for oral argument before the Board on April 7, 1976 at 10:00 a.m. (Eastern Standard Time) in Room 1027, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C.;

2. All parties of record in this proceeding who desire to participate in oral argument shall advise the Board in writing on or before March 22, 1976 of their intention to participate; and

3. The motion of National Airlines to file a comment subsequent to the filing deadline be and it hereby is granted.

This order shall be served upon all persons who have filed comments in this

[12] The carriers offer several other adverse effects of an open commission, such as, confrontations with foreign governments which are in favor of a uniform commission, excessively high commissions paid by nationalized carriers in other countries where the governments might subsidize such rates to encourage tourism, chaotic changes in commissions upsetting accounting costs and introducing uncertainty in financial planning, and greater difficulty in negotiationg international passenger fare agreements.

[13] Order 70–12–165, at 4–8.

[14] *Local Cartage Agreement Case, supra*, at 853.

[15] *North Atlantic Tourist Commission Case*, 16 CAB 225, 226 (1952).

[16] *Id.* also see order 70–12–165.

proceeding and shall be published in the FEDERAL REGISTER.[17]

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.76-7621 Filed 3-16-76;8:45 am]

HUGHES AIR CORP.

Procedural Regulations; Application

MARCH 12, 1976.

Notice is hereby given that the Civil Aeronautics Board on March 12, 1976, received an application, Docket 28981, from Hughes Air Corp., d/b/a Hughes Airwest for amendment of its certificate of public convenience and necessity for route 76 to provide Fresno/Sacramento-Portland/Seattle and Sacramento-Phoenix nonstop authority.

The applicant requests that its application be processed under the expedited procedures set forth in Subpart M of Part 302 (14 CFR Part 302).

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.76-7623 Filed 3-16-76;8:45 am]

[Docket 28094]

NORTHWEST AIRLINES, INC.

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 11th day of March 1976.

On September 29, 1975, Northwest Airlines filed a motion for expedited consideration of its application in the above-cited docket insofar as it requests the elimination of condition 3 from its certificate for route 3.[1]

In support of its request, Northwest states, *inter alia*, that if the restriction is eliminated, the unrestricted carriers in the Detroit-Chicago market (United and American) will continue to be protected, since Northwest will still be prohibited from offering turnaround service by condition 7 of its certificate for route 3; and that condition (3) has outlived its use and does not limit Northwest's ability to provide Detroit-Chicago service, but merely forces the carrier to unnecessarily increase its Detroit-New York service.[2]

An answer in opposition to Northwest's motion was filed by American Airlines. That carrier states that Northwest's capacity in the New York-Detroit market is not determined by condition 3; that Northwest already has unused scheduling flexibility; and that, during Northwest's partial exemption from condition (3), it has increased its participation in the Detroit-Chicago market at American's expense.[3]

Upon consideration of the above pleadings and of all relevant facts, we have decided to issue an order to show cause proposing to amend Northwest's certificate for route 3 as requested. We tentatively find and conclude that the public convenience and necessity require the amendment of Northwest's certificate for route 3 so as to eliminate condition (3).

It is the Board's long-standing policy to remove or modify obsolete restrictions which reduce a carrier's operating flexibility and its ability to provide better service to the traveling public without serving any beneficial purpose. In support of our findings, we tentatively find and conclude that the restriction in question serves no useful purpose. Specifically, it is not needed to protect the unrestricted carriers in the Detroit-Chicago market since condition (7) of the certificate for route 3 would continue to prohibit turnaround service in that market by Northwest.[4] Moreover, its removal will enhance Northwest's operating efficiency and flexibility, reduce the carrier's operating expenses, and make possible a saving of almost 2½ million gallons of fuel.[5]

Interested persons will be given thirty days following the date of adoption of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to support their objections, if any, with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis. If any evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he would expect to establish through such a hearing that cannot be established in written pleadings. General, vague, or unsupported objections will not be entertained.

Accordingly, it is ordered, That:

1. All interested parties are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein, deleting condition (3) of Northwest's certificate for route 3;

2. Any interested person having objection to the issuance of an order making final the proposed findings or conclusions set forth herein shall, within 30 days after the date of adoption of this order, file with the Board and serve upon all persons listed in paragraph 5, a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections;[6]

3. If timely and properly supported objections are filed, full consideration will be accorded the matters and issues raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein; and

5. A copy of this order shall be served upon American Airlines; Delta Airlines; Northwest Airlines; United Air Lines; and the Mayors of Detroit, Michigan; Chicago, Illinois; New York, New York; and Seattle, Washington.

This order will be published in the FEDERAL REGISTER.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.76-7620 Filed 3-16-76;8:45 am]

[Docket 28866]

SINGAPORE AIRLINES LTD.

Foreign Permit Application, Rescheduled Prehearing Conference

Notice is hereby given that the prehearing conference in the above-entitled matter, now assigned to be held on March 24, 1976, (41 F.R. 9222), is rescheduled for March 23, 1976.

Dated at Washington, D.C., March 11, 1976.

[SEAL] JANET D. SAXON,
Administrative Law Judge.

[FR Doc.76-7617 Filed 3-16-76;8:45 am]

[17] Dissenting opinion filed as part of the original.

[1] Condition 3 presently reads: "(3) Flights serving Chicago, Ill., and Detroit, Mich., on segment 1 shall originate or terminate at New York, N.Y., Newark, N.J., or a point west of Milwaukee, Wis. on segments 1, 2 or 3: *Provided*, That such flights originating or terminating west of Missoula, Mont. shall also serve New York, N.Y. or Newark, N.Y."

[2] Northwest proposes to eliminate the Detroit-New York portion of one Seattle-Chicago-Detroit round trip if its request for removal of condition (3) is granted.

[3] The exemption in question permits Northwest to operate two daily one-way flights with B-747 and DC-10 aircraft in the Detroit-Chicago market free from the proviso of condition (3). See Order 73-3-71, March 19, 1973, and Order 75-5-78, May 20, 1975.

[4] Further, as American recognizes, Northwest has a large number of flights which originate or terminate east of Missoula which could be extended beyond Chicago to Detroit without regard to condition (3). Moreover, the restriction in question has not kept Northwest from becoming a substantial Detroit-Chicago competitor. Finally, American has not supported its contention that Northwest's increase in its Detroit-Chicago market share during 1973 and 1974 was due to its partial exemption from the provisions of condition (3). In this regard, we note that during that period American substantially reduced its frequencies in the market. Morever, the increase in Northwest's market share in 1973 and 1974 is artificially inflated due to the fact that the carrier's share in 1970, 1971, and 1972 was depressed due to disruption in service caused by labor disputes.

[5] We further tentatively find that Northwest is a citizen of the United States within the meaning of the Act, and is fit, willing, and able properly to perform the transportation authorized by the proposed amended certificate and to conform to the provisions of the Act and the Board's rules, regulations, and requirements thereunder. We also tentatively find that the proposed changes in Northwest's certificate for route 4 are not likely to result in a level of service adjustments which will constitute a "major Federal action significantly affecting the quality of the environment" within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969.

[6] All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further such motions, requests, or petitions for reconsideration of this order will be entertained.

FEDERAL COMMUNICATIONS COMMISSION

PRIVATE MICROWAVE ADVISORY COMMITTEE

Meeting

MARCH 11, 1976.

In preparation for the 1979 World Administrative Radio Conference (WARC), the Private Microwave Advisory Committee, headed by Thomas L. Johnson, will hold its next meeting on April 1, 1976, in Washington, D.C. The meeting will be held in Conference Room 6331, Federal Communications Commission, 2025 M Street, NW., at 9:00 a.m. The meeting is open to the public and will be conducted in accordance with the following agenda.

1. Call of the Agenda.
2. Opening Remarks of the Chairman.
3. Review Work Accomplished.
4. Adjournment.

The public may participate by presenting oral or written statements.

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

[FR Doc.76-7586 Filed 3-16-76;8:45 am]

FEDERAL ENERGY ADMINISTRATION

OLD OIL ALLOCATION PROGRAM

Entitlement Notice for January 1976

In accordance with the provisions of 10 CFR § 211.67 relating to FEA's old oil allocation program, the monthly notice specified in § 211.67(i) is hereby published.

Based on reports submitted to FEA by refiners as to crude oil receipts and crude oil runs to stills for January 1976, an application of the entitlement adjustment for small refiners provided in 10 CFR § 211.67(e), and an application of Special Rule No. 6, the adjusted national old oil supply ratio for January 1976 is calculated to be .308804.

The issuance of entitlements for the month of January 1976 to refiners and to one other firm (pursuant to a Decision and Order issued by FEA's Office of Exceptions and Appeals) is set forth in the Appendix to this notice. The Appendix lists the name of each refiner and other firm to which entitlements have been issued, the number of entitlements issued to each such refiner or other firm, and the number of barrels of old oil included in each such refiner's adjusted crude oil receipts.

Pursuant to 10 CFR § 211.67(i)(4), FEA hereby fixes the price at which entitlements shall be sold and purchased for the month of January 1976 at $8.09, which is the exact differential as reported for the month of January between the weighted average costs to refiners of old oil and of new, released, stripper well and imported crude oil.

In accordance with 10 CFR § 211.67(b), each refiner that has been issued fewer entitlements for the month of January 1976 than the number of barrels of old oil included in its adjusted crude oil receipts is required to purchase a number of entitlements for the month of January 1976 equal to the difference between the number of barrels of old oil included in those receipts and the number of entitlements issued to and retained by that refiner. Refiners which have been issued a number of entitlements for the month of January 1976 in excess of the number of barrels of old oil included in their adjusted crude oil receipts for January 1976 and other firms issued entitlements shall sell such entitlements to refiners required to purchase entitlements. In addition, certain refiners are required to purchase or sell entitlements to effect corrections for reporting errors for the months September through December 1975 pursuant to 10 CFR § 211.67(i)(5). No corrections for reporting errors for months prior to September 1975 are reflected in the listing as FEA intends to effect these corrections through modifications to the program to be issued in the near future.

The listing of refiners' old oil receipts contained in the Appendix reflects any adjustments made by FEA pursuant to § 211.67(h).

The listing contained in the Appendix gives effect to Special Rule No. 6, and all refiners totally exempted under the Special Rule are shown in the listing with a zero purchase and sale obligation. The following refiners received a partial entitlement purchase exemption under the Special Rule: Charter, CRA-Farmland, Diamond, Oil-Shale, Tesoro and Texas City.

The total number of entitlements required to be purchased and sold under this notice is 13,619,873.

Payment for entitlements required to be purchased under 10 CFR § 211.67(b) for January 1976 must be made by March 31, 1976.

On or prior to April 10, 1976, each firm which is required to purchase or sell entitlements for the month of January shall file with FEA the monthly transaction report specified in 10 CFR § 211.66(i) certifying its purchases and sales of entitlements for the month of January. FEA will mail the monthly transaction report forms for the month of January to reporting firms in March 1976. FEA requests that firms which have been unable to locate other firms for required entitlement transactions by March 31, 1976 contact FEA at 202-254-6296 to expedite consummation of these transactions. For firms that have failed to consummate required entitlement transactions on or prior to March 31, 1976, FEA may direct sales and purchases of entitlements pursuant to the provisions of 10 CFR § 211.67(j).

This notice is issued pursuant to Subpart G of FEA's regulations governing its administrative procedures and sanctions, 10 CFR Part 205. Any person aggrieved hereby may file an appeal with FEA's Office of Exceptions and Appeals in accordance with Subpart H of 10 CFR Part 205. Any such appeal shall be filed on or before April 16, 1976.

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

MICHAEL F. BUTLER,
General Counsel.

APPENDIX

ENTITLEMENTS FOR ALLOCATION OF OLD OIL

REPORTING FIRM SHORT NAME	OLD OIL ADJUSTED RECEIPTS	*******ENTITLEMENT POSITION******** ISSUED	REQUIRED TO BUY	REQUIRED TO SELL
A-JOHNSON	61,716	135,802	0	74,086
ALLIED	67,596	67,596	0	0
AMER-PETROFINA	1,027,922	1,598,762	0	570,840
AMERADA-HESS	2,479,902	4,057,559	0	1,577,657
AMOCO	9,805,064	8,775,700	1,029,364	0
APCO	304,394	539,263	0	234,869
ARCO	5,676,211	5,857,236	0	181,025
ARIZONA	31,698	31,698	0	0
ASAMERA	4,053	19,108	0	15,055
ASHLAND	2,175,182	3,149,614	0	974,432
BAYOU	36,597	36,597	0	0
BEACON	281,554	281,554	0	0
CALUMET	0	20,589	0	20,589
CANAL	53,115	53,115	0	0
CARIBOU	123,682	123,682	0	0
CHAMPLIN	1,948,822	1,380,234	568,588	0
CHARTER	1,203,351	1,056,585	146,766	0
CITGO	3,765,126	2,654,271	1,110,855	0
CLAIBORNE	7,331	13,771	0	6,440
CLARK	566,606	1,016,702	0	450,096
COASTAL	615,744	924,054	0	308,310
CONOCO	3,151,461	3,091,380	60,081	0
CORCO	95,685	979,072	0	883,387
CRA-FARMLAND	739,400	724,987	14,413	0
CROSS	4,720	35,802	0	31,082
CROWN	510,607	731,823	0	221,216
CRYSTAL-OIL	168,431	168,431	0	0
CRYSTAL-REF	10,640	39,780	0	29,140
DELTA	466,690	466,690	0	0
DIAMOND	592,057	591,177	880	0
DORCHESTER	10,197	11,717	0	1,520
DOW	35,862	123,251	0	87,389
EDDY	32,833	32,833	0	0
EDGINGTON-OIL	478,087	478,087	0	0
EDGINGTON-OXN	8,377	13,116	0	4,739
EVANGELINE	49,700	49,700	0	0
EXXON	10,910,668	10,602,301	308,367	0
FAMARISS	301,393	301,393	0	0
FARMERS-UN	253,521	317,057	0	63,536
FLETCHER	488,176	488,176	0	0
FLINT	12,872	12,872	0	0
GARY	1,457	62,396	0	60,939
GETTY	498,651	871,776	0	373,125
GIANT	21,750	22,558	0	808
GLADIEUX	74,185	120,558	0	46,373
GOLDEN-EAGLE	177,879	177,879	0	0
GOOD-HOPE	292,575	292,575	0	0
GUAM	0	298,818	0	298,818
GULF	11,424,342	8,446,945	2,977,397	0
GULF-STS	14,043	35,795	0	21,752
HIRI	0	536,139	0	536,139
HOWELL	785,491	785,491	0	0
HUNT	298,665	298,665	0	0
HUSKY	440,890	475,955	0	35,065
INDIANA-FARM	118,361	219,242	0	100,881
J&W	44,287	44,287	0	0
KENTUCKY	1,251	4,953	0	3,702
KERR-MCGEE	2,379,733	1,572,611	807,122	0
KOCH	385,737	987,078	0	601,341
LAGLORIA	511,650	511,650	0	0
LAKESIDE	66,817	66,817	0	0
LAKETON	134,266	134,266	0	0
LITTLE-AMER	151,456	195,514	0	44,058
LOUISIANA-LAND	161,136	193,155	0	32,019
MACMILLAN	89,275	157,923	0	68,648
MARATHON	3,438,749	2,792,895	645,854	0

REPORTING FIRM SHORT NAME	OLD OIL ADJUSTED RECEIPTS	ENTITLEMENT POSITION ISSUED	REQUIRED TO BUY	REQUIRED TO SELL
MARION	70,499	212,837	0	142,338
MID-AMER	2,146	37,792	0	35,646
MIDLAND	280,034	280,034	0	0
MOBIL	7,910,636	6,500,591	1,410,045	0
MOHAWK	500,693	500,693	0	0
MONSANTO	461,392	461,392	0	0
MORRISON	6,781	6,781	0	0
MOUNTAINEER	3,457	3,457	0	0
MURPHY	306,423	664,949	0	358,526
N-AMER-PETRO	172,358	172,358	0	0
NATL-COOP	434,663	508,935	0	74,272
NAVAJO	352,321	352,321	0	0
NEW-ENGL-PETRO	0	926,414	0	926,414
NEWHALL	171,710	171,710	0	0
NORTHLAND	51,005	71,859	0	20,854
OIL-SHALE	1,310,152	1,127,627	182,525	0
OKC	376,401	376,401	0	0
PASCO	959,622	959,622	0	0
PENNZOIL	559,367	559,367	0	0
PHILLIPS	3,721,957	3,477,093	244,864	0
PIONEER	9,022	27,617	0	18,595
PLACID	249,247	318,014	0	68,767
PLATEAU	107,002	107,002	0	0
POWERINE	537,399	537,399	0	0
PRIDE	112,577	230,130	0	117,553
QUAKER-ST	5,189	195,573	0	190,384
ROAD-OIL	0	673	0	673
ROCK-ISLAND	414,334	414,334	0	0
SABER-TEX	102,805	120,500	0	17,695
SABRE-CAL	0	18,932	0	18,932
SAGE-CREEK	877	3,392	0	2,515
SAN-JOAQUIN	289,260	289,260	0	0
SEMINOLE	50,587	103,643	0	53,056
SHELL	10,189,737	8,980,448	1,209,289	0
SIGMOR	4,030	4,030	0	0
SKELLY	939,320	773,807	165,513	0
SO-HAMPTON	97,558	101,234	0	3,676
SOCAL	8,343,000	8,770,983	0	427,983
SOHIO	1,714,151	3,406,055	0	1,691,904
SOMERSET	21,373	40,152	0	18,779
SOUTHLAND	308,269	308,269	0	0
SUNLAND	67,428	82,124	0	14,696
SUNOCO	4,592,220	4,936,397	0	344,177
TENNECO	943,326	882,046	61,280	0
TESORO	1,023,991	935,357	88,634	0
TEXACO	11,342,955	10,209,330	1,133,625	0
TEXAS-ASPH	3,768	3,768	0	0
TEXAS-CITY	715,279	699,775	15,504	0
THAGARD	185,063	185,063	0	0
THE-REFINERY	81,991	143,732	0	61,741
THRIFTWAY	25,712	37,618	0	11,906
THUNDERBIRD	91,000	139,649	0	48,649
TONKAWA	25,323	48,850	0	23,527
TOTAL-LEONARD	108,211	411,466	0	303,255
UNION-OIL	5,325,921	3,887,014	1,438,907	0
UNION-TEXAS	184,603	184,603	0	0
UNTD-REF	259,234	397,524	0	138,290
US-OIL	0	112,040	0	112,040
VICKERS	220,023	391,382	0	171,359
VULCAN	0	19,520	0	19,520
WARRIOR	47,406	47,406	0	0
WEST-COAST	15,609	38,920	0	23,311
WESTERN	10,778	10,778	0	0
WICKETT	85,810	85,810	0	0
WINSTON	52,420	164,383	0	111,963
WIREBACK	0	1,504	0	1,504
WITCO	98,287	183,407	0	85,120
YETTER	0	1,177	0	1,177
YOUNG	78,309	78,309	0	0
TOTAL	136,801,710	136,801,710	13,619,873	13,619,873

[FR Doc.76-7534 Filed 3-12-76;9:42 am]

FEDERAL MARITIME COMMISSION

INDEPENDENT OCEAN FREIGHT FORWARDER LICENSE

Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders pursuant to Section 44(a) of the Shipping Act, 1916, (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

Oakland Van & Storage, Inc., 867 Isabella St., Oakland, CA 94607. Officers: Alice L. Praeger, President, Dale M. Jasien, Vice President, Shirley L. Fuller, Secretary, Fred C. Dodge, Treasurer.

Jose M. Blanco d/b/a/Trans-Maritime Freight, 2765 S.W. 19th Street, Miami, Florida 33145.

Three Way Van Lines Co., Inc., 1415 Bancroft Avenue, San Francisco, California 94124. Officers: Jose Bonino, President, Loa Kay Bonino, Vice President, Joseph Migliozzi, Secretary/Treasurer.

Chris T. Banis, 35 Greenwood Avenue, San Francisco, Calif. 94112.

Globe Expediters Ltd., 4034 Tugwell Drive, Franklin Park, Ill. 60131. Officers: Michael Garcia, President, Hedy Garcia, Secretary/Treasurer, Manuel S. Guerrero, Vice President.

Terco, Inc., d/b/a Bosco Services-Houston Division, 3351 Rauch Street, P.O. Box 15605, Houston, Texas 77020. Officers: T. L. Boswell, President.

Shahin Forwarding Service Inc., 309 Fifth Avenue, New York, New York 10016. Officers: Mohsen Pourfar, President/Director, Shoukat A. Shariff, Vice President/Director, Barbara Unkel, Secretary/Treasurer, Mohamed Pourfar, Director.

By the Federal Maritime Commission.

Dated: March 12, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-7615 Filed 3-16-76;8:45 am]

MISSISSIPPI AGRICULTURAL AND INDUSTRIAL BOARD, MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT AND UNITED BRANDS CO.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before April 6, 1976. Any

person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Robert C. Engram, Port Director, Mississippi State Port Authority at Gulfport, P.O. Box 40, Gulfport, Mississippi 39501.

Agreement No. T–3267, as amended by T–3267–1, between Mississippi Agricultural and Industrial Board and Mississippi State Port Authority at Gulfport (Port) and United Brands Company (United Brands), provides for the exclusive use by United Brands of a four-acre hard-stand area and "first call" privileges on a berth on the West Pier. As compensation, Port shall receive $1,000 a month, as rental, in lieu of "open storage" charges set forth in the Port of Gulfport's published tariff. In addition, United Brands shall pay tariff charges for any and all facilities and services provided, with the exception of "open storage."

By Order of the Federal Maritime Commission.

Dated: March 11, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-7610 Filed 3-16-76;8:45 am]

ORVIGS DAMPSKIBESSELSKAP ALS: BOW ALECTO ET AL.

Certificates of Financial Responsibility (Oil Pollution)

Certificates Revoked

Notice of voluntary revocation is hereby given with respect to Certificates of Financial Responsibility (Oil Pollution) which had been issued by the Federal Maritime Commission, covering the below indicated vessels, pursuant to part 542 of Title 46 CFR and Section 311 (p) (1) of the Federal Water Pollution Control Act, as amended.

Certificate No.	*Owner/Operator and Vessels*
01053---	Orvigs Dampskibsselskap A/S: *Bow Alecto.*
01318---	Aug. Bolten, Wm. Miller's Nachfolger: *Esther Bolter.*
01428---	Ocean Transport & Trading Ltd.: *Polydorus, Automedon, Menestheus, Deido.*
01593---	Nettuno Shipping Corp.: *Nettuno.*
01841---	Chas. Kurz & Co., Inc.: *Julesburg.*
01853---	Liberian Oceanways Corp.: *Dimitrios D. M.*
01885---	Vincent Guzzetta d/b/a Guzzetta Oil Co.: *W& T 15.*
01886---	Navigas Sacim: *Lavoisier.*
01910---	Deutsche Dampfschiffahrts-Gesellschaft Hansa: *Kandelfels.*
02163---	Rederiet Ocean A/S Copenhagen: *Tanja Dan, Selma Dan, Nippon Reefer, Samoan Reefer, Persian Reefer, Kinna Dan, Chilean Reefer, Ecuadorian Reefer, Tunisian Reefer, Italian Reefer, Thala Dan.*
02209---	Flota Mercante Grancolombiana, S.A.: *Ciudad de Neiva, Ciudad de Popayan, Ciudad de Santa Marta.*
02858---	Intermarine, Inc.: *Angelica.*
02928---	PHS Van Ommeren: *Port Miguel.*
02945---	American Trading Transportation Co., Inc.: *Maryland Trader.*
02982---	The Shipping Corp. of India Ltd.: *Vishva Chetna.*
03054---	H. Schuldt: *Troyburg.*
03194---	N.V. Motorcheepvaartmaatschappij Kenitra: *Laura Christina.*
03215---	Rederiaktiebolaget Salenia: *Dagmar Salen.*
03292---	Maritimecor S.A.: *Alaskacore.*
03321---	Marunouchi Kisen K.K.: *Noumea Maru.*
03387---	Deutsche Shell Tanker GMBH: *Caperata.*
03422---	Daiwa Kaiun Kabushiki Kaisha: *Samoa Maru No. 2.*
03484---	Sanko Kisen K.K.: *Donau Maru.*
03520---	Tokyo Shosen K.K.: *Koei Maru.*
03521---	Tokushima Kisen K.K.: *Tokushin Maru.*
03555---	Interessentskapet Saga Sword: *Osco Sword.*
03582---	Crowley Launch and Tugboat Co.: *Barge 4, Barge 62.*
03589---	Bay Cities Transportation Co.: *Barge BC–3, Barge BC–4, Barge BC–6, Barge C–65.*
03635---	Hines, Inc.: *MI–124, MI–125.*
03690---	The Harbor Tug and Barge Co.: *Barge Kodiak, Barge 252, 222, H–49.*
03707---	Alaska British Columbia Transportation Co.: *Barge ABC 24.*
03708---	Puget Sound Tug & Barge Co.: *Barge 253.*
03904---	Gemstone Shipping Corp., Monrovia: *Gemstone.*
04020---	Skips A/S Agnes: *Ronaville, Roancastle.*
04026---	Transport Commercial Corp.: *Tamara Guilden.*
04098---	Hougland Barge Line, Inc.: *WGH–16, WGH–31.*
04163---	Cenac Towing Co., Inc.: *CTCO 180.*
04323---	Standard Navigation Corp.: *Ossa.*
04423---	Marcona Carriers Ltd: *Marcona Traveler.*
04504---	Sumiyoshi Gyogyo Kabushiki Kaisha: *Sumiyoshimaru No. 5, Sumiyoshimaru No. 35.*
04553---	Hokoku Suisan Kabushiki Kaisha: *Eikei Maru.*
04600---	Stauffer Chemical Co.: *SCC–1351.*
04641---	American Tug Boat Co.: *ATB–96, ATB–97.*
04884---	Hall Corporation Shipping Ltd.: *Northcliffe Hall.*
04961---	Solar Navigation Corp.: *Wilshire Boulevard.*
05073---	Greenstone Shipping Co., S.A.: *Dimos Halcoussis.*
05260---	Harbor Trans-Oil: *Cape Murphy.*
05808---	Aruana Compania Naviera S.A.: *Aruna.*
06505---	Astir Navigation Co., Ltd.: *Anson.*
07105---	Astrosureno Armadores, S.A.: *Stolt Pacific.*
07171---	Flensburger Ubersee-Schiffahrtsgesellschaft Jacob MBH & Co. KG.: *Wera Jacob, Tom Jacob, Margot Jacob.*
07943---	Skips A/S Solhav & Co.: *Sol Jean.*
08408---	Moniwel Corp.: *Stolt Stuart.*
08558---	Celant Navigation S.A.: *Konpira.*
08727---	Mimika Shipping Co. Ltd.: *Mimika M.*
08927---	Carib Lines, Ltd.: *Halcyon Sol.*
09437---	J & J Osborne: *Lady Sorcha.*
09627---	Hartz Tankers Corp.: *Pecan.*
09646---	Panama International Shipping Co.: *Robert Clifton.*
09661---	Chieh Sheng Maritime S.A.: *Chieh Hui.*
09670---	Mie Ken: *Tasei Maru.*
09676---	Liberty Bay Shipping Co. Ltd.: *Al Moshin.*
09745---	Quick-Tow, Inc.: *B–1120, B–921, B–821.*
09950---	Nichiyo Kisen Kabushiki Kaisha: *North Atlantic Maru.*
10043---	Alton Steamship Co., Inc.: *Tex.*
10094---	Echo Marine, Inc.: *Ellis 1256.*
10387---	Noah Shipping Co.: *Noah–3, Noah–4, Noah–1, Noah–2.*
10447---	Taconic Transport Inc.: *Rio Grande.*
10573---	Midas Moon Transport Inc.: *Sankomoon.*
10585---	Greca Compania Naviera S.A. (PN): *Alexandros M.*

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-7616 Filed 3-16-76;8:45 am]

PORT OF NEW ORLEANS AND CONTINENTAL GRAIN CO.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before April 6, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Mr. Cyrus C. Guidry, Port Counsel, Board of Commissioners of the Port of New Orleans, P.O. Box 60046, New Orleans, Louisiana 70160.

Agreement No. T-15-4, between the Board of Commissioners of the Port of New Orleans (Port) and Continental Grain Company (Continental) modifies the parties' basic agreement which provides for Continental's construction and operation of a grain elevator at Westwego, Louisiana. The purpose of the modification is to provide for certain improvements to the Port's public dock adjacent to Continental's grain elevator facility, in order to permit the docking of larger vessels. All specified costs up to $500,000 shall be subject to reimbursement by Port upon substantial completion of the facility at which time title to the improved facilities shall vest in the Port. Port will reimburse the cost out of revenues collected pursuant to its published tariff, as more particularly specified in the agreement. The first call on berth privilege, as provided in the basic agreement, shall also apply to the improved facilities.

By Order of the Federal Maritime Commission.

Dated: March 13, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-7613 Filed 3-16-76;8:45 am]

PORT OF NEW ORLEANS AND SEA-LAND SERVICE, INC.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before April 6, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Michael J. Shalley, Esquire
General Attorney
Sea-Land Service, Inc.
P.O. Box 900
Edison, New Jersey 08817

Agreement No. T-2550-B, between Board of Commissioners of the Port of New Orleans (Port) and Sea-Land Service, Inc., (Sea-Land), provides for: (1) the lease of Temporary Tract III; (2) full use of the wharf, provided for in Agreement No. T-2550; and (3) increase in rental of Tract II, provided in Agreement No. T-2550, as amended. In addition, pending acquisition by Puerto Rico Maritime Shipping Authority (PRMSA) of its own terminal facilities, Sea-Land agrees, with Port's consent, to furnish facilities, which it leases under Agreement No. T-2550, as amended, to PRMSA or Puerto Rico Marine Management, Inc., its managing agent, at Berth No. 1 and certain additional wharf and marshalling areas. As compensation, Sea-Land shall pay: (1) for use of wharf, rental provided in Agreement No. T-2550 on the basis of full usage of said wharf; and (2) for lease of Temporary Tract III, $76,544 per annum. The annual rental of Tract II has been increased to $45,047.76. Sea-Land shall continue to be the sole lessee of the premises and shall remain at all times responsible to Port for all obligations under Agreement No. T-2550, as amended.

By Order of the Federal Maritime Commission.

Dated: March 12, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-7614 Filed 3-16-76;8:45 am]

UNIGULF LINES

Petition Filed; Correction

The notice of the filing of Agreement No. 9891-5, Unigulf Lines, which appeared in the Federal Register of Monday, March 8, 1976, Vol. 41, No. 46 at page 9918 should have read that this Agreement was filed pursuant to Section 15 of the Shipping Act, 1916, instead of Section 14b.

By Order of the Federal Maritime Commission.

Dated: March 12, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-7609 Filed 3-16-76;8:45 am]

UNITED STATES LINES, INC. AND I.T.O. CORP. OF BALTIMORE

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before April 6, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicted hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Stuart R. Breidbart, Corporate Counsel
United States Lines, Inc.
One Broadway
New York, New York 10004

Agreement No. T-3266, between United States Lines, Inc., (US Lines) and I.T.O. Corporation of Baltimore (ITO), provides for the performance of various stevedoring and terminal services by ITO at the Dundalk Marine Terminal in Baltimore, Maryland. As compensation for ITO's services, US Lines shall pay rates as specified in the agreement.

By Order of the Federal Maritime Commission.

Dated: March 11, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-7611 Filed 3-16-76;8:45 am]

UNITED STATES LINES, INC. AND I.T.O. CORP. OF AMERIPORT

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before April 6, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Mr. Stuart R. Breidbart
Corporate Counsel
United States Lines, Inc.
One Broadway
New York, New York 10004

Agreement No. T-3265, between United States Lines, Inc., (US Lines) and I.T.O. Corporation of Ameriport (ITO), provides for the performance of various stevedoring and terminal services by ITO at Tioga Terminal in Philadelphia, Pennsylvania. As compensation for ITO's services, US Lines shall pay rates as specified in the agreement.

By Order of the Federal Maritime Commission.

Dated: March 12, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-7612 Filed 3-16-76;8:45 am]

UNITED STATES LINES, INC. AND SOUTHERN STEVEDORING CORP.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before April 6, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Mr. Stuart R. Breidbart, Corporate Counsel, United States Lines, Inc., One Broadway, New York, New York 10004

Agreement No. T-3264, between United States Lines, Inc. (US Lines) and Southern Stevedoring Corporation (Southern), provides for the performance of various stevedoring and terminal services by Southern at the Norfolk International Terminal in Norfolk, Virginia. As compensation for Southern's services, US Lines shall pay rates as specified in the agreement.

By Order of the Federal Maritime Commission.

Dated: March 12, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-7641 Filed 3-16-76;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. CS76-481, et al.]

EMILY WILSON BIRD, ET AL.

Applications for "Small Producer" Certificates [1]

MARCH 3, 1976.

Take notice that each of the Applicants listed herein has filed an application pursuant to Section 7(c) of the Natural Gas Act and Section 157.40 of the Regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before March 25, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

Docket No.	Date filed	Applicant
CS76-481	Feb. 23, 1976	Emily Wilson Bird, 208 Hazelwood Drive, Fort Worth, Tex. 76107.
CS76-482	do	Murdock M. Baker, Jr., 9914 Balmforth, Houston, Tex. 77035.
CS76-483	do	Nessco, Inc., P.O. Box 44, Farmington, N. Mex. 87401
CS76-484	do	James C. Wilson, Jr., Emily Wilson Bird, Horace E. Wilson and Ester English Wilson Trusts, P.O. Box 2059, Fort Worth, Tex. 76101.
CS76-485	do	Isadore Roosth, Trustee, P.O. Box 2019, Tyler, Tex. 75701.
CS76-486	do	Maurine Genecov Muntz, P.O. Box 2019, Tyler, Tex. 75701.
CS76-487	do	Hilda Jarett Genecov, P.O. Box 2019, Tyler, Tex. 75701.
CS76-488	do	Nathan Cecil Roosth, P.O. Box 2019, Tyler, Tex. 75701.
CS76-489	do	Celia Roosth Schoenbrun, P.O. Box 2019, Tyler, Tex. 75701.
CS76-490	do	Nancy Roosth Barenblat, P.O. Box 2019, Tyler, Tex. 75701.
CS76-491	do	Thomas Malcolm Roosth, P.O. Box 2019, Tyler, Tex. 75701.
CS76-492	do	Isadore Roosth, executor and trustee under the will of Aleck S. Genecov, deceased, P.O. Box 2019, Tyler, Tex. 75701.
CS76-493	do	Isadore Roosth, executor and trustee under the will of Bennie Roosth, deceased, P.O. Box 2019, Tyler, Tex. 75701.
CS76-494	do	Isadore Roosth, independent executor and trustee under the will of Harold Roosth, deceased, P.O. Box 2019, Tyler, Tex. 75701.
CS76-495	do	Isadore Roosth, P.O. Box 2019, Tyler, Tex. 75701.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No.	Date filed	Applicant
CS76-496	do	Isadore Roosth, trustee of the Jake Roosth Trust, P.O. Box 2019, Tyler, Tex. 75701.
CS76-497	do	Solomon Roosth, P.O. Box 2019, Tyler, Tex. 75701.
CS76-498	do	Hyman P. Roosth, P.O. Box 2019, Tyler, Tex. 75701.
CS76-499	do	Wiley Roosth, P.O. Box 2019, Tyler, Tex. 75701.
CS76-500	do	Cynthia Roosth Wolf, P.O. Box 2019, Tyler, Tex. 75701.

[FR Doc.76-7485 Filed 3-16-76;8:45 am]

[Docket Nos. AR64-1, et al. and RP73-14]

AREA RATE PROCEEDING (HUGOTON-ANADARKO AREA) AND MICHIGAN WISCONSIN PIPE LINE COMPANY

Notice of Filing

MARCH 10, 1976.

Take notice that on November 14, 1974, Michigan Wisconsin Pipe Line Company (Michigan Wisconsin) responded to ordering Paragraph (E) of the Federal Power Commission's Order dated March 18, 1974 in Docket No. AR64-1, *et al.*

Michigan Wisconsin responded by stating that pursuant to the provisions of the General Terms and Conditions of its tariff, it will credit its Unrecovered Purchased Gas Cost Account with the refund, $556,657.00, received from Phillips Petroleum Company as determined pursuant to FPC Opinion No. 586, as amended and supplemented, and refunded pursuant to ordering paragraph (D) of the order referred to above.

Michigan Wisconsin states that a copy of its response was mailed on November 14, 1974 to each of Michigan Wisconsin's gas sales customers, as well as to each of the following:

Illinois Commerce Commission
Public Service Commission of Indiana
Iowa Commerce Commission
Kansas State Corporation Commission
Michigan Public Service Commission
Missouri Public Service Commission
Public Utilities Commission of Ohio
Tennessee Public Service Commission
Public Service Commission of Wisconsin

On August 1, 1975, Michigan Wisconsin responded to ordering paragraph (C) of the Federal Power Commission's Order dated March 17, 1975 in Docket No. AR64-1, *et al.*

Michigan Wisconsin responded by stating that pursuant to the provisions of the General Terms and Conditions of its tariff, Michigan Wisconsin will credit its Unrecovered Purchased Gas Cost Account with refunds determined pursuant to FPC Opinion No. 586, as amended and supplemented, and refunded pursuant to ordering paragraph (B) of the order referred to above. Those refunds not received as of August 1, 1975, will be credited to the Unrecovered Purchased Gas Cost Account when received.

Michigan Wisconsin states that a copy of this response to ordering paragraph (C) was mailed on July 30, 1975 to each of Michigan Wisconsin's gas sales customers, as well as to each of the following:

Illinois Commerce Commission
Public Service Commission of Indiana
Iowa Commerce Commission
Kansas States Corporation Commission
Michigan Public Service Commission
Missouri Public Service Commission
Public Utilities Commission of Ohio
Tennessee Public Service Commission
Public Service Commission of Wisconsin

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 18, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-7593 Filed 3-16-76;8:45 am]

[Docket No. ID-1735]

DOLAN, JOHN E.

Notice of Application

MARCH 11, 1976.

Take notice that on February 26, 1976, John E. Dolan, (Applicant) filed an application with the Federal Power Commission. Pursuant to Section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following position: Director, Ohio Power Company, Electric Utility.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 29, 1976, file with the Federal Power Commission, Washington, D.C., petitions to intervene or protests in accordance with the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-7543 Filed 3-16-76;8:45 am]

[Docket No. E-8008; ER-76-211]

FLORIDA POWER AND LIGHT CO.

Notice of Extension of Procedural Date

MARCH 10, 1976.

On March 5, 1976, Staff Counsel filed a request to extend the time for responding to the Joint Motion for Approval of Settlement Agreement filed on February 23, 1976, by Florida Power and Light Company and by the City of New Smyrna Beach, Florida, in the above-indicated proceeding.

Notice is hereby given that the time for filing responses to the above motion is extended to and including April 21, 1976.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-7542 Filed 3-16-76;8:45 am]

[Docket No. E-9520]

ILLINOIS POWER CO.

Notice of Further Extension of Procedural Dates

MARCH 10, 1976.

On March 5, 1976, Staff Counsel filed a motion to extend the procedural dates fixed by order issued October 29, 1975, as most recently modified by notice issued February 9, 1976, in the above-designated proceeding.

Staff's motion states that the interested parties in this proceeding do not oppose the requested extension.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff Testimony, April 9, 1976.
Service of Intervenor Testimony, April 23, 1976.
Service of Company Rebuttal, May 7, 1976.
Hearing, May 18, 1976 (10:00 a.m., EDT).

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-7541 Filed 3-16-76;8:45 am]

[Docket No. CS76-501]

THE JUPITER CORP.

Notice of Application

MARCH 11, 1976.

Take notice that on February 23, 1976, The Jupiter Corporation (Applicant), 400 East Randolph Street, Chicago, Illinois 60601, filed in Docket No. CS76-501 an application pursuant to Section 7(c) of the Natural Gas Act and Section 157.40 of the Regulations thereunder (18 CFR 157.40) for a small producer certificate of public convenience and necessity authorizing sales for resale of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant is a natural gas pipeline company which transports natural gas in interstate commerce under certificates of public convenience and necessity issued by the Commission. Applicant states

that in 1975 it transported from the Rollover Field, offshore Louisiana, to onshore Louisiana, 14,062,000 Mcf of gas for Phillips Petroleum Company and Kerr-McGee Corporation and 26,818,000 Mcf of gas for Union Oil Company.

The application states that Applicant owns a working interest of 0.3333334 in certain gas leases in the La Jara Field, Hidalgo County, Texas, and that Applicant's share of all interests, including working and royalty interest, is 0.1148438. Applicant's production during 1975 is said to have been 286,000 Mcf of gas, which was sold to Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee). Applicant states that none of this gas is sold to anybody other than Tennessee, that none of such gas is sold or transported through Applicant's pipeline from offshore to onshore Louisiana, and that the transportation of gas by Applicant is a separate, isolated operation without physical connection with the facilities used in the sale of Applicant's production gas.

Applicant requests that the Commission waive that portion of Section 157.40 of the Regulations under the Natural Gas Act which limits small producer classification to independent producers of natural gas who are not affiliated with a natural gas pipeline company.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 8, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-7547 Filed 3-16-76;8:45 am]

[Docket No. ER76-539]

MISSOURI POWER & LIGHT CO.

Notice of Tariff and Rate Schedule Changes

MARCH 11, 1976.

Take notice that Missouri Power & Light Company (Company) on March 2, 1976, tendered for filing a new increased FPC Electric Service Tariff to replace its current Electric Service Tariff Nos. 39, 41, 42, 44, 45 and 46. The Company states that the proposed changes would increase revenues from its Wholesale Municipal Customers by $104,000 based on the twelve-month period ended September 30, 1975. In addition, the Company states that the proposed tariff modifies Missouri Power & Light Company's existing fuel cost adjustment clause to conform to Section 35.14 of the Commission's Regulations.

The Company requests that the proposed rate increase become effective on April 27, 1976.

The Company states that copies of the filing were served upon each wholesale municipality.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 23, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-7540 Filed 3-16-76;8:45 am]

[Docket No. CP76-74, et al.]

NATURAL GAS PIPELINE CO. OF AMERICA, ET AL.

Errata Notice and Notice of Further Extension of Procedural Dates

Please change the first paragraph to read as follows:

"On February 17, 18, and 19, 1976, Mid Louisiana Gas Company, Continental Oil Company, Getty Oil Company and Kerr-McGee Corporation, respectively, filed motions to extend the procedural dates fixed by orders issued January 26 and February 12, 1976, in the above-designated proceeding."

Issued February 23, 1976.

KENNETH F. PLUMB,
Secretary.

MARCH 10, 1976.

[FR Doc.76-7596 Filed 3-16-76;8:45 am]

[Docket No. RP74-95]

NORTHWEST PIPELINE CORP.

Filing of Exploration Proposal

MARCH 10, 1976.

Take notice that on March 1, 1976, Northwest Pipeline Corporation (Northwest) tendered for filing a Stipulation and Agreement on Exploration Proposal (Exploration S&A) together with a motion for approval of said Exploration S&A by the Commission.

Northwest states that it presently has pending before the Commission a Stipulation and Agreement in settlement of its rate proceedings in Docket Nos. RP73-109 and RP74-95, which was certified to the Commission on December 8, 1975. Article IV of that Stipulation and Agreement provides that the parties shall consider the establishment of an Exploration Fund, which would be funded by the amounts which would otherwise be refunded in Docket No. RP74-95. Article II of that Stipulation and Agreement provides for the retention by Northwest of such refund amounts, under certain specified conditions, pending Commission consideration of Northwest's Exploration Proposal. One of the conditions is that the Commission shall have approved an Exploration Fund for Northwest by December 1, 1976. If the Commission has not acted by that date, Article II of the Stipulation and Agreement in the rate proceedings requires Northwest to refund the amount due to each customer as otherwise provided in that Article II, and thus the Exploration S&A will terminate. Northwest adds that although the possibility of establishment of an Exploration Fund is provided for in the Stipulation and Agreement in Settlement of Rate Proceedings and the proposal for such Exploration Fund is being filed in Docket No. RP74-95, the Exploration S&A is independent of, and separate from, the Stipulation and Agreement in the rate case.

According to Northwest, the primary benefit to Northwest's customers associated with the establishment of the Exploration Fund is that, if successful, it will result in the dedication of new supplies of natural gas to the Northwest system and thereby will help reduce the curtailments to which Northwest's customers have been subject. The Explora-

tion S&A provides that NWE [1] will match, on a dollar-for-dollar basis, all expenditures from the Exploration Fund. All gas resulting from the exploration activities undertaken pursuant to the Joint Venture Agreement implementing the Exploration S&A will be owned in equal shares by the wholly-owned subsidiary to be established by Northwest under the Exploration Proposal ("NuSub") and NWE. All such gas, whether attributable to NuSub or NWE, will be dedicated to Northwest for the benefit of its existing customers. The 50% of the gas owned by NuSub will be sold by NuSub to Northwest at actual cost of service for such production (excluding depreciation, return and related taxes), with any proceeds from the sale of NuSub's 50% share of any hydrocarbons other than natural gas produced as a result of the exploration activities being credited to NuSub's cost of service. Moreover, Northwest states, any gas produced by NWE as a result of the development of acreage where there has been successful exploration as a result of activity undertaken by the NuSub—NWE joint venture will also be dedicated to Northwest and thus will benefit its customers.

Under Article VI of the Exploration S&A, Northwest is to prepare annually an exploration report to be submitted to the Secretary of the Commission, affected State Commissions, each of its customers, and the parties to Docket No. RP74–95, setting forth in detail the exploration and production activities and expenditures undertaken as a result the Exploration Proposal and the resulting gas supplies developed during the year covered by the report.

Any person desiring to be heard on said proposal should file comments with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. Any initial comments should be filed on or before April 15, 1976. Any reply comments should be filed on or before April 29, 1976. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–7595 Filed 3–16–76;8:45 am]

[Docket No. CI76–87]

SOUTHLAND ROYALTY CO.

Notice of Withdrawal

MARCH 10, 1976.

On March 5, 1976, Southland Royalty Company filed a motion to withdraw its Application for Abandonment filed on July 31, 1975 in the above-designated proceeding.

Notice is hereby given that pursuant to Section 1.11(d) of the Commission's Rules and Regulations, the withdrawal of the above application shall become effective on April 7, 1976.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–7544 Filed 3–16–76;8:45 am]

[Docket Nos. RP72–156, RP72–64, and RP75–19 (PGA76–1, DCA76–1, and AP76–1)]

TEXAS GAS TRANSMISSION CORP.

Notice of Filing

MARCH 10, 1976.

Take notice that on February 13, 1976, the Texas Gas Transmission Corporation (Texas Gas) tendered for filing revised tariff sheets reflecting the exclusion of costs associated with small producers in excess of the "130% formula" prescribed in Opinion No. 742 and costs associated with advance payments, which costs were reflected in Texas Gas' filing of December 15, 1975. Texas Gas also filed a list of small producers from whom the company is purchasing gas at rates in excess of the "130% formula" in compliance with the Commission's order of January 30, 1976, whereby the Commission accepted the filing of December 15, 1975 and assigned it an effective date of February 2, 1976. Texas Gas requests, that its revised tariff sheets become effective on February 2, 1976.

Texas Gas states that copies of the February 13, 1976 filing have been sent to all of its customers as well as interested State Commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 30, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–7598 Filed 3–16–76;8:45 am]

[Docket No. CP75–266]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

MARCH 10, 1976.

Take notice that on February 17, 1976, Transcontinental Gas Pipe Line Corporation (Applicant), P.O. Box 1396, Houston, Texas 77001, filed in Docket No. CP76–266 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas on an interruptible basis for The Brooklyn Union Gas Company (Brooklyn Union) and for the exchange of natural gas with Consolidated Gas Supply Corporation (Consolidated) pursuant to an agreement among Applicant, Brooklyn Union, and Consolidated dated July 1, 1975, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that Brooklyn Union would purchase gas from its subsidiary, Fuel Resources, Inc., and joint interest owners in or near Barbour County, West Virginia, and would deliver such gas to Consolidated for transportation to Applicant near Liedy, Pennsylvania. Such deliveries would be made by Consolidated to Applicant by either concomitantly reducing the volume of gas that Consolidated is entitled to receive from Applicant under Applicant's Rate Schedule X–56 covering firm and interruptible transportation service for Consolidated or delivering such volumes to Applicant at the existing point of interconnection between Applicant and Consolidated at the Leidy Storage Field. Applicant would transport equivalent volumes of gas from Leidy to existing points of delivery to Brooklyn Union in the New York metropolitan area.

Applicant alleges that the proposed transportation service is directly related to the curtailments in sales and deliveries of Applicant to Brooklyn Union. The initial volumes of gas transported are said to be approximately 3,750 Mcf per day and such volumes are said to be expected to increase to about 11,250 Mcf per day as drilling progresses in West Virginia. Applicant proposes to charge Brooklyn Union 9.75 cents per Mcf of natural gas transported for the proposed interruptible service and would retain 2 percent of the volumes delivered to it for transportation as make-up for compressor fuel and line loss.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 2, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required

[1] NWE is a wholly-owned subsidiary of Northwest Energy Company and an affiliate of Northwest.

herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-7594 Filed 3-16-76;8:45 am]

[Docket No. RP71-41 and RP72-75]

UNITED GAS PIPE LINE CO.

Report of Refunds

MARCH 10, 1976.

Take notice that on February 24, 1976 United Gas Pipe Line Company tendered for filing a report of refunds and demand charge adjustments in the above-captioned dockets which were mailed to customers on February 6, 1976 pursuant to Commission Order No. 671 issued October 18, 1972 in Docket No. RP72-75.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 26, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-7597 Filed 3-16-76;8:45 am]

[Docket No. ER76-531]

WISCONSIN POWER AND LIGHT CO.

Notice of Filing Wholesale Power Agreement

MARCH 10, 1976.

Take Notice that on February 27, 1976, Wisconsin Power and Light Company (WPL) tendered for filing a Wholesale Power Agreement dated September 30, 1975, between Central Wisconsin Electric Cooperative and Wisconsin Power and Light Company. WPL states that this contract supersedes an existing contract for wholesale electric service dated December 21, 1972.

WPL states that a copy of the Wholesale Power Agreement and the filing have been provided to Central Wisconsin Electric Cooperative.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Paragraph 1.8 and Paragraph 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 22, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any persons wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-7545 Filed 3-16-76;8:45 am]

[Docket No. RP73-49]

SOUTH GEORGIA NATURAL GAS CO.

Notice of Filing of Revision to Tariff

MARCH 10, 1976.

Take notice that on February 25, 1975, South Georgia Natural Gas Company (South Georgia) tendered for filing as part of Original Volume No. 1 to its FPC Gas Tariff the following revised tariff sheets to become effective March 26, 1976:

Seventeenth Revised Sheet No. 3A.
Forty-Second Revised Sheet No. 5.
Forty-First Revised Sheet No. 6.
Thirty-Third Revised Sheet No. 9.
Thirty-Second Revised Sheet No. 11.

South Georgia states that the above sheets represent a rate design change under its PGA Clause, such clause approved to become effective April 14, 1973, by Commission Order in FPC Docket No. RP73-49 issued April 13, 1973. The Company further states that it proposes to decrease its rates effective March 26, 1976 $1,473, for the purpose of tracking redesigned rates filed by Southern Natural Gas Company (Southern) on February 24, 1976. The instant filing will decrease South Georgia's annual cost of gas $151 effective March 26, 1976.

South Georgia has requested waiver of the Forty-Five (45) day notice requirement as set forth in Section 14.2 (e) of the General Terms and Conditions of South Georgia's FPC Gas Tariff. South Georgia states that Southern's redesigned rates were not available to South Georgia in time to provide the full Forty-Five (45) day notice requirements. Thus, South Georgia submits that good cause exists for waiver of the notice requirements to permit the instant filing to become effective on the same date as Southern's redesigned rates proposed by Southern.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 18, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-7546 Filed 3-16-76;8:45 am]

FEDERAL RESERVE SYSTEM

[Regs. G, T, U and X]

OTC MARGIN STOCK LIST

Pursuant to the authority of section 7 of the Securities Exchange Act of 1934 (15 U.S.C. 78g) and in accordance with § 207.2(f)(2) of Regulation G, "Securities Credit by Persons other than Banks, Brokers or Dealers," § 220.2(e)(2) of Regulation T, "Credit by Brokers and Dealers," and § 221.3(d)(2) of Regulation U, "Credit by Banks for the Purpose of Purchasing or Carrying Margin Stocks" and in accordance with the criteria specified in § 207.5 of Regulation G, § 220.8(h) and (i) of Regulation T, and § 221.4(d) and (e) of Regulation U, there is set forth below a supplement to the list of stocks traded over-the-counter, current as of March 15, 1976, that the Board of Governors has found that meet the criteria specified above and thus have the degree of national investor interest, the depth and breadth of market, and the availability of information respecting the stock and its issuer to warrant subjecting such stocks to the requirements of Regulations G, T, U and X, 12 CFR 224 which makes Regulations G, T and U applicable to borrowers of securities credit.

It is unlawful for any person to cause any representation to be made that inclusion of a security on this List indicates that the Board or the Securities and Exchange Commission has in any way approved such security or transaction therein. Also, any reference to the Board in connection with this List or any securities thereon in an advertisement or similar communication is unlawful.

The requirements of 5 U.S.C. section 553 with respect to notice and public participation were not followed in connection with the issuance of this Supplement to the List because following such requirements is unnecessary due to the objective character of the criteria for inclusion on the List, specified in 12 CFR 207.5(d) and (e), 220.8(h) and (i), and 221.4(d) and (e). No additional useful information would be gained by public participation. The requirements of 5 U.S.C. section 553 with respect to deferred effective date have not been followed in connection with the issuance of this supplement to the List because to do so would allow some persons to reap unfair profits and would not aid other persons affected thereby.

By order of the Board of Governors of the Federal Reserve System acting by its Director of the Office of Saver and Consumer Affairs pursuant to delegated authority (12 CFR 265.2(h)(1)), effective March 15, 1976.

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

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

SUPPLEMENT TO LIST OF OTC MARGIN STOCKS—EFFECTIVE MARCH 15, 1976

ADDITIONS

Chart House, Inc., no par common.

DELETIONS

American Quasar Petroleum Company, no par common.
Automated Medical Laboratories, Inc., $.01 par common.
California-Western States Life Insurance Company, $2.50 par common.
Erie Technological Products, Inc., $2.50 par common.
Exchange Oil & Gas Corporation, $1.00 par common.
Interstate Corporation, The, $1.00 par common.
Martha White Foods, Inc., $1.00 par common.
National Medical Care, Inc., $.20 par common.
Pacific Lumber Company, The, $3.33⅓ par common.
Parker Drilling Company, $1.00 par common.
Southern California First National Corporation, $5.00 par common.
Technicare Corporation, $.50 par common.

NAME CHANGES

From	*To*
Arlen Property Investors, $1.00 par shares of beneficial interest.	API Trust, $1.00 par shares of beneficial interest.
Bank of Tokyo of California, The, $5.00 par common.	California First Bank, $5.00 par common.
Gelco-Feld Corporation, $.50 par common.	Gelco Corporation, $.50 par common.

[FR Doc.76-7600 Filed 3-16-76;3:30 p.m.]

FEDERAL TRADE COMMISSION

PUBLIC RECORDS

Availability of Staff Opinion Letters

Notice is hereby given that the Commission has made available for public inspection and copying approximately 700 staff opinion letters, representing all such letters in the files of the Commission's Office of General Counsel. Staff letters are issued in response to requests for advice that are not considered appropriate for a Commission advisory opinion under 16 CFR 1.1—1.4. Commission advisory opinions are published in the bound volumes of Commission decisions and also appear in digest form in 16 CFR Part 15. Staff letters have not heretofore been publicly released, except in response to individual requests under the Freedom of Information Act, 5 U.S.C. 552(a)(3).

The Commission has determined that these staff letters, and the inquiries to which they respond, should be made available to the public under 16 CFR 4.9(b). Also being made available are two indices to the letters, one arranged alphabetically by file title, the other topically according to the proposed acts of practices involved. This release is intended to be prospective as well as retrospective, and the Commission has therefore directed the General Counsel to place on the public record all future staff opinion letters generated in his Office, and to supplement the indices accordingly.

The Commission wishes to call attention to the fact that a staff opinion letter is not a Commission opinion and is in no way binding upon the Commission. Staff letters represent only the views of the staff authors. The Commission further wishes to point out that some older letters are based upon, and cite, Commission advisory opinions or decisions and judicial cases that have subsequently been rescinded, reversed, questioned, or otherwise weakened as precedent.

The staff letter documents are available in Room 130 of the Federal Trade Commission Building, 6th and Pennsylvania Avenue, N.W., Washington, D.C. 20580. They date back to the establishment of the Commission's advisory opinion procedures in 1962 and normally include all of the materials submitted to the staff as well as the staff's response. Occasionally, where the materials submitted were extensive, only the principal documents are reproduced. In such cases, a notice in the public file indicates the nature of the supplementary documents and instructs persons interested in obtaining access to contact the General Counsel's Office. The Commission reserves the right to delete from the materials made available in Room 130, and from the associated supplementary documents, such confidential commercial data as is exempt from disclosure under 5 U.S.C. § 552(b)(4), and such other information the disclosure of which would entail a clearly unwarranted invasion of personal privacy under 5 U.S.C. § 552(b)(6).

Documents in the General Counsel's staff letter files that constitute internal staff memoranda are exempt from disclosure pursuant to 5 U.S.C. § 552(b)(5).

Since staff opinion documents are often filed according to the name of the individual party requesting advice, they constitute a "system of records" under the Privacy Act, 5 U.S.C. § 552a(a)(5). Pursuant to Section 552a(e)(4) of that Act, a description of the staff letter system (designated as FTC System 39), and an explanation of its "routine use," were published on August 27, 1975. 40 Fed. Reg. 39041, 39055. The documents are being released for public inspection under Section 552a(b)(2) of the Privacy Act.

Contemporaneously with the issuance of this Notice, the Legal and Public Records Section of the Secretary's Office will be releasing a memorandum designed to facilitate use of the staff letter indices.

The Commission has taken these actions to insure the consistency of staff advice and to promote public understanding of the Commission's performance of its duties.

By direction of the Commission dated March 8, 1976.

CHARLES A. TOBIN,
Secretary.

[FR Doc.76-7551 Filed 3-16-76;8:45 am]

GENERAL SERVICES ADMINISTRATION

[FPMR Temp. Reg. F-376]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in an electrical rate increase proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.*

a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the Board of Directors of the Sacramento Municipal Utility District (SMUD) in a proceeding involving an electrical rate increase.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

JACK ECKERD,
Administrator of General Services.

MARCH 5, 1976.

[FR Doc.76-7538 Filed 3-16-76;8:45 am]

[FPMR Temp. Reg. F-377]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the interests of the executive agencies of the Federal Government in a natural gas curtailment proceeding.

2. *Effective date.* This regulation is effective February 17, 1976.

3. *Delegation.*

a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government be-

fore the New Mexico Public Service Commission involving the petition of the Southern Union Gas Company for the curtailment of the supply of natural gas to existing customers (Docket No. 1264).

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

JACK ECKERD,
Administrator of General Services.

MARCH 5, 1976.

[FR Doc.76-7539 Filed 3-16-76;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

EDUCATION PANEL

Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given that a meeting of the Education Panel will meet at Washington, D.C., on April 9, 1976, at 9:45 a.m.

The purpose of the meeting is to review National Humanities Institutes Program 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.76-7578 Filed 3-16-76;8:45 am]

NATIONAL SCIENCE FOUNDATION

SUBPANEL ON MINORITY INSTITUTIONS SCIENCE IMPROVEMENT PROGRAM (MISIP)

Postponement of Meeting

The MISIP Subpanel meeting that was scheduled to be held on March 31 through April 3, 1976, has been postponed until mid-April. A notice will be published in the FEDERAL REGISTER announcing the new date. Notice of the MISIP meeting was published in the FEDERAL REGISTER dated Thursday, March 11, 1976, Vol. 41, No. 49, page 10481.

M. REBECCA WINKLER,
Acting Committee Management Officer.

MARCH 12, 1976.

[FR Doc.76-7579 Filed 3-16-76;8:45 am]

POSTAL SERVICE

TEMPORARY POSTAGE RATES

The temporary rates of postage and fees for postal services that are currently in effect were placed in effect under 39 U.S.C. 3641, pursuant to a Postal Service filing with the Postal Rate Commission on September 18, 1975. See FEDERAL REGISTER of December 31, 1975, 40 FR 60140. The validity of that filing is currently *pendente lite*. On December 19, 1975, the Postal Service submitted a new filing to the Postal Rate Commission, without prejudice to its position in the pending litigation, in accordance with the opinion of the United States District Court for the District of Columbia in the case of *Associated Third Class Mail Users, et al., v. United States Postal Service, et al.* (Civil Action No. 75-1807, Sirica, J.).

This notice advises that the temporary changes in rates of postage and fees for postal services in pursuance of the September filing will also be based on the December filing if the Rate Commission has not transmitted a recommended decision to the Governors of the Postal Service by March 18, 1976. The purpose of this notice is to provide an indisputably valid basis for the current temporary rates in the event that the pending litigation should be decided adversely to the Postal Service.

The proposed rates and fees in the December 19, 1975, filing were identical to the proposed rates and fees in the Postal Service's September 18, 1975 filing. Those proopsed rates and fees were the subject of a notice published in the FEDERAL REGISTER of October 9, 1975 (40 FR 47589) with minor corrections thereto made in the FEDERAL REGISTER of October 24, 1975 (40 FR 48923).

If the Postal Rate Commission does not transmit its recommended decision to the Governors of the Postal Service within 90 days of the Postal Service's request of December 19, 1975, the temporary changes in rates of postage and fees for postal services that were placed in effect on December 31, 1975, pursuant to the September 18, 1975, filing, will be continued in effect under 39 U.S.C. 3641, pursuant to the December 19, 1975, filing, as well. (39 U.S.C. 401, 404, 3621, 3641, 84 Stat. 719).

ROGER P. CRAIG,
Deputy General Counsel.

[FR Doc.76-7604 Filed 3-12-76;3:26 pm]

SECURITIES AND EXCHANGE COMMISSION

[Release No. 12184; SR-CSF-75-5]

CINCINNATI STOCK EXCHANGE

Order Approving Proposed Rule Change

MARCH 9, 1976.

On January 26, 1976, the Cincinnati Stock Exchange filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Acts Amendments of 1975, and Rule 19b-4 thereunder, copies of a proposed rule change. The proposals would amend section 6 of the Exchange's By-Laws to conform tc Commission Rule 15c3-1, the uniform net capital rule.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 12050 (Jan. 27, 1976)), and by publication in the FEDERAL REGISTER (41 Fed. Reg. 4989 (Feb. 3, 1976)).

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of Section 6, and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change filed with the Commission on January 26, 1976, be, and it hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-7521 Filed 3-16-76;8:45 am]

[File No. 500-1]

GOVERNMENT EMPLCYEES INSURANCE CO.

Suspension of Trading

MARCH 8, 1976.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Government Employees Insurance Company being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 10:00 a.m. (EST) on March 8, 1976 through March 17, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-7570 Filed 3-16-76;8:45 am]

VETERANS ADMINISTRATION

MEDICAL RESEARCH SERVICE MERIT REVIEW BOARDS

Notice of Meetings; Amendment

The following is an amendment to the Notice of Merit Review Board meetings which was published in the FEDERAL REGISTER of March 2, 1976 (41 FR 9014).

The location of the meeting for the Merit Review Board for Respiration programs, scheduled for April 29, 1976, 8:30 a.m. to 5 p.m., has been changed from Room 815B, VACO, to Holiday Inn Downtown, Meeting Street at Calhoun Street, Charleston, S.C.

Dated: March 10, 1976.

[SEAL] R. L. ROUDEBUSH,
Administrator.

[FR Doc.76-7606 Filed 3-16-76;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 205]

MOTOR CARRIER BOARD

Transfer Proceedings

MARCH 17, 1976.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to Sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before April 6, 1976. Pursuant to Section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-76169. By order entered March 12, 1976 the Motor Carrier Board approved the transfer to Wm. H. P., Inc., Philadelphia, Pa., of the operating rights set forth in Certificates Nos. MC-38921, MC-38921 (Sub-No. 5), and MC-38921 (Sub-No. 6), issued July 24, 1967, February 1, 1973, and March 6, 1973, respectively, to Needham's Motor Service, Inc. (Donald E. Clarick, Receiver in Bankruptcy), Woodbridge, N.J., and those set forth in Certificates Nos. MC-55337 and MC-55337 (Sub-No. 13), issued March 31, 1969 and February 14, 1963, to Elkton Trucking Company and acquired by Needham's Motor Service, Inc. pursuant to No. MC-F-11438, consummated March 30, 1973, authorizing the transportation of general commodities, with exceptions, between point in New Jersey, Pennsylvania, New York, Delaware, Maryland, Virginia, and the District of Columbia. A. David Millner, 744 Broad St., Newark, N.J. 07102, attorney for applicants.

No. MC-FC-76297. By order entered March 11, 1976 the Motor Carrier Board approved the transfer to Foster Van Lines, Inc., Richmond, Calif., of the operating rights set forth in Certificate No. MC-126666 (Sub-No. 4), issued by the Commission July 13, 1973, to Howard C. Foster, doing business as Foster's Transfer & Storage, Richmond, Calif., authorizing the transportation of used household goods, between points in Napa, Contra Costa, Solano, Alameda, Sonoma, San Francisco, Marin, Yolo, Sacramento, San Joaquin, San Mateo, Santa Cruz, and Santa Clara Counties, Calif., subject to specified restrictions. Daniel W. Baker, 100 Pine St., Suite 2550, San Francisco, Calif. 94111, attorney for applicants.

No. MC-FC-76312. By order of March 11, 1976 the Motor Carrier Board approved the transfer to James Paul Foster Doing Business as Foster's Trucking, Parkersburg, West Virginia, of Permit No. MC-138889 (Sub-No. 2), issued May 23, 1974, to Ralph Deem Doing Business As Deem Trucking, Parkersburg, West Virginia, authorizing the transportation of building materials and supplies from Williamstown, W. Va., to specified points in Ohio. John M. Friedman, 2930 Putnam Ave., Hurricane, W. Va. 25526, attorney for applicants.

No. MC-FC-76408. By order entered March 10, 1976 the Motor Carrier Board approved the transfer to Gordon L. Therrien, doing business as Dano's Express, Adams Center, N.Y., of the operating rights set forth in Certificate of Registration No. MC-99890 (Sub-No. 1), issued July 3, 1969, to Elmer C. Dano, doing business as Dano's Express, Adams Center, N.Y., evidencing a right to engage in transportation, in interstate or foreign commerce, of general commodities, between, and to and from specified points in New York. William J. McClusky, 5 E. Church Street, Adams, N.Y., attorney for applicants.

No. MC-FC-76421. By order of March 12, 1976 the Motor Carrier Board approved the transfer to Leach Trucking Co., Bridgeport, Mich., of Permit No. MC-124944, issued May 21, 1969, to Willard Leach, doing business as Leach Trucking, Vassar, Mich., authorizing the transportation of pickled vegetables, in cans and containers, from Imlay City, Memphis, Bridgeport, and Saginaw, Mich., to points in Illinois, Indiana, Kentucky, Ohio, New York, and specified points in Iowa, Pennsylvania, West Virginia, Virginia, Georgia and Maryland; pickles, sauerkraut, and peppers, in glass containers, from Bridgeport, Mich., to points in Illinois, Indiana, Kentucky, and Ohio, and specified points in Iowa, Pennsylvania, Virginia and Georgia; and empty glass containers, from Streator, Ill., Dunkirk and Winchester, Ind., Lancaster, N.Y., Washington, Pa., and Huntington, W. Va., to Bridgeport, Mich. Peter I. Chirco, Chirco, Donaldson & Herrinton, 3600 Guardian Bldg., Detroit, Mich., 48226, attorney for applicants.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-7653 Filed 3-16-76;8:45 am]

[Notice No. 206]

MOTOR CARRIER TRANSFER PROCEEDINGS

MARCH 17, 1976.

Application filed for temporary authority under Section 210a(b) in connection with transfer application under Section 212(b) and Transfer Rules, 49 C.F.R. Part 1132:

No. MC-FC-76453. By application filed March 8, 1976, DOUG ANDRUS & SONS, INC., 1820 Broadway, Idaho Falls, Idaho, 83401, seeks temporary authority to lease the operating rights of VALLEY BANK, a corporation, 110 East Main Street, Rexburg, Idaho, 83440, under section 210a (b). The transfer to DOUG ANDRUS & SONS, INC., of the operating rights of VALLEY BANK, is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-7654 Filed 3-16-76;8:45 am]

[Notice No. 2]

ASSIGNMENT OF HEARINGS

MARCH 12, 1976.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC-C-8778, Hilt Truck Line, Inc.—Investigation and Revocation of Certificates, now assigned April 20, 1976, at Omaha, Nebr., will be held in Room 616, Union Pacific Plaza, 110 North 4th Street.

MC 135283 Sub 14, Grand Island Moving and Storage Co., Inc., now assigned April 21, 1976, at Omaha, Nebr., will be held in Room 616, Union Pacific Plaza, 110 North 14th Street.

MC 114569 Sub 118, Shaffer Trucking, Inc., MC 114569 Sub 125, Shaffer Trucking, Inc., and MC 124211 Sub 258, Hilt Truck Line, Inc., now assigned April 22, 1976, at Omaha, Nebr., will be held in Room 616, 110 North 14th Street.

AB 1 Sub 32, Chicago and North Western Transportation Company Abandonment between Watertown and Doland, in Condington, Clark and Spink Counties, South Dakota, now assigned April 26, 1976, at Clark, South Dakota, will be held at the County Clark Courtroom, Clark County Courthouse.

FF 478, Brinke Transportation Corporation, now being assigned May 18, 1976 (4 days), at Miami, Fla., in a hearing room to be later designated.

MC 115841 Sub 507, Colonial Refrigerated Transportation, Inc., now being assigned May 24, 1976 (1 week), at Orlando, Fla., at Kahler Plaza Hotel, 151 East Washington Street.

MC 126276 (Sub-No. 142), Fast Motor Service, Inc. now being assigned May 11, 1976 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 93980 (Sub 62), Vance Trucking Co., Inc. now being assigned May 25, 1976 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 128273 (Sub 199), Midwestern Distribution, Inc. now being assigned May 27, 1976 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 106920 (Sub 59), Riggs Food Express, Inc. now being assigned June 2, 1976 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 140484 (Sub 9), Lester Coggins Trucking, Inc. now being assigned June 2, 1976 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 21866 (Sub 81), West Motor Freight, Inc. now being assigned June 2, 1976 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 141243 (Sub-No. 1), Jaymar Trucking Corp., now assigned March 18, 1976, at New York City, N.Y., is postponed indefinitely.

MC 78118 (Sub 27), W. H. Johns, Inc. now being assigned April 20, 1976 at the Offices of the Interstate Commerce Commission, Washington, D.C. AB 6 Sub 15, Burlington Northern Inc., Abandonment Between Joliette and Pembina, In Pembina County, North Dakota, now assigned April 22, 1976, at Pembina, N.D., will be held at the Pembina City Hall.

MC-F-12556, Overland Express, Inc.—Purchase (Portion)—Bay Transfer Co., Inc. and MC 133689 Sub 61, Overland Express, Inc., now assigned April 26, 1976, at St. Paul, Minn. will be held in Courtroom 2, Federal Building, 316 North Robert St.

MC 139495 Sub 93, National Carriers, Inc., now assigned April 27, 1976, at Chicago, Ill., will be held in Room 1119, Everett McKinley Dirksen Building, 230 S. Dearborn Street.

MC 118612 (Sub-No. 8), B. T. Service, Inc. DBA Columbia Trucking Company, now assigned April 29, 1976, at Chicago, Ill., will be held in Room 1119, Everett McKinley Dirksen Building, 230 S. Dearborn St.

MC 141188, Maurice Blocker dba Blocker Milling Service now being assigned June 2, 1976 (2 days) at Des Moines, Iowa in a hearing room to be later designated.

No. 36223, Continental Grain Company V. Chicago and North Western Transportation Company, Et. AL., now assigned May 3, 1976, at Milwaukee, Wis., will be held in Room 301-C, City Hall, 200 East Wells Street.

MC-C 8776, The Rock Island Motor Transit Company Investigation and Revocation of Certificates, now being assigned June 8, 1976 (1 day) at Dallas, Texas in a hearing room to be later designated.

MC 107295 (Sub 793), Pre-Fab Transit Co. now being assigned June 9, 1976 (3 days) at Dallas, Texas in a hearing room to be later designated.

No. 36192, John Hugh Vincent, dba Sudan Elevators v. The Atchison, Topeka and Santa Fe Railway Company now being assigned June 14, 1976 (1 week) at Dallas, Texas in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-7652 Filed 3-16-76;8:45 am]

[Notice No. 30]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

Important Notice

MARCH 12, 1976.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR § 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 93980 (Sub-No. 64TA), filed March 2, 1976. Applicant: VANCE TRUCKING COMPANY, INCORPORATED, P.O. Box 1119, Henderson, N.C. 27536. Applicant's representative: Henry M. Strause (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden fencing and fencing material*, from points in Halifax County, N.C., to points in the United States in and east of Indiana, Kentucky, Tennessee, and Mississippi, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Carolina Wood Preserving Co., Scotland Neck, N.C. 27874. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 116164 (Sub-No. 8TA), filed February 27, 1976. Applicant: ARROW TRANSPORTATION COMPANY, 1911 N.E. 58th St., Des Moines, Iowa 50313. Applicant representative: Thomas E. Leahy, Jr., 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Clay pipe and fittings, drain tile, clay products, mortar mix and fire brick*, from Des Moines, Iowa and its commercial zone to points in Indiana, Illinois, Minnesota, Missouri, Michigan, Kansas, Nebraska, North Dakota, South Dakota, and Wisconsin, under a continuing contract with Can-Tex Industries, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Can-Tex Industries, P.O. Box 3510, Des Moines, Iowa 50312. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Bldg., Des Moines, Iowa 50309.

No. MC 118537 (Sub-No. 5TA), filed March 1, 1976. Applicant: MARX TRUCK LINE, INC., 220 Lewis St., Sioux City, Iow 51101. Applicant's representative: Myers, Hirschbach & Wichser, P.O. Box 417, 5000 South Lewis Blvd., Sioux City, Iowa 51102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Activated sewage sludge*, from the plantsite and storage facilities of the Milwaukee Sewerage Commission of the City of Milwaukee, Wis., to points in Iowa and Nebraska, for 180 days. Supporting shipper: Champion Turf Equipment, Inc., Harold W. Glissman, Manager, Iowa-Nebraska Sales Division, 11512 Oak St., Omaha, Nebr. 68144. Send protests to: Carroll Russell, Suite 620 Union Pacific Plaza, 110 North 14th St., Omaha, Nebr. 68102.

No. MC 123538 (Sub-No. 3TA), filed February 26, 1976. Applicant: ROSS TRUCKING, INC., Amherst, S. Dak. 57421. Applicant's representative: C. E. deBruyn, 1745 University Ave., St. Paul, Minn. 55104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed*, in bulk, and sacks, from points in the Minneapolis-St. Paul, Minn., Commercial Zone as defined by the Commission, to points in Brown, Day and Roberts Counties, S. Dak., with no transportation for compensation on return (except as

otherwise authorized), for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Ralston Purina Company, Ralph P. Wittman, Traffic Manager, Buyer, 3901 Hiawatha Ave., South, Minneapolis, Minn. 55406. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Room 369 Federal Bldg., Pierre, S. Dak.. 57501.

No. MC 127303 (Sub-No. 20TA), filed February 23, 1976. Applicant: HENRY ZELLMER, doing business as ZELLMER TRUCK LINES, P.O. Box 996, Granville, Ill. 61326. Applicant's representative: E. Stephen Heisley, 666 11th St. NW. No. 805, Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, and related advertising materials, equipment and supplies*, from St. Paul, Minn., to points in Kansas, empty containers on return, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Olympia Brewing Company, Robert J. Sullivan, Dist. Mgr., 722 Payne Ave., St. Paul, Minn. 55165. Sampson Beverage Company, Weston Sampson, Owner, 1224 S. Santa Fe, Wichita, Kans. 67221. Campbell Distributors, Inc., Dean R. Campbell, President, R.R. #1, Manhattan, Kans. Campbell Wholesale Co., Inc., Dean R. Campbell, President, 605 E. 8th, Topeka, Kans. 66607. Great Plains Beverages, Inc., Carleton B. Johnson, President, Route 4, P.O. Box 1015, Parson, Kans. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 133708 (Sub-No. 20TA), filed February 25, 1976. Applicant: FIKSE BROS., Inc., 12647 East South St., Artesia, Calif. 90701. Applicant's representative: Carl H. Fritze, 1545 Wilshire Blvd., Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum smelting waste*, in bulk, from points in Maricopa County, Ariz., to Cushenbury, Calif., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Kaiser Cement & Gypsum Corp., 600 South Commonwealth Ave., Los Angeles, Calif. 90005. Send protests to: Mildred I. Price, Transportation Assistance, Interstate Commerce Commission, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 134387 (Sub-No. 29TA), filed March 1, 1976. Applicant: BLACKBURN TRUCK LINES, INC., 4998 Branyon Ave., South Gate, Calif. 90280. Applicant's representative: David P. Christianson, 606 South Olive, Suite 825, Los Angeles, Calif. 90014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty containers and parts thereof*, from points in Contra Costa County, Calif., to points in Oregon and Washington, for 180 days. Supporting shipper: Crown Cork & Seal Company, Inc., 9300 Ashton Road, P.O. Box 6208, Philadelphia, Pa. 19136. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 3121 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 136310 (Sub-No. 4TA), filed February 26, 1976. Applicant: R. WALKER TRUCKING, INC., 1409 East 19th, The Dallas, Oreg. 97058. Applicant's representative: Douglas A. Wilson, 303 East "D" Street, Yakima, Wash. 98901. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Grain flour* NOI (classification No. 89430 and 42310); cereals; ground, rolled, cracked, etc., requiring further cooking, no additives, chemicals, etc., from Seattle, Wash., to points in California and to Phoenix, Ariz., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Oroweat Foods Co., 4052 28th S. W., Seattle, Wash. 98126. Send protests to: W. J. Huetig, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 138635 (Sub-No. 20TA), filed February 27, 1976. Applicant: CAROLINA WESTERN EXPRESS, INC., 650 Eastwood Drive, Gastonia, N.C. 28052. Applicant's representative: Eric Meierhoefer, 303 N. Frederick Ave., Gaithersburg, Md. 20760. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Puppet shows*, (uncrated) *and related theatrical items, show sets, show props, sound and lighting equipment, and costumes*, between Cincinnati, Ohio; Kansas City, Mo.; Indianapolis, Ind., on the one hand, and, on the other, Los Angeles, Calif.; Dallas, Tex.; St. Louis, Mo.; Atlanta, Ga., and Williamsburg, Va., restricted to traffic moving between facilities used by Krofft Development Corp., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Krofft Development Corporation, 7200 Vineland Ave., Sun Valley, Calif. 91352. Send protests to: Terrell Price, District Supervisor, 800 Briar Creek Road, Room CC516, Mart Office Bldg., Charlotte, N.C. 28205.

No. MC 139076 (Sub-No. 3 TA), filed March 2, 1976. Applicant: IDEAL TRANSPORT CO., INC., P.O. Box 308, Quinter, Kans. 67552. Applicant's representative: Clyde N. Christey, 641 Harrison, Topeka, Kans. 66603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Stubble-mulch plows, off-set disks, roto-mulch harrows, rod weeders, and anhydrous ammonia spreading equipment*, from points in Grove County, Kans., to points in Illinois, Indiana, Michigan, Minnesota, Missouri, Ohio, Wisconsin, and Wyoming; (2) *Materials and supplies* used in the manufacture of the commodities specified in (1) above (except commodities in bulk), from Kansas City, Mo.; Warren and Lorain, Ohio; Midland and Monaca, Pa.; Gary, Ind.; Davenport, Iowa; Sterling and Alton, Ill.; Omaha, Nebr.; and Denver, Colo., to points in Grove County, Kans., under a continuing contract with Ideal Industries, Inc., and Midwest Products, Inc., of Quinter, Kans., for 90 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: Ideal Industries, Inc., and Midwest Products, Inc., P.O. Box 268, Quinter, Kans. 67552. Send protests to: Thomas P. O'Hara, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 234 Federal Bldg., Topeka, Kans. 66602.

No. MC 139110 (Sub-No. 7TA), filed February 27, 1976. Applicant: MINN-CAL, INC., P.O. Box E, Mandan, N. Dak. 58554. Applicant's repesentative: Gene P. Johnson, 425 Gate City Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by mail order houses, from the facilities of the Fingerhut Corporation, at St. Cloud, Minn., to Phoenix, Ariz., and Salt Lake City, Utah, under a continuing contract with Fingerhut Corportion, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Fingerhut Corporation, 11 McLeland Road, St. Cloud, Minn. 56395. Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 139304 (Sub-No. 1TA), filed February 24, 1976. Applicant: CARL D. SOURS, 1041 Florida Ave., Hagerstown, Md. 21740. Applicant's representative: Charles E. Creager, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, butter substitutes, flavored drinks and juices, and materials and supplies* used or useful in the sale and distribution of the aforesaid commodities, between Springfield, Va., and its commercial zone, on the one hand, and, on the other, Hagerstown, Md., under a continuing contract with Valley of Virginia Milk Producers Association, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Valley of Virginia Milk Producers Association, 5325 Port Royal Road, Springfield, Va. Send protests to: W. C. Hersman, District Supervisor, Interstate Commerce Commission, Room B-317, 12th and Constitution Ave. NW., Washington, D.C. 20423.

No. MC 139642 (Sub-No. 2TA), filed February 26, 1976. Applicant: BAMA TRANSPORTATION COMPANY, INC., 5247 E. Pine, Tulsa, Okla. 74115. Appli-

cant's representative: Larry D. Knox, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cookies and frozen bakery goods*, from Tulsa, Okla., to points in the United States (except Alaska, Hawaii, and Oklahoma); and (2) *Materials, equipment and supplies* used in the production of cookies and frozen bakery goods (except commodities in bulk, in tank vehicles), from points in the United States (except Alaska, Hawaii, and Oklahoma), to Tulsa, Okla., under a continuing contract with Harden's Foods, for 180 days. Supporting shipper: Harden's Foods, 6576 E. 21st St., Tulsa, Okla. 74112. Send protests to: Joe Green, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Bldg., 215 N.W. 3d St., Oklahoma City, Okla. 73102.

No. MC 139727 (Sub-No. 2TA), filed February 27, 1976. Applicant: MADEWELL METALS, INC., 301 East Shawnee, Muskogee, Okla. 74401. Applicant's representative: Robert E. Jensen, 1130 17th St., N.W., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lead, lead* alloy, lead oxide, and lead by-products, in bulk and ingot form, from Schuylkill Metals Corp., Baton Rouge, La., to Newport, Ark.; Orlando, Plant City, and Tampa, Fla.; Atlanta and Conyers, Ga.; Attica, Ind.; Louisville, Ky.; Shreveport, La.; Kansas City, Mo.; Memphis, Tenn.; Beaumont, Dallas, Houston, and San Antonio, Tex.; and Richmond, Va.; City of Industry and City of Commerce, Calif. (located near Los Angeles in Los Angeles County); Indianapolis, Ind.; New York City and Brooklyn, N.Y.; and East Alton, Ill. (located near East St. Louis just over the Missouri State line), Canon Hollow, Mo. (located to the northwest of St. Joseph, Mo. near Oregon, Forest City and Mound City, Mo.), Lonoke, Ark.; Terrell, Tex.; Garland, Tex.; Pomona, Calif., Signal Hill, Calif., Santa Ana, Calif. and Antioch, Calif., under a continuing contract with Schuylkill Metals Corp., for 180 days. Supporting shipper: Schuylkill Metals Corp., P.O. Box 73916, Baton Rouge, La. 70807. Send protests to: Joe Green, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, Room 240 Old Post Office Bldg., 215 N.W. 3rd St., Oklahoma City, Okla. 73102.

No. MC 140677 (Sub-No. 10TA), filed February 17, 1976. Applicant: JOHN T. BREWER, JOHN R. BREWER, AND LEWIS L. BREWER, doing business as BREWER TRUCKING, 1603 East Tallent, Rapid City, S. Dak. 57701. Applicant's representative: J. Maurice Andren, 1734 Sheridan Lake Road, Rapid City, S. Dak. 57701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Houses, pre-fabricated, unassembled and house parts*, from Rothschild, Wis., to points in Nebraska, and points in Woodbury, Ida, Sac, Buena Vista, Plymouth, Sioux, Obrien, Osceola, Lyon, Monona, Dickinson, Clay and Cherokee Counties, Iowa, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Golden West Corporation, Thomas W. Chapple, Vice President, Box 711, Beresford, S. Dak. 57004. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Bldg., Pierre, S. Dak. 57501.

No. MC 140911 (Sub-No. 2TA), filed February 23, 1976. Applicant: DONALD CASTLEMAN, GENERAL PARK FIELDS AND JOHNNY WAYNE KINCAID, doing business as TENNESSEE TRANSPORT COMPANY, P.O. Box 345-A, Murfreesboro Rd., Antioch, Tenn. 37013. Applicant's representative: Donnell Castleman, P.O. Box 353, 110 Crestview Drive, Lavergne, Tenn. 37086. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel, shoes and such merchandise*, as is dealt in by retail shoe stores, plus *equipment, materials and supplies*, used in the conduct of such business, from Nashville, Tenn., to points within the United States (except Alaska and Hawaii), under a continuing Genesco, Incorporated, for 180 days. Supporting shipper: Genesco, Incorporated, Director of Corporate Transportation, 111 7th Ave., North, Nashville, Tenn. 37202. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite A-422 U.S. Court House, Nashville, Tenn. 37203.

No. MC 141438 (Sub-No. 1TA), filed February 25, 1976. Applicant: TIMPTE DELIVERY, INC., 5990 North Washington St., Denver, Colo. 80216. Applicant's representative: Alvin J. Meiklejohn, Jr., Suite 1600 Lincoln Center, 1660 Lincoln St., Denver, Colo. 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers, and truck and trailer bodies*, from the plantsites and facilities of Timpte, Inc., and Timpte-Beall, Inc., located in Denver and Adams Counties, Colo.; (2) *Machinery, equipment, materials, trailer and truck and trailer body components, or supplies*, used in or in connection with the manufacture, servicing, maintenance or repair of trailers, truck and trailer bodies, or components or parts thereof; from points in the United States (except Alaska and Hawaii), to the plantsites and facilities of Timpte, Inc., and Timpte-Beall, Inc., located in Denver and Adams Counties, Colo.; (3) *Trailer and truck and trailer body components, equipment, parts, materials or supplies;* from the plantsites and facilities of Timpte, Inc., and Timpte-Beall, Inc., located in Denver and Adams Counties, Colo., to points in the United States (except Alaska and Hawaii), (4) *Trailers, and truck and trailer bodies*, between points in the United States; (5) *Show displays, equipment, materials and supplies*, between the plantsites and facilities of Timpte, Inc., and Timpte-Beall, Inc., located in Denver and Adams Counties, Colo., on the one hand, and, points in the United States (except Alaska and Hawaii), on the other, under a continuing contract with Timpte, Inc., for 180 days. Supporting shipper: Timpte, Inc., 5990 North Washington, Denver, Colo. 80216. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 1961 Stout St., 2022 Federal Bldg., Denver, Colo. 80202.

No. MC 141675 (Sub-No. 2TA), filed March 1, 1976. Applicant: ECONOMY TRUCKING SERVICE, INC., 1079 West Side Ave., Jersey City, N.J. 07306. Applicant's representative: Ira G. Megdal, P.O. Box 459-460, 499 Cooper Landing Road, Cherry Hill, N.J. 08002. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by department stores, and supplies and equipment*, used in the conduct of such business, from New York City, and the New York City Commercial Zone, points in New Jersey, Massachusetts and Connecticut, to points in Michigan, under a continuing contract with Giantway, Inc., for 180 days. Supporting shipper: Giantway, Inc., 802 Industrial Ave., P.O. Box 469, Mt. Pleasant, Mich. 48858. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC. 141744 (Sub-No. 1TA), filed February 24, 1976. Applicant: DAVID L. FILES doing business as DAVID L. FILES LIME & FERTILIZER SPREADING, Darlington Trailer Court, Lot 1, Martinsburg, W. Va. 25401. Applicant's representative: David L. Files (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commerical fertilizer*, in bulk, between plant site of Miller Chemical & Fertilizer Corporation, located at Ranson, W. Va., on the one hand, and, on the other, points in Frederick, Shenandoah, Page, Loudoun, Clarke, Fauquier, Rappahannock, Orange, Rockingham, Spotsylvania, Madison, Warren, Fairfax, and Prince William Counties, Va., and Garrett, Allegheny, Wash., Frederick, Carroll, Howard, Montgomery, and Baltimore Counties, Md., under a continuing contract with Miller Chemical & Fertilizer Corporation, for 180 days. Applicant has also filed underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Miller Chemical & Fertilizer Corporation, 300 North Preston Street, Ranson, W. Va. 25438. Send protests to: Interstate Commerce Commission, 12th & Constitution Avenue, N.W., Room B-317, W. C. Hersman, District Supervisor, Washington, D.C. 20423.

No. MC 141801 TA filed February 18, 1976. Applicant: GARY D. ALLEN, Kirk,

Colo. 80824. Applicant's representative: Charles M. Williams, Suite 350 Capitol Life Center, 1600 Sherman St., Denver, Colo. 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bulk, (1) from the plantsite and/or storage facilities of Texas Sulfur Products Co., Inc., at or near Borger, Tex.; (2) from the plantsite and/or storage facilities of Texas Sulfur Products Co., Inc., at or near Sneed, Tex.; (3) from the plantsite and/or storage facilities utilized by Phillips 66 at or near Hoag (Beatrice), Nebr.; (4) from the plantsite and/or storage facilities utilized by Phillips 66 at or near Etter, Tex.; (5) from the Potash mine sites within 10 miles of Moab, Utah, including Moab, and (6) from points in the commercial zone of Cheyenne, Wyo.; Amarillo and Sheerin, Tex.; Dodge City, Kans.; Culbertson, Nebr.; and Carlsbad, N. Mex., to points in Cheyenne, Kit Carson, Washington and Yuma Counties, Colo., restricted to services rendered under a continuing contract with Cope Gas & Equipment, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Cope Gas and Equipment, Inc., Kirk, Colo. 80824. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 1961 Stout St., 2022 Federal Bldg., Denver, Colo. 80202.

No. MC 141802 TA filed February 24, 1976. Applicant: MELVIN L. E. GUFFEY doing business as M. L. E. G. TRUCKING SERVICE, Route 2, McLouth, Kans. 66054. Applicant's representative: Swoyer and Swoyer, Oskaloosa, Kans. 66066. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, tansporting: *Manufactured feeds*, bulk and bagged; *hardware supplies*, for farmers such as *hog feeders, cattle feeders, fence, fence posts, stock waterers, stock tanks, gates, sprayers, fertilizer, etc.*, from St. Joseph, Mo., to Oskaloosa, Kans., and Kansas City, Mo., for 180 days. Applicant has also filed underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Jefferson County Cooperative Association, Oskaloosa, Kans. 66066. Send protests to: Thomas P. O'Hara, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 234 Federal Building, Topeka, Kans. 66603.

No. MC. 141808 TA filed February 24, 1976. Applicant: TERMINAL INVESTMENT CORPORATION doing business as TERMINAL SERVICES, 746 Wheaton Street, P.O. Box 1434, Savannah, Ga. 31402. Applicant's representative: Randall S. Booker (same address as applicant). Authority sought to operate as *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* in containers or trailers (except commodities in bulk; in tanks; requiring specialized rigging or handling and Class A or B explosives). Restricted to traffic having prior or subsequent movement by water, between points within the commercial zone of Savannah, Ga., including Savannah, Ga., for 180 days. Applicant has also filed underlying ETA seeking up to 90 days of operating authority. Supporting shippers: Stevens Shipping & Terminal Co., 26 East Bay, Savannah, Ga. 31401. Southeastern Maritime Co., P.O. Box 2088, Savannah, Ga. 31402. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC. 141809 TA filed February 25, 1976. Applicant: COMMONWEALTH CARRIER CORPORATION, 85 Elm Street, Woburn, Mass. 01801. Applicant's representative: Edward F. Doherty (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Magnetic tapes, computer punch cards, computer printouts, business papers and records, and audit and accounting media of all kinds*, moving therewith and pertaining thereto (except commercial papers, documents, and written instruments as used in the business of banks and baking institutions) between Haverhill (Essex County) Mass., on the one hand, and on the other, Merrimack (Hillsboro County) New Hampshire, for 180 days. Applicant has also filed underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Haverhill National Bank, 191 Merrimack Street, Haverhill, Mass. 01830. Send protests to: Darrell W. Hammons, District Supervisor, Interstate Commerce Commission, 150 Causeway Street, Room 501, Boston, Mass. 02114.

No. MC 141814 TA filed February 27, 1976. Applicant: KESSLER INDUSTRIES INC., 8600 Gateway East, El Paso, Tex. 79907. Applicant's representative: M. Ward Bailey, 2412 Continental Life Bldg., Fort Worth, Tex. 76102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Vacuum cleaner parts*, from Cleveland, Ohio, to Andrews, Tex., under a continuing contract with Kirby Co., for 180 days. Supporting shipper: Kirby Co., P.O. Box 670, Andrews, Tex. 79714. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box H-4395, Hering Plaza, Amarillo, Tex. 79101.

No. MC 141815 TA, filed February 25, 1976. Applicant: COOK TRANSPORTS, INC., Paxton, Ill. 60957. Applicant's representative: Clyde Meachum, 41 On The Mall, Danville, Ill. 61832. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Weed killing compounds* (dry), in bags; *insecticides* and *fungicides* (dry), in bags; and *boxed, hand operated fertilizer spreaders*, from Danville, Ill., to points in Indiana, Kentucky, Ohio, Michigan and Wisconsin, restricted to shipments originating at the plant site of Lebanon Chemical Corporation (formerly Agrico Chemical Co.) at Danville, Ill., for 180 days. Applicant has also filed underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Lebanon Chemical Corporation, L. Warren Rasberry, Traffic Manager, P.O. Box 647, Danville, Ill. 61832. Send protests to: Transportation Assistant, Patricia A. Roscoe, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 141822 TA, filed February 27, 1976. Applicant: ARTHUR TROTZKE, P.O. Box 128, Farmersburg, Ind. 47850. Applicant's representative: Edwin J. Simcox, 601 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Forest products, chips, shavings, sawdust and bark; and lumber rough sawed*, from points in Sullivan County, Ind., to Hawesville, Ky., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Vead Dodd Saw Mill, Incorporated, R.R. 4, Sullivan, Ind. Send protests to: Frances Sterling, Interstate Commerce Commission, Federal Bldg., & U.S. Courthouse, 46 East Ohio St., Room 429, Indianapolis, Ind. 46204.

No. MC 141825 TA, filed March 2, 1976. Applicant: DIETZ BROS., INC., 149 Barlow Point Road, Longview, Wash. 98632. Applicant's representative: Evalyn L. Dietz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand, gravel, rock, dirt, debris, cinders and asphaltic concrete mix*, in bulk, in dump trucks, *and ready-mix concrete*, between points in Columbia and Clatsop Counties, Oreg., and Cowlitz and Pacific Counties, Wash., for 180 days. Supporting shipper: Pete Matiaco Company, P.O. Box 752, Rainier, Oreg. 97048. Send protests to: W. J. Huetig, District Supervisor, Interstate Commore Commission, Bureau of Operations 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 141828 TA, filed March 2, 1976. Applicant: BERAM'S TRUCKING SERVICE, 8231 Langdon Ave. #12, Van Nuys, Calif. 91406. Applicant's representative: Vaclay Beran (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Raw plastic material* used in processing of plastic products, from the plantsite of Rapid Industrial Plastics Co., at East Jersey City, N.J., to points in Los Angeles County, Calif., for 180 days. Supporting shipper: Rapid Industrial Plastics Co., Inc., 13 Linden Ave., East, Jersey City, N.J. 07305. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

By the Commission.

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

[FR Doc.76-7655 Filed 3-16-76;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Applications

MARCH 11, 1976.

The following applications to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(d)(2)), and notice thereof to all interested persons is hereby given as provided in such rules.

Carriers having a genuine interest in an application may file an original and three copies of *verified statements* in opposition with the Interstate Commerce Commission within 30 days from the date of publication. (This procedure is outlined in the Commission's report and order in *Gateway Elimination*, 119 M.C.C. 530.) A copy of the verified statement in opposition must also be served upon applicant or its named representative. The verified statement should contain all the evidence upon which protestant relies in the application proceeding including a detailed statement of protestant's interest in the proposal. No rebuttal statements will be accepted.

No. MC 4405 (Sub-No. E5), filed June 4, 1974. Applicant: DEALER'S TRANSIT, INC., 2200 E. 170th St., Lansing, Ill. 60438. Applicant's representative: R. O. Homberger (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

(1) *Electric precipators* which because of size or weight require the use of special equipment; (a) from points in Ashtabula, Trumbull, Mahoning, Lake, Geauga, and Portage Counties, Ohio, and those in Virginia on and north of U.S. Highway 60 to points in Wisconsin, Iowa, those in Illinois and Missouri located on and north of U.S. Highway 24; (b) from Cleveland, Ohio, and points in Jefferson, Columbiana, Stark, and Summit Counties, Ohio, those in West Virginia in and north of Pocahontas, Upshur, Randolph, Harrison, and Wetzel Counties to points in Wisconsin, Iowa, those in Illinois on and west of U.S. Highway 51 and on and north of U.S. Highway 24, those is Missouri on and north of U.S. Highway 24; and (c) from points in Lorain and Medina Counties, Ohio, and those in Cuyahoga County, Ohio (except the Cleveland commercial zone) to points in Missouri on and north of U.S. Highway 24 and on and west of U.S. Highway 69.

(2) *Truck and trailer bodies;* (a) from St. Louis, Mo., and points in Illinois on and south of Interstate Highway 74 and on and north of Interstate Highway 70 to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, those in North Carolina east of Haywood and Transylvania Counties, Rhode Island, Pennsylvania, Vermont, Virginia, and West Virginia; (b) from those points in Illinois on, west, and south of Interstate Highway 74 and on and north of U.S. Highway 136; to points in Georgia (except Chattooga, Walker, Catoosa, and Dade Counties), South Carolina and those in North Carolina in and west of Haywood and Transylvania Counties only; (c) from St. Louis, Mo., and those points in Illinois bounded on the north by U.S. Highway 136 and on the south by Interstate Highway 70 (except points in Vermillion County) to points in Ohio; and (d) from those points in Illinois south of Interstate Highway 74 and north of U.S. Highway 136 and points in Vermillion County to points in Ohio in, south, and east of Mercer, Allen, Hardin, Wyandot, Crawford, Richland, Ashland, Medina, and Cuyahoga Counties. The purpose of this filing is to eliminate the gateways of Warren, Ohio, for (1) above; and Cambridge City, Ind., for (2) above.

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY—ELIMINATION OF GATEWAY LETTER NOTICES

Notice

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination* Rules (49 CFR 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission *within 10 days* from the date of this publication. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will *not* operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 108587 (Sub-No. 20G) (Republication), filed September 8, 1975, published in the FEDERAL REGISTER issue of January 22, 1976, and republished this issue. Applicant: SCHUSTER EXPRESS, INC., 48 Norwich Avenue, Colchester, Conn. 06415. 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) *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 points in Lackawanna and Luzerne Counties, Pa., on the one hand, and, on the other, points in Connecticut, Massachusetts, points in Rhode Island on U.S. Highway 1 (portions formerly Alternate U.S. Highway 1) from the Massachusetts-Rhode Island State Line to the Rhode Island-Connecticut State line, and points in Rhode Island on U.S. Highways 6 and 44 and Rhode Island Highway 3. The purpose of this filing is to eliminate the gateway of New York, N.Y. (2) *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 points in Lackawanna and Luzerne Counties, Pa., on the one hand, and, on the other, points in Bergen, Essex, Hudson, Passaic, and Union Counties, N.J. The purpose of this filing is to eliminate the gateway of Newark, N.J.

NOTE.—The purpose of this republication is to state that No. MC 108587 (Sub-No. 20G) is a gateway elimination application.

No. MC 4405 (Sub-No. E34 (Correction, filed June 4, 1974, and published in the FEDERAL REGISTER October 28, 1975. Applicant: DEALERS TRANSIT, INC., 2200 E. 170th St., Lansing, Ill. 60438. Applicant's representative: Robert Joyner, 2208 Clark Tower, 5100 Poplar Ave., Memphis, Tenn. 38137. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities*, as require special equipment and handling by reason of their unusual weight, bulk, or length, and *self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, between points in Arizona, on the one hand, and, on the other, points in Missouri, Kansas-Oklahoma, Nebraska (points in Oklahoma, Texas, and New Mexico)*, and E. St. Louis, Ill. (St. Louis, Mo., and points in Oklahoma, Texas, and New Mexico)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this correction is to add points in Oklahoma to the radial points listed in the prior publication.

No. MC 70015 (Sub-No. E2), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Pkwy., S. Drive, Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Anderson, Ind., and points within 50 miles thereof, on the one hand, and, on the other, points in Pennsylvania. The purpose of this filing is to eliminate the gateway of points in Jefferson County, Ohio.

No. MC 92983 (Sub-No. E41), filed June 4, 1974. Applicant: AMERICAN BULK TRANSPORT CO., 818 Grand Ave., P.O. Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Such vegetable oils* as are embraced within liquid mixtures or animal feed ingredients, in bulk, in tank vehi-

cles; (1) from points in Pennsylvania located in, north, and west of Tioga, Potter, Cameron, Elk, Jefferson, Armstrong, Butler, and Beaver Counties to points in South Dakota located in, south, and west of Butte, Meade, Pennington, Jackson, Mellette, and Tripp Counties; (2) from points in Pennsylvania located in, south, and east of Bradford, Lycoming, Clinton, Clearfield, Indiana, Westmoreland, Allegheny, and Washington Counties (except York, Lancaster, Berks, Lehigh, Northampton, Bucks, Montgomery, Chester, Delaware, and Philadelphia Counties) to points in South Dakota located in, south, and west of Perkins, Zieback, Stanley, Hughes, Lyman, Buffalo, Aurora, Douglas, Hutchinson, and Yankton Counties; and (3) from points in Pennsylvania located in York, Lancaster, Berks, Lehigh, Northampton, Bucks, Montgomery, Chester, Delaware, and Philadelphia Counties to points in South Dakota located in, south, and west of Brown, Spink, Beadle, Kindsbury, Lake, and Minnehaha Counties.

(B) *Vegetable oils*, in bulk, in tank vehicles, (1) from points in Pennsylvania to points in Nevada, (2) from points in Pennsylvania to points in Idaho, Oregon, Washington, and Wyoming, (3) from points in Pennsylvania (except Philadelphia County), to points in Illinois located on and west of a line extending from the Illinois-Iowa State line along Illinois Highway 9 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Illinois Highway 104, thence along Illinois Highway 104 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Illinois Highway 16, thence along Illinois Highway 16 to junction Illinois Highway 127, thence along Illinois Highway 127 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Illinois Highway 37, thence along Illinois Highway 37 to junction Illinois Highway 146, thence along Illinois Highway 146 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Illinois-Kentucky State line and points in Missouri; and (4) from points in Pennsylvania located in Philadelphia County to points in Illinois located on and west of a line extending from the Illinois-Iowa State line along Interstate Highway 80 to junction U.S. Highway 150, thence along U.S. Highway 150 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction Illinois Highway 78, thence along Illinois Highway 78 to junction U.S. Highway 150, thence along U.S. Highway 150 to junction Illinois Highway 121, thence along Illinois Highway 121 to junction Illinois Highway 32, thence along Illinois Highway 32 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 141, thence along Illinois Highway 141 to the Illinois-Indiana State line and to points in Missouri.

(C) *Petroleum chemicals*, in bulk, in tank vehicles, (1) from points in Pennsylvania (except Philadelphia County) to points in Wisconsin located on, south, and west of a line extending from La Crosse along U.S. Highway 53 to Onalaska, thence along Wisconsin Highway 157 to junction U.S. Highway 16, thence along U.S. Highway 16 to the western boundary of Monroe County, thence extending along the western boundaries of Monroe, Vernon, Crawford, and Grant Counties; and (2) from points in Pennsylvania located in Philadelphia County to points in Wisconsin located on, south, and west of a line extending from La Crosse along U.S. Highway 53 to Onalaska, thence along Wisconsin Highway 157 to junction U.S. Highway 16, thence along U.S. Highway 16 to Wisconsin Dells, thence along U.S. Highway 12 to junction Wisconsin Highway 78, thence along Wisconsin Highway 78 to the Wisconsin-Illinois State line.

(D) *Such acids* and *chemicals* as are embraced within contractors materials and supplies, in bulk, from points in Pennsylvania to points in Minnesota.

(E) *Such petroleum greases* as are embraced within chemicals, in bulk, in tank vehicles, from points in Pennsylvania to Faribault, Minneapolis, and St. Paul, Minn.

(F) *Acids* and *chemicals* (except petroleum and petroleum products), in bulk; (1) from points in Pennsylvania to points in Minnesota and South Dakota; (2) from points in Pennsylvania (except Philadelphia County) to points in Wisconsin located in and west of Grant, Crawford, Vernon, La Crosse, Trempealeau, that portion of Eau Claire County west of U.S. Highway 53, Chippewa, Rusk, Sawyer, and Bayfield Counties; (3) from points in Pennsylvania located in Philadelphia County to points in Wisconsin located on and west of a line extending from the Wisconsin-Illinois State line along Wisconsin Highway 78 to junction U.S. Highway 12, thence along U.S. Highway 12 to Wisconsin Dells, thence along Wisconsin Highway 13 to junction Wisconsin Highway 54, thence along Wisconsin Highway 54 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Wisconsin Highway 17, thence along Wisconsin Highway 17 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Wisconsin-Michigan State line; (4) from points in Pennsylvania to points in Iowa (except Clinton and Jackson Counties); and (5) from points in Pennsylvania located in and east of Potter, Clinton, Centre, Cambria, and Somerset Counties to points in Iowa located in Clinton and Jackson Counties.

(G) *Acids* and *chemicals* (except petroleum and petroleum products), in bulk, and *such acids* and *chemicals* as are embraced within contractor materials and suplies, in bulk; (1) from points in Pennsylvania located in, south, and west of Mercer, Butler, Armstrong, Indiana, Cambria, Blair, Huntington, Mifflin, Juniata, Dauphin, Lebanon, and Lancaster Counties to points is Missouri located in, west, and north of Clark, Knox, Macon, Chariton, Salice, Pettis, Henry, and Bates Counties; (2) from points in Pennsylvania located in, north, and east of Crawford, Venango, Clarion, Jefferson, Clearfield, Centre, Union, Snyder, Northumberland, Schuylkill, Berks, and Chester Counties to points in Missouri located in, west, and north of McDonald, Newton, Lawrence, Greene, Dallas, Camden, Miller, Osage, Montgomery, and Pike Counties; (3) from points in Pennsylvania located in and west of Potter, Clinton, Centre, Mifflin, Juniata, Perry, Cumberland, and Adams Counties to points in Illinois located on and west of a line extending from the Illinois-Missouri State line along U.S. Highway 24 to junction Illinois Highway 96, thence along Illinois Highway 96 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction Illinois Highway 94, thence along Illinois Highway 94 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Interstate Highway 280, thence along Interstate Highway 280 to the Illinois-Iowa State line; and (4) from points in Pennsylvania located in and east of Tioga, Lycoming, Union, Snyder, Dauphin, and York Counties to points in Illinois located on and west of a line extending from the Illinois-Missouri State line along U.S. Highway 54 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Illinois Highway 107, thence along Illinois Highway 107 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction Illinois Highway 41, thence along Illinois Highway 41 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Illinois Highway 78, thence along Illinois Highway 78 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Illinois-Iowa State line.

(H) *Chemicals* (except petroleum and petroleum products) in bulk, from points in Pennsylvania to points in North Dakota.

(I) *Liquid chemicals* (except petroleum products), in bulk; (1) from points in Pennsylvania located in and south of Crawford, Venango, Forest, Elk, Cameron, Clinton, Union, Northumberland, Montour, Schuylkill, Lehigh, and Northampton Counties to points in Texas located on and west of a line extending from the Texas-Oklahoma State line along U.S. Highway 75 to Dallas, thence along U.S. Highway 77 to junction U.S. Highway 87, thence along U.S. Highway 87 to the Gulf of Mexico; and (2) from points in Pennsylvania [except those points described in part (1) above], to points in Texas located on and west of a line extending from the Texas-Oklahoma State line, thence along U.S. Highway 259 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Texas Highway 105, thence along Texas Highway 105 to junction Texas Highway 6, thence along Texas Highway 6 to junction Texas Highway 159, thence along Texas Highway 159 to junction Texas Highway 36, thence along Texas Highway 36 to junction Texas Highway 60, thence along Texas Highway 60 to the Gulf of Mexico.

(J) *Acids* and *chemicals,* in bulk, in tank vehicles, from points in Pennsylvania to Dallas, Tex.

(K) *Such polyvinyl acetate, linseed oil, linseed oil blends,* and *linseed oil products* and *paint materials,* as are embraced within chemicals, in bulk, in tank vehicles, from points in Pennsylvania located on and north of a line extending from the Pennsylvania-Ohio State line along Pennsylvania Highway 68 to junction U.S. Highway 422, thence along U.S. Highway 422 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 522, thence along U.S. Highway 522 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Pennsylvania-New Jersey State line.

(L) *Acids* and *chemicals,* in bulk; (1) from points in Pennsylvania located in and west of Susquehanna, Lackawanna, Luzerne, Carbon, Lehigh, Berks, and Lancaster Counties to points in South Dakota located in Butte, Meade, Lawrence, Pennington, Custer, Fall River, Shannon, Jackson, Wasyabaugh, Bennett, Mellette, and Todd Counties; (2) from points in Pennsylvania located in Wayne, Pike, Monroe, Northampton, Bucks, Montgomery, Chester, Delaware, and Philadelphia Counties to points in South Dakota located in, south, and west of Perkins, Ziebach, Stanley, Hughes, Buffalo, Jerauld, Sanborn, Hanson, McCook, and Minnehaha Counties; (3) from points in Pennsylvania located in Philadelphia County to points in North Dakota located on and west of a line extending from the North Dakota-South Dakota State line along North Dakota Highway 22 to junction North Dakota Highway 23, thence along North Dakota Highway 23 to junction U.S. Highway 85, thence along U.S. Highway 85 to the United States-Canada International Boundary line; (4) from points in Pennsylvania located in and west of Lancaster, Berks, Schuylkill, Carbon, Luzerne, Wyoming, and Susquehanna Counties to points in Montana (except Valley, McCone, Prairie, Fallon, Wibaux, Dawson, Richland, Roosevelt, Daniels, and Sheridan Counties); (5) from points in Pennsylvania located in Wayne, Lackawanna, Pike, Monroe, Northampton, Lehigh, Bucks, Montgomery, Chester, Delaware, and Philadelphia Counties to points in Montana; (6) from points in Pennsylvania to points in Idaho and Wyoming; and (7) from points in Pennsylvania to points in Arizona, California, Nevada, New Mexico, Oregon, and Utah.

(M) *Acids* and *chemicals,* in bulk, in tank or hopper vehicles; (1) from points in Pennsylvania located in Susquehanna, Lackawanna, Wayne, Pike, Monroe, Northampton, Lehigh, Bucks, Montgomery, Delaware, and Philadelphia Counties to points in Iowa located in Fremont, Mills, Page, and Montgomery Counties; (2) from points in Pennsylvania located in Greene, Washington, Allegheny, Westmoreland, Fayette, Somerset, Bedford, and Fulton Counties to points in Missouri located in Jackson, Clay, and Platte Counties; (3) from points in Pennsylvania located in, north, and east of Beaver, Butler, Armstrong, Indiana, Cambria, Blair, Huntington, and Franklin Counties (except Bradford, Wyoming, Lackawanna, Monroe, Pike, Wayne, and Susquehanna Counties) to points in Missouri located in and west of Jasper, Dade, Cedar, St. Clair, Henry, Johnson, Lafayette, Ray, Clinton, Andrew, Holt, and Atchison Counties; (4) from points in Pennsylvania located in Bradford, Wyoming, Lackawanna, Monroe, Pike, Wayne, and Susquehanna Counties to points in Missouri in and west of Harrison, Daviess, Livingston, Carroll, Saline, Pettis, Benton, St. Clair, Cedar, Dade, and Jasper Counties; (5) from points in Pennsylvania located in McKean, Potter, Lycoming, Sullivan, Luzerne, Monroe, Pike, Wayne, Lackawanna, Wyoming, Susquehanna, Bradford, and Tioga Counties to points in Arkansas located on and west of a line extending from the Arkansas-Missouri State line along U.S. Highway 71 to junction Arkansas Highway 41, thence along Arkansas Highway 41 to the Arkansas-Texas State line; and (6) from points in Pennsylvania to points in Colorado, Kansas, Nebraska, and Oklahoma.

(N) *Caustic soda,* in bulk, in tank vehicles, from points in Pennsylvania located in Erie, Warren, McKean, Potter, Tioga, and Bradford Counties to Houston, Tex.

(O) *Liquid chemicals,* in bulk, in tank or hopper vehicles; (1) from points in Pennsylvania located in and south of Lawrence, Butler, Armstrong, Indiana, Cambria, Blair, Huntington, Mifflin, Juniata, Perry, Dauphin, Lebanon, Lancaster, and Chester Counties to points in Texas located in and west of Cochran, Terry, Dawson, Martin, Glasscock, Reagan, Crockett, and Val Verde Counties; (2) from points in Pennsylvania located in Crawford, Mercer, Venango, Forest, Clarion, Elk, Jefferson, Cameron, Clearfield, Clinton, Centre, Union, Snyder, Montour, Northumberland, Schuylkill, Berks, Lehigh, Northampton, Bucks, Montgomery, Philadelphia, and Delaware Counties, to points in Texas located in and west of Wichita, Archer, Young, Stephens, Eastland, Brown, San Saba, Llano, Gillespie, Kendall, Bandera, Medina, Frio, La Salle, and Webb Counties; and (3) from points in Pennsylvania located in and north of Erie, Warren, McKean, Potter, Lycoming, Columbia, Luzerne, Carbon, and Monroe Counties to points in Texas located in and west of Lamar, Delta, Hopkins, Rains, Van Zandt, Henderson, Freestone, Limestone, Robertson, Burleson, Lee, Fayette, Gonzales, DeWitt, Goliad, Bee, and San Particio Counties.

(P) *Acids* and *chemicals,* in bulk, from points in Pennsylvania to points in Washington.

(Q) *Cottonseed oil* and *soybean oil* and *blends* and *products* thereof (except soap products and paint), in bulk, in tank vehicles, from points in Pennsylvania to Jackson, Miss.

(R) *Vegetable oils* and *vegetable oil products* (except soap products and paint), in bulk, in tank vehicles; (1) from points in Pennsylavnia to points in Arkansas, Oklahoma, and Texas; (2) from points in Pennsylvania located in and west of Fulton, Huntington, Mifflin, Centre, Clinton, and Porter Counties to points in Kansas located in and south of Chautauqua, Cowley, Sumner, Harper, Barber, Kiowa, Ford, Finney, Kearny, and Hamilton Counties; (3) from points in Pennsylvania located in and east of Franklin, Juniata, Snyder, Union, Lycoming, and Tioga Counties (except Philadelphia County) to points in Kansas located in and south of Crawford, Neosho, Wilson, Greenwood, Butler, Harvey, Reno, Stafford, Barton, Rush, Ness, Lane, Scott, Wichita, and Greeley Counties; (4) from points in Pennsylvania located in Philadelphia County to points in Kansas located on and south of a line extending from the Kansas-Missouri State line to junction U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Kansas Highway 31, thence along Kansas Highway 31 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Kansas Highway 177, thence along Kansas Highway 177 to junction U.S. Highway 56, thence along U.S. Highway 56 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction Kansas Highway 4, thence along Kansas Highway 4 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Kansas Highway 27, thence along Kansas Highway 27 to the Kansas-Nebraska State line; (5) from points in Pennsylvania to points in Missouri located in McDonald, Barry, Stone, Taney, Ozark, and Howell Counties; (6) from points in Pennsylvania located in and east of Franklin, Juniata, Snyder, Union, Lycoming, and Tioga Counties to points in Missouri located in Barton, Jasper, Newton, Lawrence, Dade, Green, Christian, Webster, Wright, Douglas, Oregon, Carter, Ripley, Butler, Dunkin, and Pemiscot Counties; (7) from points in Pennsylavnia located in and east of Lancaster, Berks, Lehigh, Carbon, Monroe, Lackawanna, and Wayne Counties to points in Missouri located in Vernon, Cedar, Polk, Dallas, Laclede, Texas, Shannon, Reynolds, Wayne, Stoddard, and New Madrid Counties; (8) from points in Pennsylvania located in and west of Fulton, Huntingdon, Mifflin, Centre, Lycoming, and Tioga Counties to points in Colorado located in and south of Prowers, Bent, Otero, Pueblo, Fremont, Chaffee, Gunnison, and Mesa Counties; (9) from points in Pennsylvania located in and east of Franklin, Juniata, Snyder, Union, Northumberland, Montour, Columbia, Sullivan, and Bradford Counties (except Philadelphia County) to points in Colo. (except Kit Carson, Yuma, Phillips, Sedgwick, Logan, Washington, Morgan, Adams, Weld, Larimer, and Jackson Counties); and (10) from points in Pennsylvania lo-

cated in Philadelphia County to points in Colorado.

(S) *Vegetable oils*, in bulk, in tank vehicles, from points in Pennsylvania to points in California.

(T) *Mineral oils* (except those derived from petroleum), in bulk, in tank vehicles, from Karns City and Petrollia, Pa., to points in Arkansas, Oklahoma, Texas, points in Missouri located in McDonald, Barry, Stone, Taney, Ozark, Howell, Oregon, Ripley, Dunklin, and Pemiscott Counties and that portion of Butler County west of U.S. Highway 67 and points in Colorado located on and south of a line extending from the Colorado-Kansas State line along U.S. Highway 50 to junction Interstate Highway 25, thence along Interstate Highway 25 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Colorado-Utah State line.

The purpose of this filing is to eliminate the gateways of : (A) Dupo, Ill., a point in the St. Louis, Mo., commercial zone, and Crete, Nebr.; (B) (1) Dupo, Ill., a point in the St. Louis, Mo., commercial zone, and Nebraska; (B) (2) Dupo, Ill., a point in the St. Louis, Mo., commercial zone, and Kansas; (B) (3)–(4) Dupo, Ill., a point in the St. Louis, Mo., commercial zone; (C) Iowa City, Iowa, a point within 5 miles of Coralville, Iowa; (D), (E) Iowa City, Iowa; (F), (G) Iowa City, Iowa, a point within 15 miles of Windham, Iowa; (H) Iowa City, Iowa, a point within 15 miles of Windham, Iowa, and Des Moines, Iowa; (I) Iowa City, Iowa, a point within 15 miles of Windham, Iowa, and Springfield, Mo.; (J), (K) Iowa City, Iowa, and Kansas City, Mo.-Kansas City, Kans., commercial zone; (L) (1)–(6) Iowa City, Iowa, and Kansas City, Kans.; (L) (7) Iowa City, Iowa, and the Kansas City, Mo.-Kansas City, Kans., commercial zone; (M) Iowa City, Iowa, and points that are in both the Olathe, Kans., and Kansas City, Kans., commercial zones; (N) Iowa City, Iowa, points that are in both the Olathe, Kans., and Kansas City, Kans., commercial zones and Tulsa, Okla.; (Q) Iowa City, Iowa, points that are in both the Olathe, Kans., and Kansas City, Kans., commercial zones and Springfield, Mo.; (P) Iowa City, Iowa, and the Kansas City, Mo.-Kansas City, Kans., commercial zone; (Q), (R) Memphis, Tenn.; (S) Memphis, Tenn., and Colorado; and (T) Memphis, Tenn.

No. MC 107162 (Sub-No. E4), (correction), filed June 1, 1974, published in the FEDERAL REGISTER January 28, 1976. Applicant: NOBLE GRAHAM TRANSPORT, INC., Route 1, Brimley, Mich. 49715. Applicant's representative: John Duncan Varda, P.O. Box 2509, Madison, Wis. 58701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber* (1) from points in that part of Minnesota on and north of a line commencing at the Minnesota-Wisconsin State line, thence along Interstate Highway 94 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Minnesota Highway 371, thence along Minnesota Highway 371 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction Minnesota Highway 89, thence along Minnesota Highway 89 to its intersection with the south boundary of Beltrami County, thence north on the western boundary of Beltrami County to the western boundary of Lake of the Woods County, thence north on the western boundary of Lake of the Woods County to its intersection with Minnesota Highway 11, thence along Minnesota Highway 11 to junction Minnesota Highway 313, thence along Minnesota Highway 313 to the United States-Canada International Boundary line, to points in Missouri, and points in that part of Iowa in and east of Howard, Floyd, Franklin, Hardin, Story, Polk, and Warren, Clark, and Decatur Counties, Iowa; (2) from points in that part of Minnesota bounded by a line commencing at Minneapolis-St. Paul, thence along U.S. Highway 52, to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Minnesota Highway 371, thence along Minnesota Highway 371 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction Minnesota Highway 89, thence along Minnesota Highway 89 to Beltrami County, thence west and north along the boundary of Beltrami County to the western boundary of Lake of the Woods County, thence north along the western boundary of Lake of the Woods County to junction Minnesota Highway 313, thence along Minnesota Highway 313 to the United States-Canada International Boundary line, to the Minnesota-North Dakota State line, to junction Interstate Highway 94, to the points of beginning; to points in that part of Missouri on and east of a line beginning at the Missouri-Kansas State line extending along Interstate Highway 35 to its intersection with Missouri Highway 121, to junction U.S. Highway 69 to the Missouri-Iowa State line. Restriction: The authority granted immediately above is restricted against transportation of shipments originating at points in Canada. The purpose of this filing is to eliminate the gateway of points in Wisconsin (except Marshfield, Neenah, and Two Rivers). The purpose of this correction is to reflect an omission in Parts (1) and (2) above.

No. MC 107162 (Sub-No. E11) (Correction), filed June 1, 1974, and published in the FEDERAL REGISTER January 28, 1976. Applicant: NOBLE GRAHAM TRANSPORT, INC., Route 1, Brimley, Mich. 49715. Applicant's representative: John Duncan Varda, P.O. Box 2509, Madison, Wis. 53701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, (2) from points in Texas; Oklahoma; Louisiana; Arkansas; Mississippi; points in that part of Alabama west of a line commencing at the Alabama-Georgia border, thence along Interstate Highway 59 to its intersection with Alabama Highway 5 to its intersection with U.S. Highway 43, to the Gulf of Mexico; points in that part of West Virginia on and east of U.S. Highway 19; points in that part of Pennsylvania on and east of a line commencing at the Pennsylvania-Maryland State line, thence along U.S. Highway 11 to its intersection with U.S. Highway 15 to its intersection with Pennsylvania Highway 14 to the Pennsylvania-New York State line; and points in that part of New York on and east of a line commencing at the Pennsylvania-New York State line, thence along New York Highway 14 to its intersection with New York Highway 13, to its intersection with Interstate Highway 81 to its intersection with New York Highway 57 to Lake Ontario; to points in that part of Wisconsin on and north of the line commencing at Lake Michigan thence along Wisconsin Highway 64 to its intersection with Wisconsin Highway 47, thence along Wisconsin Highway 47 to junction U.S. Highway 8, thence along U.S. Highway 8 to junction Wisconsin Highway 13 to Lake Superior; . . . The purpose of this filing is to eliminate the gateway of the facilities of Robbins Flooring Co., at or near Ishpeming, Mich. The purpose of this correction is to reflect an omission in part (2) above. The remainder of the letter-notice remains as previously published.

No. MC 108207 (Sub-No. E32), filed May 13, 1974. Applicant: FROZEN FOOD EXPRESS, INC., P.O. Box 5888, Dallas, Tex. 75222. Applicant's representative: Mike Smith (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen Foods*, from points in Arizona, New Mexico, and California, to points in Kentucky. The purpose of this filing is to eliminate the gateway of Dallas, Tex.

No. MC 112520 (Sub-No. E1), filed October 23, 1975. Applicant: MCKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulp mill liquid and liquid sulphate black liquor skimmings*, in bulk, in tank vehicles, from Moss Point, Miss., and Mobile, Ala., and points within 5 miles of each to points in Georgia on south and east of a line beginning at Ft. Gaines, Ga., and extending along Georgia Highway 37 to junction U.S. Highway 27 approximately one mile north of Oakland, Ga., thence over U.S. Highway 27, to Cuthbert, Ga., thence over U.S. Highway 82 to Dawson, Ga., thence over Georgia Highway 45 to junction Georgia Highway 153 approximately 3 miles east of Friendship, Ga., thence over Georgia Highway 153 to Ellaville, Ga., thence over U.S. Highway 19 to junction U.S. Highway 80 approximately 4 miles east of Carsonville, Ga., thence over U.S. Highway 80 to Roberta, Ga., thence over U.S. Highway 341 to Strouds, Ga., thence over Georgia Highway 83 to Madison,

Ga., thence over U.S. Highway 441 and 129 to Athens, Ga., thence over U.S. Highway 29 to the Georgia-South Carolina State line. The purpose of this filing is to eliminate the gateway of Panama City, Fla.

No. MC 112520 (Sub-No. E2), filed November 23, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid Black liquor skimmings*, in bulk, in tank vehicles, from points in Georgia on, east and south of a line beginning at the Georgia-Florida State line approximately 5 miles north of Ashville, Fla., and extending along over U.S. Highway 221 to Quitman, Ga., thence over U.S. Highways 84 and 221 to Valdosta, Ga., thence over U.S. Highway 221 to Hazlehurst, Ga., thence over U.S. Highway 341 to Baxley, Ga., thence over Georgia Highway 144 to junction Georgia Highway 121, thence over Georgia Highway 121 to Augusta, Ga., to Bay Minette, Ala. The purpose of this filing is to eliminate the gateway of Port St. Joe, Fla.

No. MC 112520 (Sub-No. E3), filed October 23, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid waste neutral salts, salt cake solution (spent acids), and waste liquor*, in bulk, in tank vehicles, from Lemoyne, Ala., to points in Georgia on, south and east of a line beginning at Ft. Gaines, Ga., and extending along Georgia Highway 37 to junction U.S. Highway 27 approximately one mile north of Oakland, Ga., thence over U.S. Highway 27 to Cuthbert, Ga., thence over U.S. Highway 82 to Dawson, Ga., thence over Georgia Highway 45 to junction Georgia Highway 153 approximately 3 miles east of Friendship, Ga., thence over Georgia Highway 153 to Ellaville, Ga., thence over U.S. Highway 19 to junction U.S. Highway 80 approximately 4 miles east of Carsonville, Ga., thence over U.S. Highway 80 to Roberta, Ga., thence over U.S. Highway 341 to Strouds, Ga., thence over Georgia Highway 83 to Madison, Ga., thence over U.S. Highway 441 and 129 to Athens, Ga., thence over U.S. Highway 29 to the Georgia-South Carolina State line. The purpose of this filing is to eliminate the gateway of Panama City, Fla.

No. MC–112520 (Sub-No. E4), filed November 25, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin, liquid rosin derivatives, liquid tall oil products and liquid foundry core compounds*, in bulk, in tank vehicles, from points in Georgia on and south of a line beginning at the Georgia-Alabama State line near Saffold, Ga., and extending along U.S. Highway 84 to junction U.S. Highway 19 near Thomasville, Ga., thence south over U.S. Highway 19 to the Georgia-Florida State line to points in Illinois on and north of a line beginning at the Illinois-Iowa State line near Dubuque, Iowa, and extending along U.S. Highway 20 to Marengo, Ill., thence over Illinois Highway 176 to Lake Bluff, Ill. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E5), filed November 24, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Liquid resinous compounds, liquid rosin, liquid rosin derivatives, liquid tall oil products and liquid foundry core compounds, in bulk, in tank vehicles, from points in Georgia on, east and south of a line beginning at the Alabama-Georgia-State line and extending along Georgia Highway 62 to Albany, Ga., thence over U.S. Highway 82 to junction Georgia Highway 257 approximately 4 miles east of Albany, Ga., thence over Georgia Highway 257 to junction U.S. Highway 280 approximately 2 miles west of Cordele, Ga., thence over U.S. Highway 280 to Lyons, Ga., thence over U.S. Highway 1 to Swainsboro, Ga., thence over U.S. Highway 80 to Statesboro, Ga., thence over Georgia Highway 24 to Newington, Ga., thence over Georgia Highway 21 to Springfield, Ga., thence over Georgia Highway 119 to the Georgia-South State line, to points in Arkansas on, south and west of a line beginning at the Mississippi-Arkansas State line approximately 7 miles north of Lakeport, Ark., and extending along U.S. Highway 82 to Lake Village, Ark., thence over U.S. Highway 65 to Pine Bluff, Ark., thence over U.S. Highway 270 to Sheridan, Ark., thence over Arkansas Highway 35 to Benton, Ark., thence over Arkansas Highway 5 to Crows, Ark., thence over Arkansas Highway 9 to junction Interstate Highway 40 near Morrilton, Ark., thence over Interstate Highway 40 to junction Arkansas Highway 23 near Ozark, Ark., thence over Arkansas Highway 23 to St. Paul, Ark., thence over U.S. Highway 62 to the Arkansas-Missouri State line. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E6), filed November 24, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin, liquid rosin derivatives, liquid tall oil products and liquid foundry core compounds* in bulk, in tank vehicles, from points in Georgia, on and south of a line beginning at the Georgia-Florida State line and extending along Georgia Highway 97 to Bainbridge, Ga., thence over Georgia Highway 311 to junction Georgia Highway 97, thence over Georgia Highway 97 to Camilla, Ga., thence over Georgia Highway 333 to Albany, Ga., thence over Georgia Highway 257 to Cordele, Ga., thence over Georgia Highway 90 to Fitzgerald, Ga., thence over Georgia Highway 206 to Broxton, Ga., thence over Georgia Highway 31 to Douglas, Ga., thence over Georgia Highway 158 to junction U.S. Highway 82, thence over U.S. Highway 82 to Waycross, Ga., thence over U.S. Highway 23 to the Georgia-Florida State line to points in Missouri north of a line beginning at the Missouri-Kansas State line, at St. Joseph, Mo., and extending over U.S. Highway 36 to junction Missouri Highway 5, thence over Missouri Highway 5 to junction U.S. Highway 136, thence over U.S. Highway 136 to the Missouri-Illinois State line. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E7), filed November 24, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid rosin, liquid resinous compounds, resinous oils, pinene, tall oil and liquid tall oil products*, in bulk, in tank vehicles, from points in Georgia on and east of a line beginning at the Georgia-North Carolina State line near Dillard, Ga., and extending over U.S. Highway 441 to Athens, Ga., thence over U.S. Highway 78 to Monroe, Ga., thence over Georgia Highway 11 to Gray, Ga., thence over U.S. Highway 129 to Macon, Ga., thence over Interstate Highway 75 to Cordele, Ga., thence over Georgia Highway 257 to Albany, Ga., thence over U.S. Highway 19 to Cambilla, Ga., thence over Georgia Highway 97 to the Georgia-Florida State line to Mobile, Ala. The purpose of this filing is to eliminate the gateway of Panama City, Fla.

No. MC 112520 (Sub-No. E8), filed November 24, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic resin compounds*, in solution, in bulk, in tank vehicles, from points in Georgia on, east and south of a line beginning at the Georgia-Florida State line and extending over U.S. Highway 19 to Thomasville, Ga., thence over U.S. Highway 319 to Moultrie, Ga., thence over Georgia Highway 33 to Cordele, Ga., thence over U.S. Highway 280 to junction Interstate Highway 16 near Blitchton, Ga., thence over Interstate Highway 16 to Savannah, Ga., thence over U.S. Highway 80 to Savannah Beach, Ga., to El Dorado, Ark. The purpose of this filing is to eliminate the gateway of Valdosta, Ga.

No. MC–112520 (Sub-No. E9), filed November 24, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid rosin, liquid resinous compounds, resinous oils, pinene, tall oil, and liquid tall oil products*, in bulk, in tank vehicles, from points in Georgia on and south of a line beginning with the Georgia-Florida State line and extending over Georgia Highway 97 to Camilla, Ga., thence over Georgia Highway 112 to Rochelle, Ga., thence over U.S. Highway 280 to McRae, Ga., thence over U.S. Highway 319 to Wrightsville, Ga., thence over Georgia Highway 78 to Wadley, Ga., thence over U.S. Highway 221 to the Georgia-South Carolina State line, to points in Louisiana on and south of a line beginning at the Louisiana-Texas State line and extending over Louisiana Highway 6 to Natchitoches, La., thence over Louisiana Highway 1 to New Roads, La., thence over Louisiana Highway 10 to the Louisiana-Mississippi State line near Bogalusa, La. The purpose of this filing is to eliminate the gateway of Port St. Joe, Fla.

No. MC 112520 (Sub-No. E10), filed October 24, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid rosin, liquid resinous compounds, resinous oils, pinene, tall oil, and liquid tall oil products*, in bulk, in tank vehicles, from points in Georgia on and south of a line beginning with the Georgia-Florida State line and extending over Georgia Highway 31 to Valdosta, Ga., thence over U.S. Highway 84 to Brunswick, Ga., thence over Georgia Highway 303 to St. Simons Island, Ga., to points in Alabama on and south of a line beginning at the Alabama-Mississippi State line and extending over Alabama Highway 70 to Mobile, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of Port St. Joe, Fla.

No. MC 112520 (Sub-No. E11), filed November 26, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid rosin, liquid resinous compounds, resinous oils, pinene, tall oil, and liquid tall oil products*, in bulk, in tank vehicles, from points in Georgia on and south of a line beginning at the Georgia-Florida State line and extending over Georgia Highway 97 to Camilla, Ga., thence over Georgia Highway 112 to Rochelle, Ga., thence over U.S. Highway 280 to Claxton, Ga., thence over U.S. Highway 301 to the Georgia-South Carolina State line, to points in Mississippi on and south of a line beginning at the Mississippi-Louisiana State line at Natchez, Miss., and extending over U.S. Highway 84 to junction U.S. Highway 49, thence over U.S. Highway 49 to the junction U.S. Highway 98, thence over U.S. Highway 98 to the Mississippi-Alabama State line. The purpose of this filing is to eliminate the gateway of Port St. Joe, Fla.

No. MC 112520 (Sub-No. E12), filed November 26, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid rosin*, in bulk, in tank vehicles, from points in Georgia to Bay Minette, Ala. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E13), filed November 26, 1974. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin derivatives, and liquid tall oil products*, in bulk, in tank vehicles, from points in Georgia, on and south of a line beginning at the Georgia-Alabama State line at Columbus, Ga., and extending over U.S. Highway 280 to Savannah, Ga., thence over U.S. Highway 80 to Savannah Beach, Ga., to points in Kansas on and south of a line beginning at the Kansas-Colorado State line and extending along over Kansas Highway 96 to Great Bend, Kans., thence over U.S. Highway 56 to junction U.S. Highway 77, thence over U.S. Highway 77 to El Dorado, Kans., thence over U.S. Highway 54 to the Kansas-Missouri State line. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E14), filed November 26, 1974. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin derivatives, and liquid tall oil products*, in bulk, in tank vehicles, from points in Georgia to points in Texas on and south of a line beginning at the Texas-New Mexico State line near Farwell, Tex., and extending over U.S. Highway 84 to Snyder, Tex., thence over Texas Highway 208 to San Angelo, Tex., thence over U.S. Highway 87 to Brady, Tex., thence over U.S. Highway 190 to Hearne, Tex., thence over U.S. Highway 79 to Palestine, Tex., thence over U.S. Highway 84 to the Texas-Louisiana State line. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E15), filed November 26, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin derivatives, and liquid tall oil products*, in bulk, in tank vehicles, from points in Georgia on and south of a line beginning at the Georgia-Alabama State line at Columbus, Ga., and extending U.S. Highway 80 to Macon, Ga., thence over Georgia Highway 49, to Milledgeville, Ga., thence over Georgia Highway 22 to Sparta, Ga., thence over Georgia Highway 16 to Thomson, Ga., thence over U.S. Highway 78 to junction Interstate Highway 20, thence over Interstate Highway 20 to the Georgia-South Carolina State line, to points in Mississippi on and south of a line beginning at the Mississippi-Louisiana State line at Natchez, Miss., and extending over U.S. Highway 84 to Collins, Miss., thence over U.S. Highway 49 to junction U.S. Highway 98 near Hattiesburg, Miss., thence over U.S. Highway 98 to the Mississippi-Alabama State line. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E16), filed November 26, 1975 Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin derivatives, and liquid tall oil products*, in bulk, in tank vehicles, from points in Georgia, to points in Louisiana on and south of a line beginning at the Louisiana-Texas State line near Many, La., and extending along Louisiana Highway 6 to Natchitoches, La., thence along Louisiana Highway 1 to new Roads, La., thence along Louisiana Highway 10 to the Louisiana-Mississippi State line near Bogalusa, La. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E17), filed November 26, 1975 Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin derivatives, and liquid tall oil products*, in bulk, in tank vehicles, from points in Georgia to points in Alabama on and south of a line beginning at the Alabama-Mississippi State line near Moffett, Ala., and extending along U.S. Highway 98 to Spanish Fort, Ala., thence along U.S. Highway 31 to Atmore, Ala., thence along Alabama Highway 21 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E18), filed November 26, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid rosin, tall oil, and liquid tall oil products*, in bulk, in tank vehicles, from points in Georgia on and south of a line beginning at the Georgia-Florida State line near Chattahoochee, Fla., and extending along Georgia Highway 97 to Camilla, Ga., thence along Georgia Highway 37 to Moultrie, Ga., thence along U.S. Highway 319 to Ocilla, Ga., thence along Georgia Highway 32 to Patterson, Ga., thence along U.S. Highway 82 to Hinesville, Ga., thence along Georgia Highway 119 to Pembroke, Ga., thence along U.S. Highway 280 to Blitchton, Ga., thence along U.S. Highway 80 to Savannah, Ga., thence along U.S. Highway 321 to the Georgia-South Carolina State line, to points in Arkansas on and south of a line beginning at the Arkansas-Oklahoma State line and extending along U.S. Highway 64 to Ft. Smith, Ark., thence along U.S. Highway 71 to Y City, Ark., thence along U.S. Highway 270 to Pine Bluff, Ark., thence along U.S. Highway 65 to Lake Village, Ark., thence along U.S. Highway 82 to the Arkansas-Mississippi State line. The purpose of this filing is to eliminate the gateway of Port St. Joe, Fla.

No. MC 112520 (Sub-No. E19), filed November 26, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid plastic synthetics, liquid ester gum, and rosin oil* (not including natural rosin), in bulk, in tank vehicles, from points in Georgia on and south of a line beginning at the Georgia-Florida State line and extending along U.S. Highway 221 to Valdosta, Ga., thence along U.S. Highway 84 to Waycross, Ga., thence along U.S. Highway 82 to Hinesville, Ga., thence along Georgia Highway 119 to Pembroke, Ga., thence along U.S. Highway 280 to Blitchton, Ga., thence along U.S. Highway 80 to Savannah, Ga., thence along U.S. Highway 321 to the Georgia-South Carolina State line near Port Wentworth, Ga., to points in Arkansas. The purpose of this filing is to eliminate the gateway of Valdosta, Ga.

No. MC 112520 (Sub-No. E20), filed November 26, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid plastic synthetics, liquid ester gum, and rosin oil* (not including natural rosin), in bulk, in tank vehicles, from points in Georgia on and south of a line beginning at the Georgia-Florida State line near Chattahoochee, Fla., thence along Georgia Highway 97 to Camilla, Ga., thence along Georgia Highway 37 to Moultrie, Ga., thence along U.S. Highway 319 to Phillipsburg, Ga., thence along U.S. Highway 82 to Waycross, Ga., thence along U.S. Highway 84 to junction Georgia Highway 303 near Brunswick, Ga., thence along Georgia Highway 303 to junction U.S. Highway 17, thence along U.S. Highway 17 to Brunswick, Ga., thence along toll road to St. Simons Island, Ga., to points in Kentucky. The purpose of this filing is to eliminate the gateway of Valdosta, Ga.

No. MC 112520 (Sub-No. E21), filed November 26, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid plastic synthetics, liquid ester gum, and rosin oil* (not including natural rosins), in bulk, in tank vehicles, from points in Georgia on and south of a line beginning at the Georgia-Florida State line near Beachton, Ga., thence along U.S. Highway 319 to Phillipsburg, Ga., thence along U.S. Highway 82 to Hinesville, Ga., thence along Georgia Highway 119 to Pembroke, Ga., thence along U.S. Highway 280 to Blitchton, Ga., thence along U.S. Highway 80 to Savannah, Ga., thence along U.S. Highway 321 to the Georgia-South Carolina State line, to points in Illinois (except Jacksonville, Ill.). The purpose of this filing is to eliminate the gateway of Valdosta, Ga.

No. MC 112520 (Sub-No. E22), filed November 26, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid plastic synthetics, liquid ester gum, and rosin oil* (not including natural rosin), in bulk, in tank vehicles, from points in Georgia on and south of a line beginning at the Georgia-Florida State line near Beachton, Ga., thence along U.S. Highway 319 to Phillipsburg, Ga., thence along U.S. Highway 82 to Hinesville, Ga., thence along Georgia Highway 119 to Pembroke, Ga., thence along U.S. Highway 280 to Blitchton, Ga., thence along U.S. Highway 80 to Savannah, Ga., thence along U.S. Highway 321 to the Georgia-South Carolina State line, to points in Missouri. The purpose of this filing is to eliminate the gateway of Valdosta, Ga.

No. MC 112520 (Sub-No. E23), filed December 10, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin, liquid rosin derivatives, liquid tall oil products, and liquid foundry core compounds*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Arkansas. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E24), filed December 10, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 33202. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil* which is obtained by chemical means, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points west of U.S. Highway 319) and from New Wales and Eaton Park, Fla., to points in Kentucky. The purpose of this filing is to eliminate the gateway of Valdosta, Ga.

No. MC 112520 (Sub-No. E25), filed December 10, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid black liquor skimmings*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points west of a line beginning at Port St. Joe, Fla., and extending along Florida Highway 71 to Blountstown, Fla., thence along Florida Highway 69 to Greenwood, Fla., thence along Florida Highway 71 to the Florida-Alabama State line) and from New Wales and Eaton Park, Fla., to Bay Minette, Ala. The purpose of this filing is to eliminate the gateway of Port St. Joe, Fla.

No. MC 112520 (Sub-No. E26), filed December 10, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin, liquid rosin derivatives, liquid tall oil products, and liquid foundry core compounds*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points north and east of a line beginning at the Florida-Georgia State line extending along U.S. Highway 441 to Lake City, Fla., thence along Florida Highway 100 to Starke, Fla., thence along Florida Highway 16 to St. Augustine, Fla.), and from New Wales and Eaton Park, Fla., to points in Illinois. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E27) filed December 10, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Liquid resinous compounds, liquid rosin, liquid rosin derivatives, liquid tall oil products and liquid foundry core compounds, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.), and from New Wales and Eaton Park, Fla., to points in Missouri. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E28), filed December 10, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid rosin*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.), and from New Wales and Eaton Park, Fla., to Bay Minette, Ala. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E29), filed December 10, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum products*, which are liquid chemicals, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points northeast of a line beginning at the Florida-Georgia State line extending along U.S. Highway 441 to Lake City, Fla., thence along Florida Highway 100 to Starke, Fla., thence along Florida Highway 16 to St. Augustine, Fla.), and from New Wales and Eaton Park, Fla., to points in Mississippi. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E30), filed December 10, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Molten sulphur*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Louisiana. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E31), filed December 10, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except aluminum sulphate, vegetable oil, and naval stores), in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points west of a line beginning at Port St. Joe, Fla., and extending along Florida Highway 71 to Blountstown, Fla., thence along Florida Highway 69 to Greenwood, Fla., thence along Florida Highway 71 to the Florida-Alabama State line) and from New Wales and Eaton Park, Fla., to Bay Minette, Ala. The purpose of this filing is to eliminate the gateway of Port St. Joe, Fla.

No. MC 112520 (Sub-No. E32), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except phosphatic feed supplements), in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points north of a line beginning at Gulf Harbors, Fla., thence along U.S. Highway 19 to junction Florida Highway 52, thence along Florida Highway 52 to Dade City, Fla., thence along U.S. Highway 98 to Ridge Manor, Fla., thence along Florida Highway 50 to Orlando, Fla., thence along U.S. Highway 17 to Kissimmee, Fla., thence along U.S. Highway 192 to Indialantic, Fla.) and from New Wales and Eaton Park, Fla., to points in South Carolina. The purpose of this filing is to eliminate the gateway of Tampa, Fla.

No. MC 112520 (Sub-No. E33), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except phosphatic feed supplements), in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points north of a line beginning at Gulf Harbors, Fla., thence along U.S. Highway 19 to junction Florida Highway 52, thence along Florida Highway 52 to Dade City, Fla., thence along U.S. Highway 98 to Ridge Manor, Fla., thence along Florida Highway 50 to Orlando, Fla., thence along U.S. Highway 17 to Kissimmee, Fla., thence along U.S. Highway 192 to Indialantic, Fla.) and from New Wales and Eaton Park, Fla., to points in North Carolina. The purpose of this filing is to eliminate the gateway of Tampa, Fla.

No. MC 112520 (Sub-No. E34), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin derivatives, and liquid tall oil products*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Kansas. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E35), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin derivatives, and liquid tall oil products*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Texas. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E36), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil*, obtained by chemical means, other than tall oil and naval stores, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Arkansas. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E37), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions* and *anhydrous ammonia*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points northeast of a line beginning at the Florida-Georgia State line extending along U.S. Highway 441 to Lake City, Fla., thence along Florida Highway 100 to Starke, Fla., thence along Florida Highway 16 to St. Augustine, Fla.) and from New Wales and Eaton Park, Fla., to points in Mississippi. The purpose of this filing is to eliminate the gateway of Pace, Fla.

No. MC 112520 (Sub-No. E38), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions* and *anhydrous ammonia*, in bulk, in tank vehicles, from points in Florida (except

points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Louisiana. The purpose of this filing is to eliminate the gateway of Pace, Fla.

No. MC 112520 (Sub-No. E39), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aqueous ammonia*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points northeast of a line beginning at the Florida-Georgia State line extending along U.S. Highway 441 to Lake City, Fla., thence along Florida Highway 100 to Starke, Fla., thence along Florida Highway 16 to St. Augustine, Fla.) and from New Wales and Eaton Park, Fla., to points in Mississippi. The purpose of this filing is to eliminate the gateway of Pace, Fla.

No. MC 112520 (Sub-No. E40), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aqueous ammonia*, in bulk, in tank vehicles from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to Mobile, Ala. The purpose of this filing is to eliminate the gateway of Pace Junction, Fla.

No. MC 112520 (Sub-No. E41), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil*, obtained by chemical means, other than tall oil and naval stores, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Missouri. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E42), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil*, obtained by chemical means, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Virginia. The purpose of this filing is to eliminate the gateway of points in Lowndes County, Ga.

No. MC 112520 (Sub-No. E43), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil*, obtained by chemical means, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points west of U.S. Highway 319) and from New Wales and Eaton Park, Fla., to points in Tennessee. The purpose of this filing is to eliminate the gateway of points in Lowndes County, Ga.

No. MC 112520 (Sub-No. E44), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Methanol*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points northeast of a line beginning at the Florida-Georgia State line extending along U.S. Highway 441 to Lake City, Fla., thence along Florida Highway 100 to Starke, Fla., thence along Florida Highway 16 to St. Augustine, Fla.) and from New Wales and Eaton Park, Fla., to points in Mississippi. The purpose of this filing is to eliminate the gateway of points in Santa Rosa County, Fla.

No. MC 112520 (Sub-No. E45), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid rosin soap, liquid rosin and toluene mixture, and liquid rosin and benzine mixtures*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Oklahoma. The purpose of this filing is to eliminate the gateway of Panama City, Fla.

No. MC 113855 (Sub-No. E56) (Correction), filed May 30, 1974, and published in the FEDERAL REGISTER January 14, 1976. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (2) *self-propelled articles*, each weighing 15,000 pounds or more and *related machinery, tools, parts and supplies* moving in connection therewith (restricted to commodities transported on trailers), (B)(1) between points in Nebraska, on the one hand, and, on the other, points in New York on and east of a line beginning at Lake Ontario and extending along New York Highway 57 to junction Interstate Highway 81 to the New York-Pennsylvania State line; points in Maryland (except Garrett, Alleghany, and Washington Counties), points in Virginia on and east of U.S. Highway 1, points in North Carolina in and east of points in North Carolina in and east of Hertford, Bertie, Martin, Beaufort and Pamlico Counties, and the District of Columbia, (2) between points in Nebraska on and west of U.S. Highway 183, on the one hand, and, on the other, points in New York west of a line beginning at Lake Ontario and extending along New York Highway 57 to junction Interstate Highway 81 to the New York-Pennsylvania State line, and on and east of U.S. Highway 15 (South Dakota and points in Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line and extending along Unnumbered highway (formerly portion U.S. Highway 15) to junction Business U.S. Highway 15, to junction U.S. Highway 15 to junction unnumbered highway (formerly portion U.S. Highway 15), to junction U.S. Highway 15, to the Pennsylvania-New York State line (except points in Berks, Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa., and points in Pennsylvania on and east of the above described line in Adams, York, Cumberland, Perry, Dauphin, Lebanon, and Lancaster Counties, Pennsylvania, and points in Pennsylvania on and east of U.S. Highway 15 and north of the East Branch of the Susquehanna River in Tioga, Bradford, Lycoming, Sullivan, Union, Snyder, Northumberland, Montour, and Columbia Counties, Pa.)* The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this correction is to reflect an omission in (B)(1) above and to correct (B)(2).

No. MC 115331 (Sub-No. E31), filed June 3, 1974. Applicant: TRUCK TRANSPORT, INC., 230 Saint Clair Avenue, East St. Louis, Ill. 62201. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in containers: (1) from points in West Virginia on, north and east of a line beginning at the West Virginia-Ohio State line and extending along Interstate Highway 77 to junction West Virginia Highway 14, thence along West Virginia Highway 14 to junction West Virginia Highway 36, thence along West Virginia Highway 36 to junction West Virginia Highway 16, thence along West Virginia Highway 16 to junction West Virginia Highway 39, thence along West Virginia Highway 39 to the West Virginia-Virginia State line to points in Oklahoma and Kansas (El Paso, Ill., and East St. Louis, Ill.*); (2) from points in West Virginia, to points in Oklahoma on and west of a line beginning at the Oklahoma-Missouri State line and extending along Interstate Highway 44 to junc-

tion U.S. Highway 277, thence along U.S. Highway 277 to the Oklahoma-Texas State line. (El Paso, Ill. and East St. Louis, Ill.*); (3) from points in West Virginia to points in Nebraska, Iowa, Minnesota, points in the Upper Peninsula of Michigan on, west and south of a line beginning at the Michigan-Wisconsin State line and extending along U.S. Highway 41 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction U.S. Highway 141, thence along U.S. Highway 141 to junction U.S. Highway 41, thence along U.S. Highway 41 to Cooper Harbor, Michigan, points in Missouri on, north and west of a line beginning at the Missouri-Illinois State line and extending along U.S. Highway 54 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Interstate Highway 44, thence along Interstate Highway 44 to the Missouri-Oklahoma State line, points in Illinois on, north and west of a line beginning at the Illinois-Wisconsin State line and extending along U.S. Highway 51 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Missouri State line, and points in Wisconsin on and west of a line beginning at the Wisconsin-Illinois State line and extending along Interstate Highway 90 to junction Wisconsin Highway 73, thence along Wisconsin Highway 73 to junction Interstate Highway 94, thence along Interstate Highway 94 to junction Wisconsin Highway 26, thence along Wisconsin Highway 26 to junction U.S. Highway 151, thence along U.S. Highway 151 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 41, thence along U.S. Highway 41 to the Wisconsin-Michigan State line. (El Paso, Ill.*). The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115331 (Sub-No. E43), filed June 3, 1974. Applicant: TRUCK TRANSPORT, INC., 230 Saint Clair Avenue, East St. Louis, Ill. 62201. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in containers: (1) from points in Illinois on, north and west of a line beginning at the Illinois-Wisconsin State line and extending along U.S. Highway 51 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Missouri State line, to points in West Virginia (El Paso, Ill.*); (2) from Chicago, Ill., to points in Indiana on, south and west of a line beginning at the Indiana-Illinois State line and extending along U.S. Highway 460 to junction U.S. Highway 231, thence along U.S. Highway 231 to the Illinois-Kentucky State line (El Paso, Ill.*); (3) from points in Illinois on, south and west of a line beginning at the Illinois-Iowa State line and extending along Illinois Highway 116 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Interstate Highway 64, thence along Interstate Highway 64 to junction Interstate Highway 57, thence along Interstate Highway 57 to the Illinois-Kentucky State line, to points in Indiana on and north of Indiana Highway 14 (El Paso, Ill.*).

(4) From points in Illinois on and south of a line beginning at the Illinois-Iowa State line and extending along Illinois Highway 116 to junction Interstate Highway 74, thence along Interstate Highway 74 to the Illinois-Indiana State line, to points in the Upper Peninsula of Michigan on and west of a line beginning at the Michigan-Wisconsin State line and extending along Michigan Highway 35 to junction U.S. Highway 41, thence along U.S. Highway 41 to Marquette, Mich. (El Paso, Ill.*); (5) from points in Illinois on, south and west of a line beginning at the Illinois-Iowa State line and extending along Illinois Highway 116 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Interstate Highway 64, thence along Interstate Highway 64 to junction Interstate Highway 57, thence along Interstate Highway 57 to the Illinois-Kentucky State line, to points in the Lower Peninsula of Michigan (El Paso, Ill.*); (6) from points in Illinois on, west and north of a line beginning at the Illinois-Wisconsin State line and extending along U.S. Highway 51 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Illinois Highway 116, thence along Illinois Highway 116 to the Illinois-Iowa State line, to points in Kentucky (El Paso, Ill.*); (7) from points in Illinois on and south of a line beginning at the Illinois-Iowa State line and extending along Illinois Highway 9 to junction Interstate Highway 74, thence along Interstate Highway 74 to the Illinois-Indiana State line, to points in Wisconsin on and east of a line beginning at the Illinois-Wisconsin State line and extending along U.S. Highway 151 to junction Wisconsin Highway 23, thence along Wisconsin Highway 23 to junction Wisconsin Highway 33, thence along Wisconsin Highway 33 to junction Wisconsin Highway 80, thence along Wisconsin Highway 80 to junction Interstate Highway 90, thence along Interstate Highway 80 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Wisconsin Highway 27, thence along Wisconsin Highway 27 to Lake Superior, and on, west and north of a line beginning at the Wisconsin-Illinois State line and extending along Wisconsin Highway 15 to junction Wisconsin Highway 67, thence along Wisconsin Highway 67 to junction Wisconsin Highway 23, thence along Wisconsin Highway 23 to Lake Michigan (El Paso, Ill.*); (8) from points in Illinois within a territory on and bounded by a line beginning at the Illinois-Missouri State line and extending Interstate Highway 55 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Illinois-Missouri State line, thence along the Illinois-Missouri State line to the point of beginning, to points in Wisconsin (El Paso, Ill.*).

(9) From points in Illinois on and west of U.S. Highway 51, to points in Pennsylvania (El Paso, Ill.*); (10) from points in Illinois on, south and east of a line beginning at the Illinois-Indiana State line and extending along Interstate Highway 74 to junction Interstate Highway 55, thence along Interstate Highway 55 to the Illinois-Missouri State line, to points in Iowa on and north of a line beginning at the Illinois-Iowa State line and extending along U.S. Highway 30 to junction U.S. Highway 61, thence along U.S. Highway 61 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Iowa Highway 13, thence along Iowa Highway 13 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Iowa-Nebraska State line (El Paso.*); (11) from points in Illinois on, north and east of a line beginning at the Illinois-Indiana State line and extending along Interstate Highway 74 to junction Interstate Highway 55, thence along Interstate Highway 55 to Lake Michigan, to points in Iowa on, south and west of a line beginning at the Iowa-Missouri State line extending along Interstate Highway 35 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Iowa-Nebraska State line. (El Paso, Ill.*); (12) from points in Illinois on, north and west of a line beginning at the Illinois-Wisconsin State line and extending along U.S. Highway 51 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Illinois-Iowa State line, to points in Tennessee on and east of Interstate Highway 65.

(13) From points in Illinois on, north and west of a line beginning at the Illinois-Wisconsin State line and extending along U.S. Highway 51 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Missouri State line, to points in Ohio on, east and south of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 36 to junction Interstate Highway 71, thence along Interstate Highway 71 to junction Interstate Highway 76, thence along Interstate Highway 76 to junction Ohio Highway 44, thence along Ohio Highway 44, to junction Ohio Highway 535, thence along Ohio Highway 535 to Lake Erie (El Paso, Ill.*); (14) from points in Illinois on, south and west of a line beginning at the Illinois-Missouri State line and extending along U.S. Highway 24 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction Interstate

Highway 55, thence along Interstate Highway 55 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Interstate Highway 64, thence along Interstate Highway 64 to junction Interstate Highway 57, thence along Interstate Highway 57 to the Illinois-Kentucky State line, to points in Ohio on and north of a line beginning at the Ohio-Pennsylvania State line and extending along Interstate Highway 80 to junction Interstate Highway 76, thence along Interstate Highway 76 to junction U.S. Highway 224, thence along U.S. Highway 224 to junction Ohio Highway 18, thence along Ohio Highway 18 to the Ohio-Indiana State line (El Paso, Ill.*); (15) from points in Illinois on, east and south of a line beginning at the Illinois-Kentucky State line and extending along U.S. Highway 51 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Interstate Highway 55, thence along Interstate Highway 55 to Lake Michigan, to points in Nebraska on, north and west of a line beginning at the Nebraska-Iowa State line and extending along U.S. Highway 73 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 281, thence along U.S. Highway 281 to the Nebraska-Kansas State line (El Paso, Ill.*); (16) from points in Illinois on, east and south of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 24 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Interstate Highway 55, thence along Interstate Highway 55 to the Illinois-Missouri State line, to points in Minnesota (El Paso, Ill.*).

(17) From points in Illinois on, north and east of a line beginning at the Illinois-Indiana State line and extending along Interstate Highway 74 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Illinois-Wisconsin State line, to points in Missouri on, north and west of a line beginning at the Missouri-Illinois State line and extending along U.S. Highway 24 to junction Missouri Highway 6, thence along Missouri Highway 6 to junction Missouri Highway 15, thence along Missouri Highway 15 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 63, thence along U.S. Highway 63 to the Missouri-Arkansas State line (El Paso, Ill.*); (18) from points in Illinois on, north and west of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 24 to junction Interstate Highway 55, thence along Interstate Highway 55 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Illinois-Wisconsin State line, to points in Missouri (El Paso, Ill.*); (19) from points in Illinois on and north of a line beginning at the Illinois-Iowa State line and extending along Interstate Highway 80 to junction Interstate Highway 74, thence along Interstate Highway 74 to junction Interstate Highway 55, thence along Interstate Highway 55 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Indiana State line, to points in Arkansas (El Paso, Ill. and East St. Louis, Ill.*); (20) from points in Illinois on, north and east of a line beginning at the Illinois-Indiana State line and extending along Interstate Highway 74 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Illinois-Wisconsin State line, to points in Kansas on and south of a line beginning at the Kansas-Missouri State line and extending along U.S. Highway 54 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction Interstate Highway 35W, thence along Interstate Highway 35W to junction Interstate Highway 70, thence along Interstate Highway 70 to the Kansas-Colorado State line (El Paso, Ill. and East St. Louis, Ill.*); (21) from points in Illinois on and north of a line beginning at the Illinois-Indiana State line and extending along Interstate Highway 74 to junction Illinois Highway 88, thence along Illinois Highway 88 to junction Illinois Highway 64, thence along Illinois Highway 64 to the Illinois-Iowa State line, to points in Oklahoma (El Paso, Ill. and East St. Louis, Ill.*). The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 92983 (Sub-No. E48), filed June 4, 1974. Applicant: AMERICAN BULK TRANSPORT CO., 818 Grand Ave., P.O. Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

(A) *Contractors' materials and supplies*, in bulk; (1) from Indianapolis, Ind., to points in Wisconsin located in and west of Grant, Richland, Vernon, Monroe, Taylor, Price, and Ashland Counties and points located on and west of a line extending from the eastern border of Monroe County along Wisconsin Highway 173 to junction Wisconsin Highway 80, thence along Wisconsin Highway 80 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to junction Wisconsin Highway 97, thence along Wisconsin Highway 97 to the southern border of Taylor County; (2) from Indianapolis, Ind., to points in Illinois located in Henderson and Hancock Counties and points located on and east of a line extending from the northern border of Warren County along U.S. Highway 67 to junction U.S. Highway 136, thence along U.S. Highway 136 to the eastern border of Hancock County and points in Nebraska; (3) from Indianapolis, Ind., to points in Illinois located in Jo Daviess, Stephenson, Carroll, Whiteside, and Rock Island Counties and points in Minnesota; (4) from Indianapolis, Ind., to points in Illinois located in Adams County and to points in Missouri located in and north of Bates, Henry, and Pettis Counties and points located on and north of a line extending from the western border of Pettis County along U.S. Highway 50 to junction Missouri Highway 5, thence along Missouri Highway 5 to junction Missouri Highway 124, thence along Missouri Highway 124 to junction Missouri Highway 22, thence along Missouri Highway 22 to junction Missouri Highway 19, thence along Missouri Highway 19 to junction U.S. Highway 61, thence along U.S. Highway 61 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Missouri-Illinois State line and to points in Kansas located within 300 miles of Ames, Iowa; and (5) from Indianapolis, Ind., to points in Illinois located in Mercer County.

(B) *Crude soybean oil*, in bulk, in tank vehicles; (1) from points in Indiana to Fairbault and Minneapolis, Minn.; and (2) from points in Indiana (except Lake County) to St. Paul, Minn.

(C) *Corn syrup*, in bulk, in tank vehicles; (1) from Roby, Ind., to points in Nebraska located in and south of Nemaha, Johnson, Gage, Jefferson, Thayer, Nuckolls, Webster, Franklin, Harlan, and Furnas Counties and points located on and north of a line extending from the northern border of McCook County along U.S. Highway 83 to the North Platte River, thence along North Platte River to the unnumbered highway at Lisco, thence along unnumbered highway to junction U.S. Highway 385, thence along U.S. Highway 385 to junction Nebraska Highway 87, thence along Nebraska Highway 87 to junction Nebraska Highway 71, thence along Nebraska Highway 71 to junction U.S. Highway 26, thence along U.S. Highway 26 to the Wyoming-Nebraska State line, to points in Arkansas located in and west of Benton, Washington, Franklin, Sebastian, Scott, Polk, Howard, Sevier, and Little River Counties and points in Miller County located on and west of U.S. Highway 71 and to points in Colorado, Kansas, and Oklahoma; (2) from Roby, Ind., to points in Washington (except Spokane County) and to points in California and Oregon; (3) from Roby, Ind., to Dallas and Ft. Worth, Tex.; and (4) from Roby, Ind., to points in Louisiana located in and west of Bossier, Red Rvier, De Soto, Sabine, Vernon, Beauregard, Calcasieu, and Cameron Counties and to points in Texas (except Dallas and Ft. Worth).

(D) *Acids* and *chemicals* (except petroleum and petroleum products), in bulk; (1) from points in Indiana located in and north of Newton, Jasper, White, Carroll, Howard, Grant, Black, Ford, and Jay Counties to points in Missouri located in Clay, Platte, Clinton, Buchanan, Andrew, Holt, Nodaway, and Atchison Counties; (2) from points in Indiana located in Lake, Porter, LaPorte, St. Joseph, Elkhart, LaGrange, and Steuben Counties to points in Missouri located in, north, and west of Jasper, Dade, Polk, Hickory, Benton, Morgan, Moniteau, Boone, Randolph, Shelby, Knox, and Clark Counties; (3) from points in Indiana to points in Iowa located in and west of that portion of Winneshiek County located on and west of U.S. Highway 52, including Decorah, Fayette, Buchanan, Linn, Johnson, Washington, Jefferson, Wapello, Monroe, and that portion of Appanoose County located on and west of Iowa Highway 5 including Centerville; (4) from points in Indiana located in, south, and west of Vigo, Clay,

Owen, Monroe, Brown, Bartholomew, Jennings, and Jefferson Counties to points in Iowa located in that portion of Winneshiek County located east of U.S. Highway 52 (except Decorah) and points in Alamakee, Clayton, Delaware, Dubuque, Jones, Cedar, and Muscatine Counties; (5) from points in Indiana located in and north of Lake, Porter, LaPorte, Stark, Marshall, Kosciusko, Whitley, and Allen Counties to points in Iowa located in Henry, Lee, Van Buren, and Davies Counties and that portion of Appanoosa County located east of Iowa Highway 5 (except Centerville); (6) from points in Indiana to points in South Dakota and to points in Minnesota located in and west of Fillmore, Olmstead, Goodhue, Dakota, Ramsey, Anoka, Isanti, Kanareo, Aitkin, Itasca, and Koochiching Counties; (7) from points in Indiana located in and south of Vermillion, Fountain, Montgomery, Boone, Hamilton, Madison, Delaware, and Randolph Counties to points in Minnesota located in Houston, Winona, Wabasha, Washington, Chisago, Pine, Carlton, St. Louis, Lake, and Cook Counties and to points in Wisconsin, located in and west of Grant, Crawford, Vernon, LaCrosse, Trempealeau, Eau Claire, Chippewa, Rusk, Sawyer, and Bayfield Counties; (8) from points in Indiana located in, south, and west of Vigo, Sullivan, Knox, Davies, Dubois, and Perry Counties to points in Wisconsin located in Monroe, Jackson, Clark, Taylor, Price, Ashland, and Iron Counties; (9) from points in Indiana to points in Nebraska (except Johnson, Nemaha, Pawnee, and Richardson Counties); and (10) from points in Indiana located in, north, and east of Vigo, Clay, Green, Lawrence, Washington, and Floyd Counties to points in Nebraska located in Johnson, Nemaha, Pawnee, and Richardson Counties.

(E) *Cottonseed oil, soybean oil, blends and products thereof* (except soap products and paints), in bulk, in tank vehicles; (1) from points in Indiana to Jackson, Miss.; (2) from points in Indiana on, east, and north of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 136 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction Indiana Highway 46, thence along Indiana Highway 46 to junction Indiana Highway 37, thence along Indiana Highway 37 to junction U.S. Highway 150, thence along U.S. Highway 150 to junction Indiana Highway 66, thence along Indiana Highway 66 to junction Indiana Highway 337, thence along Indiana Highway 337 to junction Indiana Highway 135, thence along Indiana Highway 135 to the Indiana-Kentucky State line, to Osceola, Ark.; and (3) from points in Indiana to Dallas, Tex.

(F) *Vegetable oils* and *vegetable oil products,* in bulk, in tank vehicles (except soap products and paints); (1) from points in Indiana to points in Alabama located in Mobile County including Mobile, Ala., commercial zone; and (2) from points in Indiana located in and north of Vigo, Parke, Montgomery, Clinton, Howard, Wabash, Whitley, Noble, and Steuben Counties to points in Alabama located in, south, and west of Pickens, Tuscaloosa, Bibb, Perry, Dallas, Lowndes, Butler, and Covington Counties.

(G) *Acids* and *chemicals,* in bulk, in tank vehicles, from points in Indiana (except Posey, Vanderburgh, Warrick, Spencer, and Perry Counties), to Dallas, Tex.

(H) *Acids* and *chemicals* (except derivatives of petroleum or petroleum products and except synthetic resins and varnish, in bulk, in tank vehicles), in bulk, in tank or hopper vehicles; (1) from points in Indiana located in and south of Vigo, Clay, Owen, Monroe, Brown, Bartholomew, Decatur, Ripley, and Dearborn Counties (except Knox, Pike, Dubois, Perry, Spencer, Warrick, Gibson, Vanderburgh, and Posey Counties) to points in Minnesota located in Lincoln, Pipestone, Murray, Rock, and Nobles Counties; (2) from points in Indiana located in Knox, Gibson, Pike, Warrick, Spencer, Dubois, and Perry Counties to points in Minnesota located on and west of a line extending from the Minnesota-Iowa State line along U.S. Highway 71 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction U.S. Highway 59, thence along U.S. Highway 59 to the United States- Canada International Boundary line; and (3) from points in Indiana located in Posey and Vandenburgh Counties to points in Minnesota located on and west of a line extending from the Minnesota-Iowa State line along U.S. Highway 169 to junction Minnesota Highway 22, thence along Minnesota Highway 22 to junction Minnesota Highway 15, thence along Minnesota Highway 15 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Minnesota Highway 371, thence along Minnesota Highway 371 to junction Minnesota Highway 210, thence along Minnesota Highway 210 to junction Minnesota Highway 6, thence along Minnesota Highway 6 to the Big Fork River, thence along the Big Fork River to the United States-Canada International Boundary line.

(I) *Acids,* and *liquid chemicals* (except those derived from petroleum and petroleum products), in bulk, in tank vehicles; (1) from points in Indiana located in and south of Sullivan, Greene, Lawrence, Jackson, Jennings, Jefferson, and Switzerland Counties to points in Texas located on and west of a line extending from the Texas-Oklahoma State line along U.S. Highway 81 to junction Texas Highway 59, thence along Texas Highway 59 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 377, thence along U.S. Highway 377 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction U.S. Highway 57, thence along U.S. Highway 57 to the United States-Mexico International Boundary line; (2) from points in Indiana located in and north of Vigo, Clay, Owen, Monroe, Brown, Bartholomew, Decatur, Ripley, and Ohio Counties (except Newton, Jasper, Lake, Porter, LaPorte, Starke, Marshall, St. Joseph, and Elkhart Counties) to points in Texas located in and west of Lamar, Delta, Hopkins, Rains, Van Zandt, Henderson, Freestone, Limestone, Robertson, Brazos, Washington, Austin, Colorado, and Jackson Counties; and (3) from points in Indiana located in Newton, Jasper, Lake, Porter, La Porte, Starke, Marshall, St. Joseph, and Elkhart Counties to points in Texas (except Harris, Jefferson, Orange, Jasper, Newton, Sabine, San Augustine, Shelby, Panola, Harrison, Marion, Cass, and Bowie Counties.

(J) *Acids and chemicals,* in bulk; (1) from points in Indiana located north of Indiana Highway 32 to points in Idaho, points in Montana located on, south, and west of a line extending from the United States-Canada International Boundary line along U.S. Highway 89 to junction Montana Highway 200, thence along Montana Highway 200 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction U.S. Highway 87, thence along U.S. Highway 87 to the Montana-Wyoming State line and points in Wyoming located on, west, and south of a line extending from the Wyoming-Montana State line along U.S. Highway 87 to junction U.S. Highway 26, thence along U.S. Highway 26 to the Wyoming-Nebraska State line; (2) from points in Indiana located on and south of Indiana Highway 32 and in and north of Sullivan, Greene, Lawrence, Washington, and Clark Counties to points in Idaho, Montana, Wyoming, points in North Dakota located on and west of a line extending from the United States-Canada International Boundary line along U.S. Highway 85 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction North Dakota Highway 49, thence along North Dakota Highway 49 to junction North Dakota Highway 21, thence along North Dakota Highway 21 to junction North Dakota Highway 6, thence along North Dakota Highway 6 to the North Dakota-South Dakota State line and points in South Dakota located on, west, and south of a line extending from the South Dakota-North Dakota State line along South Dakota Highway 63 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction U.S. Highway 212, thence along U.S. Highway 212 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction South Dakota Highway 37, thence along South Dakota Highway 37 to junction U.S. Highway 16, thence along U.S. Highway 16 to the South Dakota-Minnesota State line; and (3) from points in Indiana located in and south of Knox, Daviess, Martin, Orange, Harrison, and Floyd Counties to points in Idaho, Montana, North Dakota, South Dakota, and Wyoming.

(K) *Acids and chemicals*, in bulk, in tank or hopper vehicles: (1) from points in Indiana located south of U.S. Highway 24 to points in Oklahoma located on and west of U.S. Highway 69; (2) from points in Indiana located on and north of U.S. Highway 24 to points in Oklahoma and points in Arkansas located on and west of a line extending from the Arkansas-Missouri State line along U.S. Highway 71 to the Arkansas-Texas State line at the Red River; (3) from points in Indiana located in and north of Warren, Fountain, Tippecanoe, Clinton, Howard, Miami, Wabash, Huntington, and Allen Counties to points in Nebraska located in and south of Richardson, Pawnee, Gage, Saline, Fillmore, Clay, Adams, Kearney, Phelps, Gosper, Frontier, Hayes, Perkins, Deuel, Cheyenne, Banner, and Scotts Bluff Counties; (4) from points in Indiana located in and south of Vermillion, Parke, Montgomery, Boone, Hamilton, Tipton, Grant, Wells, and Adams Counties (except Gibson, Pike, Dubois, Crawford, Harrison, Floyd, Perry, Spencer, Warrick, Vanderburgh, and Posey Counties), to points in Nebraska located in, south, and west of Otoe, Lancaster, Seward, Polk, Nance, Greeley, Garfield, Loup, Blaine, and Cherry Counties; and (5) from points in Indiana located in and south of Gibson, Pike, Dubois, Crawford, Harrison, and Floyd Counties to points in Nebraska and points in Iowa located in and west of Ringgold, Union, Adair, Guthrie, Greene, Calhoun, Pocahontas, Palo Alto, and Emmet Counties.

(L) *Acids* and *chemicals*, in bulk, in tank or hopper vehicles (except from Terre Haute and points in Indiana located in the Chicago, Ill., commercial zone to points in Missouri in the Kansas City, Mo., commercial zone); (1) from points in Indiana to points in Colorado, Kansas, and points in Missouri located on and west of a line extending from the Missouri-Kansas State line along U.S. Highway 36 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction Missouri Highway 291, thence along Missouri Highway 291 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Missouri-Kansas State line; (2) from points in Indiana located on and north of Indiana Highway 26 to points in Missouri located on, south, and west of a line extending from the Missouri-Kansas State line along U.S. Highway 54 to junction U.S. Highway 71, thence along U.S. Highway 71 to the Missouri-Arkansas State line; and (3) from points in Indiana located on and south of U.S. Highway 50 to points in Missouri located on, north, and west of a line extending from the Missouri-Kansas State line along U.S. Highway 36 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction Missouri Highway 291, thence along Missouri Highway 291 to junction U.S. Highway 69, thence along U.S. Highway 69 to the Missouri-Iowa State line.

(M) *Liquid chemicals*, in bulk, in tank or hopper vehicles; (1) from points in Indiana located in and south of Vermillion, Parke, Putnam, Hendricks, Marion, Hancock, Henry, and Wayne Counties to points in Texas located on and west of a line extending from the Texas-New Mexico State line along U.S. Highway 87 to junction Texas Highway 349, thence along Texas Highway 349 to the Pecos River, thence along the Pecos River to the United States-Mexico International Boundary line; (2) from points in Indiana located in and north of Warren, Fountain, Montgomery, Boone, Hamilton, Madison, Delaware, and Randolph Counties (except Lake, Porter, LaPorte, St. Joseph, Elkhart, LaGrange, and Steuben Counties) to points in Texas located on and west of a line extending from the Texas-Oklahoma State line along U.S. Highway 283 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction U.S. Highway 181, thence along U.S. Highway 181 to the Gulf of Mexico; and (3) from points in Indiana located in Lake, Porter, LaPorte, St. Joseph, Elkhart, LaGrange, and Steuben Counties to points in Texas located in and west of Lamar, Hopkins, Rains, Van Zandt, Henderson, Anderson, Leon, Madison, Grimes, Waller, Austin, Wharton, and Matagorda Counties.

(n) *Acids* and *chemicals*, in bulk; (1) from points in Indiana to points in Washington; (2) from Gary, Ind., to points in Louisiana located in Caddo County; and (3) from points in Indiana to points in Arizona, California, Nevada, New Mexico, Oregon, and Utah.

(O) *Vegetable oil* and *vegetable oil products* (except soap products and paint), in bulk, in tank vehicles; (1) from points in Indiana to points in Louisiana; and (2) from points in Indiana to points in Mississippi in and west of Marshall, Lafayette, Calhoun, Webster, Choctaw, Winston, Neshoba, and Lauderdale Counties.

(P) *Fats*, in bulk, in tank vehicles; (1) from points in Indiana to points in Arkansas located in and west of Baxter, Searcy, Pope, Yell, Montgomery, Pike, Hempstead, and Miller Counties; (2) from points in Indiana located in and north of a line extending from the Indiana-Illinois State line along Indiana Highway 54 to junction Indiana Highway 45, thence along Indiana Highway 45 to junction Indiana Highway 46, thence along Indiana Highway 46 to the Indiana-Ohio State line to points in Arkansas [except those points in Arkansas described in (1) above]; (3) from points in Indiana to points in Kansas and points in Nebraska located in Thayer, Nuckolls, Webster, Franklin, Harlan, Furnas, Red Willow, Hitchcock, Hayes, Chase, and Dundy Counties; (4) from points in Indiana located on and south of Indiana Highway 32 to points in Nebraska (except those points in Nebraska described in (3) above); (5) from points in Indiana to points in Nevada; (6) from points in Indiana to points in Idaho, Oregon, Washington, and points in Wyoming located in Laramie, Albany, Carbon, Sweetwater, Uinta, Lincoln, Sublette, Fremont, Hot Springs, Park, and Teton Counties; (7) from points in Indiana located on and south of U.S. Highway 24 to points in Wyoming [except those points in Wyoming described in (6) above]; (8) from points in Indiana to points in Missouri located in, south, and west of Buchanan, Clinton, Caldwell, Carroll, Chariton, Randolph, Audrain, Montgomery, Lincoln, St. Charles, St. Louis, Franklin, Crawford, Dent, Texas, and Howell Counties; and (9) from points in Indiana located on and south of U.S. Highway 40 to points in Missouri located in Pike, Ralls, Monroe, Shelby, Macon, Adair, Putnam, Sullivan, Linn, Livingston, Grundy, Mercer, Harrison, Daviess, DeKalb, Gentry, Worth, Nodaway, Andrew, Holt, and Atchison Counties and points in Iowa located in and west of Wayne, Lucas, Warren, Polk, Boone, Webster, Humboldt, and Kossuth Counties.

(Q) *Oils* (except petroleum oil and vegetable oil), in bulk, in tank vehicles, from points in Indiana (except those points within 125 miles of Chicago) to points in Arkansas located in all counties (except Clay, Greene, and Mississippi), points in Kansas and points in Nebraska.

(R) *Oils* (except petroleum oils and vegetable oil), in bulk, in tank vehicles, from points in Indiana (except those located within 125 miles of Chicago) to points in Idaho, points in Oregon, points in Washington, and points in Wyoming.

The purpose of this filing is to eliminate the gateways of: (A) Iowa; (B) Muscatine, Iowa; (C) (1), (4) North Kansas City, Mo.; (C) (2) North Kansas City, Mo., and Colorado; (C) (3) Kansas City, Mo.; (D) Iowa City, Iowa, a point within 15 miles of Windham, Iowa; (E), (F) Memphis, Tenn.; (G), (H) Kansas City, Kans.-Kansas City, Mo., commercial zone; (I) Kansas City, Mo., and Lawrence, Kans.; (J) Kansas City, Kans.; (K), (L) points that are in both the Olathe, Kans., and the Kansas City, Kans., commercial zones; (M) points that are in both the Olathe, Kans., and the Kansas City, Kans., commercial zones, and Verona, Mo.; (N) Kansas City, Mo.; (O) Memphis, Tenn.; (P) (1)–(4), (8), (9) St. Louis, Mo., a point in the Dupo, Ill., commercial zone; (P) (5) St. Louis, Mo., a point in the Dupo, Ill., commercial zone, and Nebraska; (P) (6), (7) St. Louis, Mo., a point in the Dupo, Ill., commercial zones, and Kansas; (Q) St. Louis, Mo., a point in the Dupo, Ill., commercial zone; and (R) St. Louis, Mo., a point in the Dupo, Ill., commercial zone, and Kansas.

No. MC 92983 (Sub-No. E49), filed June 4, 1974. Applicant: AMERICAN BULK TRANSPORT CO., 818 Grand Ave., P.O. Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Cottonseed oil, soybean oil and blends thereof, cottonseed oil products and soybean oil products* (except soap products and paints), in bulk, in tank vehicles; (1) from points in North Carolina to Evadale and Wilson, Ark.; and (2) from points in North Carolina to

Carthage, Mo. (B) *Cottonseed oil, soybean oil and blends thereof,* in bulk, in tank vehicles; (1) from points in North Carolina located in and east of Madison, Buncombe, and Henderson Counties to Kansas City, Mo.; (2) from points in North Carolina (except Mecklenburg, Union, Anson, Richmond, Scotland, Robeson, Bladen, Columbus, Brunswick, and New Hanover Counties) to points in Iowa located on and west of a line extending from the Iowa-Missouri State line along the east fork Grand River to Iowa Highway 2, thence along Iowa Highway 2 to junction Iowa Highway 25, thence along Iowa Highway 25 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Iowa Highway 37, thence along Iowa Highway 37 to junction U.S. Highway 75, thence along U.S. Highway 75 to the Iowa-Minnesota State line; and (3) from points in North Carolina located in Mecklenburg, Union, Anson, Richmond, Scotland, Robeson, Bladen, Columbus, Brunswick, and New Hanover Counties to points in Iowa located on and west of a line extending from the Iowa-Missouri State line along U.S. Highway 69 to junction Iowa Highway 92, thence along Iowa Highway 92 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction Iowa Highway 141, thence along Iowa Highway 141 to junction Iowa Highway 17, thence along Iowa Highway 17 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 169, thence along U.S. Highway 169 to the Iowa-Minnesota State line.

(C) *Cottonseed oil, soybean oil and blends thereof, cottonseed oil products and soybean oil products* (except soap products and paint), in bulk, in tank vehicles; (1) from points in North Carolina to Osceola, Ark., and Dallas, Tex.; and (2) from points in North Carolina located in, north, and east of Madison, Buncombe, McDowell, Burke, Catawba, Iredell, Rowan, Davidson, Randolph, Moore, Hoke, Cumberland, Sampson, Pender, and New Hanover Counties to Jackson, Miss.

(D) *Vegetable oils and vegetable oil products* (except soap products and paints), in bulk, in tank vehicles; (1) from points in North Carolina located in, south, and west of Alleghany, Wilkes, Yadkin, Davie, Davidson, Montgomery, Moore, Hoke, Robeson, Bladen, Columbus, and Brunswick Counties to points in Mississippi located on and west of a line extending from the Mississippi-Tennessee State line along Mississippi Highway 7 to Belzoni, thence along the Yazoo River to the Mississippi River and points in Louisiana located in and west of East Carroll, Richland, Caldwell, La Salle, Rapides, Allen, Jefferson Davis, and Cameron Parishes; and (2) from points in North Carolina located in, north, and east of Surry, Forsyth, Guilford, Randolph, Chatham, Lee, Harnett, Cumberland, Sampson, Pender, and New Hanover Counties to points in Mississippi located on and west of a line extending from the Mississippi-Tennessee State line along Mississippi Highway 7 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Mississippi-Louisiana State line (except Jackson) and points in Louisiana located in, west, and north of St. Helena, East Baton Rouge, Iberville, Assumption, and St. Mary Parishes.

(E) *Such fats and oils and blends and products thereof* as are embraced within chemicals (excluding fats, oils, blends and products thereof derived from petroleum, soap products, and paints), in bulk, in tank vehicles; (1) from points in North Carolina to points in Minnesota located in Nobles, Rock, and Pipestone Counties; (2) from points in North Carolina located in Mecklenburg, Union, Anson, Richmond, Scotland, Robeson, Bladen, Columbus, Pender, New Hanover, and Brunswick Counties to points in Minnesota located on, south, and west of a line extending from the Minnesota-Iowa State line along U.S. Highway 169 to junction Minnesota Highway 30, thence along Minnesota Highway 30 to junction Minnesota Highway 15, thence along Minnesota Highway 15 to the Minnesota River, thence along the Minnesota River to U.S. Highway 71, thence along U.S. Highway 71 to junction Minnesota Highway 7, thence along Minnesota Highway 7 to junction Minnesota Highway 29, thence along Minnesota Highway 29 to junction Minnesota Highway 9, thence along Minnesota Highway 9 to junction Minnesota Highway 29, thence along Minnesota Highway 29 to junction Minnesota 9, thence along Minnesota Highway 9 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction U.S. Highway 75, thence along U.S. Highway 75 to the United States-Canada International Boundary line; (3) from points in North Carolina to points in Idaho, Montana, Wyoming, points in South Dakota (except Grant, Roberts, and Marshall Counties) and points in North Dakota located in and west of Dickey, La Moure, Logan, Kidder, Sheridan, McLean, Ward, and Renville Counties; (4) from points in North Carolina located in and south of Swain, Jackson, Transylvania, Henderson, Rutheford, Cleveland, Lincoln, Mecklenburg, Cabarrus, Stanly, Montgomery, Moore, Lee, Harnett, Sampson, Duplin, Jones, Craven, and Pamlico Counties to points in South Dakota located in Grant, Roberts, and Marshall Counties and points in North Dakota located in and east of Sargent, Ranson, Barnes, Stutsman, Wells, Pierce, McHenry, and Bottineau Counties; (5) from points in North Carolina to points in Arizona, California, Nevada, Oregon, Utah, and that portion of New Mexico located on, west, and north of a line extending from the New Mexico-Texas State line along U.S. Highway 70 to junction U.S. Highway 54, thence along U.S. Highway 54 to the New Mexico-Texas State line; (6) from points in North Carolina located in and east of Stokes, Forsyth, Davidson, Randolph, Moore, Hoke, and Robeson Counties to points in New Mexico located south and east of a line extending from the New Mexico-Texas State line along U.S. Highway 70 to junction U.S. Highway 54, thence along U.S. Highway 54 to the New Mexico-Texas State line; (7) from points in North Carolina located in, north, and west of Gaston, Lincoln, Iredell, Rowan, Davidson, Randolph, Chatham, Wake, Nash, Halifax, and Bertie Counties to points in Colorado, points in Kansas (except that portion of Montgomery County east of U.S. Highway 75 and Cherokee, Labette, and Crawford Counties and points in Missouri located on and west of a line extending from the Missouri-Kansas State line along U.S. Highway 54 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Missouri Highway 2, thence along Missouri Highway 2 to junction Missouri Highway 131, thence along Missouri Highway 131 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Missouri Highway 13, thence along Missouri Highway 13 to junction U.S. Highway 69, thence along U.S. Highway 69 to the Missouri-Iowa State line); (8) from points in North Carolina located in, south, and east of Mecklenburg, Cabarrus, Stanly, Montgomery, Moore, Lee, Harnett, Johnston, Wilson, Edgecombe, Martin, and Washington Counties to points in Colorado, points in Kansas (except Cherokee County and points in Missouri located in and west of a line extending from the Missouri-Kansas State line along Missouri Highway 126 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction County Road B in Vernon County, thence along County Road B in Vernon County to junction Missouri Highway 97, thence along Missouri Highway 97 to junction Missouri Highway 32, thence along Missouri Highway 32 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction Missouri Highway 82, thence along Missouri Highway 82 to junction Missouri Highway 13, thence along Missouri Highway 13 to junction U.S. Highway 69, thence along U.S. Highway 69 to the Missouri-Iowa State line; (9) from points in North Carolina located in and west of Brunswick, Columbus, Bladen, Sampson, Wayne, Wilson, Nash, and Warren Counties to points in Oklahoma located on, north, and west of a line extending from the Oklahoma-Kansas State line along U.S. Highway 75 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Oklahoma-Texas State line; (10) from points in North Carolina located in and east of New Hanover, Pender, Duplin, Lenoir, Greene, Pitt, Edgecombe, Halifax, and Northampton Counties to points in Oklahoma located on and west of a line extending from the Oklahoma-Missouri State line along Interstate Highway 44 to Oklahoma City, thence along the H. E. Bailey Turnpike to the Oklahoma-Texas State line; (11) from points in North Carolina (except

Mecklenburg, Union, Anson, Richmond, Scotland, Hoke, Robeson, Cumberland, Bladen, Columbus, Brunswick, New Hanover, Pender, Duplin, Onslow, and Carteret Counties) to points in Iowa located in and west of Ringgold, Adams, Cass, Shelby, Crawford, Ida, Cherokee, Sioux, and Lyon Counties and points in Nebraska; and (12) from points in North Carolina located in Mecklenburg, Union, Anson, Richmond, Scotland, Hoke, Robeson, Cumberland, Bladen, Columbus, Brunswick, New Hanover, Pender, Duplin, Onslow, and Carteret Counties to points in Iowa located on the west of a line extending from the Iowa-Missouri State line along U.S. Highway 65 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Iowa Highway 17, thence along Iowa Highway 17 and continuing along the eastern boundary of Kossuth County to the Iowa-Minnesota State line and points in Nebraska; and (13) from points in North Carolina to points in Washington.

(F) (1) *Fats and oils*, when intended for use as animal and poultry feed or animal and poultry feed ingredients, and (2) Vinegar, in bulk, in tank vehicles; from points in North Carolina to points in Arkansas.

The purpose of this filing to eliminate the gateways of: (A) (1) Memphis, Tenn.; (A) (2), (B) (1) Memphis, Tenn., and Evadale, Ark.; (B) (2)–(3) Memphis, Tenn., Evadale, Ark., and Kansas City, Mo.; (C), (D) Memphis, Tenn.; (E) (1)–(6) Memphis, Tenn., and Kansas City, Mo.-Kansas City, Kans., commercial zone (a point formerly known as Turner, Kans.); (E) (7)–(12) Memphis, Tenn., and points that are in both the Olathe, Kans., and Kansas City, Kans., commercial zone (a point formerly known as Turner, Kans.); (E) (13) Memphis, Tenn., and Kansas City, Mo.-Kansas City, Kans., commercial zone (a point formerly known as Turner, Kans.); and (F) points in Arkansas within the Memphis, Tenn., commercial zone.

By the Commission.

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

[FR Doc.76-7656 Filed 3-16-76;8:45 am]

FINANCE APPLICATIONS

MARCH 12, 1976.

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-12778. (Correction), (ACME CARTAGE COMPANY AND MOUNTAIN TRUCKING COMPANY., LTD.—PURCHASE—INTER-CITY AUTO FREIGHT, INC. AND MOUNTAIN ROAD AUTO FREIGHT COMPANY, INC.), published in the February 25, 1976, issue of the FEDERAL REGISTER, Page No. 8254. Prior notice should be modified to read as follows: *"MOUNTAIN ROAD AUTO FREIGHT COMPANY, INC."*, instead of *"AUTO FREIGHT COMPANY INC."* Notice should include *"General commodities*, with exceptions as *common carrier* over regular routes, between Tacoma, Wash., and Chehalis, Wash., between Elbe, Wash., and Ashford, Wash., between Morton, Wash., and Packwood, Wash., between junction U.S. Highway 99 and Washington Highway 5K (near Forest, Wash.) and Ethel, Wash., and all intermediate points, between Onalaska, Wash., and Morton, Wash., and all intermediate points, between Motor, Wash., and Riffe, Wash., and all intermediate points.

No. MC-F-12785. Authority sought for control by OSBORNE GROUP, INC., 125 University Avenue, Berkeley, CA., 94710, of NORTHWEST TRANSPORT, 110 Carlos Drive, San Rafael, CA., 94901, and for acquisition by GENE OSBORNE, 604 Lander, Reno, NV., 89502. Applicant's attorney: James H. Gulseth, 125 University Ave., Berkeley, CA., 94710. Operating rights sought to be controlled: *Paper products*, as a *contract carrier* over irregular routes from Flagstaff, Ariz., to points in Texas, New Mexico, California, Nevada, Colorado, Oregon, Washington, Idaho, Utah, Montana, Wyoming, Oklahoma, Kansas, Nebraska, and South Dakota; *chemicals, supplies*, and *machinery*, used in the manufacture and sale of paper products, from points in the above-named destination States to Flagstaff, Ariz., *scrap paper*, between points in Arizona, Texas, New Mexico, California, Nevada, Colorado, Oregon, Washington, Idaho, Utah, Montana, Wyoming, Oklahoma, Kansas, Nebraska, and South Dakota, (D) (1) *bead bags, pillows, pads*, and *cushions*, and *new chairs*, and *tables*, from the facilities of Plymouth Enterprises, Inc., in Los Angeles County, Calif., to points in Arizona, California, Colorado, Idaho, Kansas, Montana, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington and Wyoming; and *Materials and supplies*, used in the production and distribution of commodities described in (D) (1) above (except commodities in bulk), from points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington and Wyoming to the facilities of Plymouth Enterprises, Inc., in Los Angeles County, Calif., (E) (1) *cushioning, padding, wadding*, and *packaging articles, products* and *material*, from the facilities of Paper-Pak Products, Inc., in La Verne, Calif., to points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming; and *materials and supplies* used in the production and distribution of commodities described in (E) (1) above (except commodities in bulk), from points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, to the facilities of Paper-Pak Products, Inc., at La Verne, Calif., with restrictions: (1) *paper and paper products, advertising matter, premiums* and *display materials*, from points in Orange and Los Angeles Counties, Calif., to points in Arizona, California, Idaho, Nevada, New Mexico, Oregon, Texas, Utah, and Washington; and (2) *Materials*, and *supplies* (except comodities in bulk), Used, in the manufacture and distribution of paper and paper products, from points in Arizona, California, Idaho, Nevada, New Mexico, Oregon, Texas, Utah, and Washington, to points in Orange and Los Angeles Counties, Calif. *Expanded plastic articles*, as a *common carrier* over irregular routes from Fullerton, La Mirada, Pico Rivers, Santa Ana, and Torrance, Calif., to points in Arizona, New Mexico, and Nevada, with no transportation for compensation on return except as otherwise authorized. OSBORNE GROUP, INC. holds no authority from this Commission. However, OSBORNE GROUP, INC., controls, through stock ownership, OSBORNE HIGHWAY EXPRESS, Berkeley, CA., which is authorized to operate as a *common carrier* in California, Colordao, Idaho, Montana, New Mexico, Oregon, Utah, Washington, and Wyoming. OSBORNE GROUP, INC. seeks authority in Docket No. MC 141790, not yet issued, as described above. The proceeding is directly related and will be handled concurrently therewith. Application has been filed for temporary authority under section 210a (b).

No. MC-F-12786. Authority sought for merger by JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Arkansas, 72764, of the operating rights of NEYLON FREIGHT LINES, INC., also of the Springdale, Arkansas, 72764 address, and for acquisition by HARVEY JONES, of the Springdale, Arkansas, 72764 address also, of control of such rights through the transaction. Applicants' attorney: KIM D. MANN, 702 World Center Bldg., 918-16th St. N.W., Washington, D.C. 20006. Operating rights sought to be merged: *General commodities*, with exceptions, as a *common carrier* over regular routes, between Omaha, and Liberty, Nebr., between Washington, Kans., and Kansas City, Mo., between Washington, Kans., and Omaha, Nebr., between Belleville, and Oberlin, Kans.,

between Republic, Kans., and Kansas City, Mo., from Kansas City, Mo., to Haddam, Kans., between Morrowville, Kans., and Kansas City, Mo., serving various intermediate and off-route points, the intermediate and off-route points restricted in some instances as to the commodities moving to and from such points; *livestock* and *eggs*, from Haddam, Kans., to Kansas City, Mo., serving intermediate and off-route points within 15 miles of Haddam, Kans., and the off-route point of Belleville, Kans., restricted to pickup only; the intermediate point of Kansas City, Kans., restricted to delivery of livestock only; and the off-route point of North Kansas City, Mo., without restriction; *household goods*, as defined by the Commission, from Kansas City, Mo., to Belleville, Kans., serving intermediate and off-route points within 15 miles of Belleville, restricted to delivery only; *livestock, hardware, furniture*, and *iron* and *steel*, between Morrowville, Kans., and Omaha, Nebr., serving the intermediate point of Lincoln, Nebr., and intermediate and off-route points in Kansas and Nebraska within 15 miles of Morrowville; *livestock*, between Morrowville, Kans., and Grand Island, Nebr., serving intermediate and off-route points in Kansas and Nebraska within 15 miles of Morrowville, between Republic, Kans., and Omaha, Nebr., serving intermediate and off-route points within 25 miles of Republic, from Superior, Nebr., to Wichita, Kans., serving the intermediate point of Chester, Nebr.; *oil and grease*, from Belleville, Kans., to Holdrege, Nebr., serving the intermediate points of Clay Center and Hastings, Nebr., for delivery only; *general commodities*, excepting among others, household goods and commodities in bulk, over irregular routes, between all points in the State of Nebraska, with restriction. JONES TRUCK LINES, INC. is authorized to operate as a *common carrier* in all States in the United States (except Alaska and Hawaii) including the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

NOTE.—Pursuant to Docket No. MC–F–11516, JONES TRUCK LINES, INC., acquired control of NEYLON FREIGHT LINES, INC. by order dated May 17, 1973, and served May 18, 1973.

No. MC–F–12787. Authority sought for control by BOWEN TRUCKING CO., d.b.a. BOWEN TRUCKING CO., INC., P.O. Box 181, Vernal, Utah, 84078, of DALGARNO TRANSPORTATION, INC., P.O. Box 340, Casper, Wyoming, 82601. Applicants' attorneys: William S. Richards, 1515 Walker Bank Bldg., P.O. Box 2465, Salt Lake City, Utah, 84110 and Patrick E. Quinn, P.O. Box 82028, Lincoln, NB., 68501. Operating rights sought to be controlled: *Machinery, equipment, materials, and supplies*, used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum, and their products and by-products, and *machinery, materials, equipment and supplies* used in or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, as a common carrier over irregular routes between points in Colorado, Utah, and Wyoming; *machinery, equipment, materials, and supplies*, used or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum, and their products and by-products, and *machinery, materials, equipment, and supplies*, used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, except the stringing or pickup of pipe in connection with main or truck pipe lines, between points in Montana, Nebraska, North Dakota, New Mexico, and South Dakota, between points in Montana, Nebraska, North Dakota, New Mexico, nad South Dakota, on the one hand, and, on the other, points in Colorado, Wyoming, and Utah, between points in Nevada, on the one hand, and, on the other, points in Montana, Nebraska, North Dakota, New Mexico, South Dakota, Colorado, Wyoming, and Utah, *machinery, equipment, materials, and supplies* used in or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, materials, equipment, and supplies* used in or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, except the stringing or picking up of pipe in connection with main or trunk pipelines, between points in Colorado, Montana, Nebraska, Nevada, New Mexico, North Dakota, South Dakota, Utah, and Wyoming, on the one hand, and, on the other, points in Oregon and Washington. BOWEN TRUCKING CO., d.b.a. BOWEN TRUCKING CO., INC. is authorized to operate as a common carrier in Arizona, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. Application has not been filed for temporary authority under section 210a(b). Motion to Dismiss filed concurrently with this Application.

No. MC–F–12788. Authority sought for purchase by FRANK AMODIO MOVING & STORAGE, CO., INC., 600 East Street, New Britain, CT., 06614, of the operating rights of BROWN MOVING & STORAGE, INC., One Court Street, New Britain, CT., 06614, and for acquisition by JOHN AMODIO, LOUIS G. AMODIO and VIRGINIA AMODIO, all of 600 East Street, New Britain, Ct., 06614, of control of such rights through the purchase. Applicants' attorney: Robert J. Gallagher, Suite 1200, 1000 Connecticut Avenue, N.W., Washington, D.C. 20036. Operating rights sought to be transferred: *Household goods*, as a *common carrier* over irregular routes between Hartford, Conn., and points within ten miles of Hartford, on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and New York, between New Britain, Conn., and points in Connecticut within ten miles of New Britain (except Hartford, Conn.), on the one hand, and, on the other, points in Pennsylvania, New Jersey, and Rhode Island, between New Britain, Conn., and points within ten miles of New Britain on the one hand, and, on the other, points in Massachusetts and New York, between points in Hartford, and Tolland Counties, Conn., and Hampden, Hampshire, Franklin, and Worcester Counties Mass., on the one hand, and, on the other points in Connecticut, New Hampshire, New York, Rhode Island, Vermont, New Jersey, and Pennsylvania. Vendee is authorized to operate as a *common carrier* in Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island and Vermont. Application has been filed for temporary authority under section 210a(b).

No. MC–F–12789. Authority sought for purchase by SYSTEM REEFER SERVICE, INC., 4614 Lincoln Avenue, Cypress, CA., 90630, of a portion of the operating rights of RICHARD A. CRAWFORD, d.b.a. R. A. CRAWFORD TRUCKING SERVICE, 9327 Riggs Road, Adelphi, MD., 20783, of control of such rights through the purchase. Applicants' attorney: CHARLES E. CREAGER, 1329 Pennsylvania Avenue, P.O. Box 1417, Hagerstown, MD., 21740. Operating rights sought to be transferred: *Foodstuffs, related advertising media, materials, equipment*, and *supplies* used in the preparation and serving of foods in restaurants or commissaries, as a *contract carrier* over irregular routes between Washington, D.C., on the one hand, and, on the other, points in New Mexico, Arizona and California, with restrictions. Vendee is authorized to operate as a *contract carrier* in Maryland, Washington, Ohio, Indiana, Illinois, Iowa, Missouri, Arkansas, Nebraska, Kansas, Oklahoma, Colorado, New Mexico, Utah, Arizona, Nevada and California. Application has been filed for temporary authority under section 210a(b).

No. MC–F–12790. Authority sought for control and merger by PENN YAN EXPRESS, INC., 100 West Lake Road, Penn Yan, N.Y., 14527, of the operating rights and property of B & M TRANSPORT, INC., 7025 Schuyler Road, East Syracuse, N.Y., 13057, and for acquisition by ROBERT L. HINSON, 9 Rosewood Dr., Penn-Yan, N.Y., 14527, of control of such rights and property through the transaction. Applicants' attorney: Herbert M. Canter, 305 Montgomery Street, Syracuse, N.Y., 13202. Operating rights sought to be controlled and merged: Under a certificate of registration in Docket No. MC 97140 (Sub-No. 1), covering the transportation of general commodities, as a *common carrier*, in intrastate commerce,

within the State of New York. Vendee is authorized to operate as a common carrier in Connecticut, Delaware, The District of Columbia, Maryland, New Jersey, New York, and Pensylvania. Application has been filed for temporary authority under section 210a(b). MC 105902 Sub-No. 19 is a directly related matter.

NOTICE

CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY, 400 West Madison Street, Chicago, Illinois 60606, represented by Mr. Foster A. Mattson, Attorney, Chicago and North Western Transportation Company, 400 West Madison Street, Chicago, Illinois 60606, and SOO LINE RAILROAD COMPANY, Soo Line Building, Minneapolis, Minnesota 55440, represented by Mr. Robert G. Gehrz, General Solicitor, Soo Line Railroad Company, Soo Line Building, Minneapolis, Minnesota 55440, hereby give notice that, on the 9th day of February, 1976, they filed with the Interstate Commerce Commission at Washington, D.C., a joint application under Section 5(2) of the Interstate Commerce Act for an order approving and authorizing the acquisition of trackage rights over The Chicago, Rock Island and Pacific Railroad Company between Milepost 1.53 near South St. Paul and Milepost 5.19 near Inver Grove, a distance of 3.66 miles in Dakota County, Minnesota, which aplication is assigned Finance Docket No. 28115.

In the opinion of the applicants the Commission's action requested, i.e., approval of the trackage rights, will not have any significant impact and will not significantly adversely affect the quality of the human environment. In accordance with the Commission's regulations (49 C.F.R. 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation—Nat'l Environmental Policy Act, 1969*, 340 I.C.C. 431(1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), *supra*, Part (b)(1)–(5), 340 I.C.C. 431, 461.

Pursuant to the provisions of the Interstate Commerce Act, as amended, the proceeding will be handled without public hearings unless comments on such application are filed with the Secretary, Interstate Commerce Commission, 12th and Constitution Avenue, NW., Washington, D.C. 20423, and the aforementioned counsel for applicant within 45 days after date of first publication in the FEDERAL REGISTER; that such comments shall be served upon (a) Mr. William T. Coleman, Jr., Secretary, Department of Transportation, 400 7th Street, SW., Washington, D.C. 20590, (b) Mr. Edward H. Levi, Attorney General, Department of Justice, 10th and Constitution Avenue, NW., Washington, D.C. 20530, and certificate of all such service is given to the Interstate Commerce Commission; and that all other applications, which are inconsistent, in whole or in part, with such applications, and all petitions for inclusion in the transaction, shall be filed with the Commission and furnished to the Secretary of Transportation, within 90 days after the publication of notice of the application in the FEDERAL REGISTER.

CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY SOO LINE RAILROAD COMPANY NOTICE

SEABOARD COAST LINE RAILROAD COMPANY, 500 Water Street, Jacksonville, Florida, 32202, represented by Philip C. Beverly, Esquire and Neill W. McArthur, Jr., Esquire, 500 Water Street, Jacksonville, Florida 32202 hereby give notice that on the 5th day of February, 1976, it filed with the Interstate Commerce Commission at Washington, D.C., an application under Section 5(2) of the Interstate Commerce Act for an order approving and authorizing the acquisition of the Seaboard Coast Line Railroad Company to acquire control of the Durham and Southern Railway Company by purchase of outstanding capital stock, which application is assigned Finance Docket No. 28110.

Approval of the application will permit the Seaboard Coast Line Railroad Company to acquire control over the Durham and Southern Railway Company which runs from Durham to Dunn, a distance of 56.8 miles, entirely within the State of North Carolina. There will be neither change in the present operations of the Durham and Southern Railway Company nor a change in the competitive situation.

In the opinion of the applicant, the granting of the authority sought will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969. In accordance with the Commission's regulations (49 C.F.R. 1100.-250) in Ex Parte No. 55 (Sub-No. 4), *Implementation-Nat'l Environmental Policy Act, 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), *supra*, Part (b)(1)–(5), 340 I.C.C. 431, 461.

Pursuant to the provisions of the Interstate Commerce Act, as amended, the proceeding will be handled without public hearings unless comments on such application are filed with the Secretary, Interstate Commerce Commission, 12th and Constitution Avenue, N.W., Washington, D.C. 20423, and the aforementioned counsel for applicant, within 45 days after date of first publication in the Federal Register; that such comments shall be served upon (a) Mr. William T. Coleman, Jr., Secretary, Department of Transportation, 400 7th Street, S.W., Washington, D.C. 20590, (b) Mr. Edward H. Levi, Attorney General, Department of Justice, 10th and Constitution Avenue, N.W., Washington, D.C. 20530, and certificate of all such service is given to the Interstate Commerce Commission; and that all other applications, which are inconsistent, in whole or in part, with such applications, and all petitions for inclusion in the transaction, shall be filed with the Commission and furnished to the Secretary of Transportation, within 90 days after the publication of notice of the application in the FEDERAL REGISTER.

SEABOARD COAST LINE RAILROAD COMPANY

Office of Proceedings

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 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) 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 141843 (Sub-No. 1) filed February 5, 1976. Applicant: BOND TRANSPORTATION, INC., Mutton Road, P.O. Box 115, Woodbridge, N.J. 07095. Applicant's representative: William P. Sullivan, 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: *Petroleum, petroleum products, alcohol, naphtha, paint and grease*, between points in Hudson, Union and Essex Counties, N.J., on the one hand, and, on the other, points in New York, N.Y., and those points in Westchester and Nassau Counties, 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-12049 published in the Federal Register issue of November 28, 1973. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or Newark, N.J.

No. MC 88368 (Sub-No. 29) filed February 19, 1976. Applicant: CARTWRIGHT VAN LINES, INC., 11901 Cart-

wright Avenue, Grandview, Mo. 64030. Applicant's representative: Charles Ephraim, 1250 Connecticut Ave., N.W., Suite 600, Washington, D.C. 20036. 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 Arizona, on the one hand, and, on the other, points in the United States (except Alaska, Nevada and North Dakota).

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-12781 published in the FEDERAL REGISTER issue of March 3, 1976. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 124174 (Sub-No. 103) (Correction), filed July 25, 1975, published in the FEDERAL REGISTER issue of October 30, 1975, and republished as corrected this issue. Applicant: MOMSEN TRUCKING CO., a Corporation, 13811 L Street, P.O. Box 37490, Millard Station, Omaha, Nebr. 68137. Applicant's representative: Donald L. Stern, 530 Univac Building, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (except Classes A and B explosives, and commodities requiring special equipment), between points in Nebraska within 15 miles of Waterloo, Nebr. on the one hand, and, on the other, points in Nebraska; and (2) *contractor's and construction equipment and machinery, materials and supplies, and commodities* which by reason of their weight, size, or length, require special handling, between points in Nebraska within 20 miles of Waterloo, Nebr.

NOTE.—Applicant states it intends to tack the requested authority with its existing authority: (1) on *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), by tacking at Omaha, Nebr., to provide service between points in Nebraska, on the one hand, and, on the other, Oskaloosa, Iowa, Chicago, Ill., Knoxville, Ackworth, Indianola, Adel, Dexter, Casey, Anita, Atlantic, Oakland, Pleasantville, Beech, and Menlo, Iowa, Rock Island, Moline, Rock Falls, East Moline and Sandwich, Ill., and points within 35 miles of Oskaloosa, and those within 5 miles of Gilman, Iowa, including Gilman, restricted to livestock only;

(2) On *Livestock and agricultural commodities*, by tacking at Omaha, Nebr., to provide service between points in Nebraska, on the one hand, and, on the other, Gravity, Iowa, St. Joseph, Mo., New Market, Iowa, and those points within 10 miles of Gravity, and Hopkins, Mo., restricted to delivery only; (3) on *Livestock*, by tacking at Omaha, Nebr., to provide service between points in Nebraska, on the one hand, and, on the other, Gravity, Iowa, St. Joseph, Mo., New Market, Iowa and those within 10 miles of Gravity, and Hopkins, Mo., restricted to delivery only, St. Louis, Mo., restricted to delivery only, and Peoria, Ill.; (4) on *Building materials*, by tacking at Omaha, Nebr., to provide service from points in Nebraska within 20 miles of Waterloo, Nebr., to points within 15 miles of Wiota, Iowa, including Wiota, Iowa; (5) on *General commodities*, (with usual exceptions), by tacking at Omaha, Nebr., to provide service between Anita, Iowa, and points within 15 miles thereof, on the one hand, and, on the other, points in Nebraska; (6) on *General Commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, and commodities requiring special equipment), by tacking at points in Nebraska, within 15 miles of Waterloo, Nebr., to provide service between points in Nebraska, on the one hand, and, on the other, points in that part of Nebraska, Iowa, Kansas and Missouri within 60 miles of Auburn, Nebr., including Auburn, Nebr.; (7) on *Livestock and feed*, by tacking with (6) above at Auburn, Nebr., to provide service between St. Joseph, Mo., on the one hand, and, on the other, points in Nebraska and that part of Iowa, Kansas and Missouri within 60 miles of Auburn, Nebr., including Auburn, Nebr.; (8) on *Automobile parts, supplies, and accessories, refrigerators, paints, and such merchandise*, as is dealt in by wholesale and retail hardware business houses, by tacking with (6) above, at Red Oak, Clarinda, Atlantic and Shenandoah, Iowa and points in Nebraska, which are both within 15 miles of Waterloo, Nebr., and 60 miles of Auburn, Nebr., to provide service from Chicago, Ill., to points in Nebraska and that part of Iowa, Kansas and Missouri, within 60 miles of Auburn, Nebr., including Auburn, Nebr.

(9) On *Automobile parts, supplies, and accessories, refrigerators, paints, and such merchandise*, as is dealt in by wholesale and retail hardware business houses, which are *contractor's and construction equipment and machinery, materials and supplies, and commodities* which by reason of their weight, size, or length, require special handling by tacking at Red Oak, Clarinda, Atlantic and Shenandoah, Iowa, and points in Nebraska, which are both within 20 miles of Waterloo, Nebr., and 60 miles of Auburn, Nebr., to provide service from Chicago, Ill., to points in Nebraska and that part of Iowa, Kansas and Missouri, within 60 miles of Auburn, Nebr., including Auburn, Nebr.; (10) on *Automobile supplies and such merchandise* as is dealt in by wholesale and retail hardware business houses, by tacking at Fremont, Nebr., to provide service from Chicago, Ill., to points in Nebraska; (11) *on Automobile supplies and such merchandise* as is dealt in by wholesale and retail hardware business houses which are *contractor's and construction equipment and machinery, materials and supplies, and commodities* which by reason of their weight, size or length, require special handling, by tacking at Fremont, Nebr., to provide service from Chicago, Ill., to points in Nebraska; (12) on *Animal and poultry feed, and animal and poultry feed ingredients*, by tacking at Omaha, Fremont, Arlington and South Sioux City, Nebr., to provide service from points in Nebraska to Spencer, Iowa and points within 50 miles thereof; (13) on *Canned goods*, by tacking with the tacking authority requested in (1) above at Davenport, Iowa and at points in Nebraska within 15 miles of Omaha, Nebr., to provide service from De Kalb and Rochelle, Ill., to points in Nebraska; (14) on *Livestock*, by tacking at Omaha, Nebr., to provide service between points in Nebraska, on the one hand, and, on the other, Pleasantville, Iowa and points within 15 miles thereof; (15) on *Livestock*, by tacking at Omaha, Nebr., to provide service from points within 100 miles of Des Moines, Iowa (except Pleasantville, Iowa, and points within 15 miles thereof), to points in Nebraska;

(16) On *Roofing*, by tacking at Pleasantville, Iowa with applicant's tacking authority requested in (1) above, to provide service from Chicago Heights, and Wilmington, Ill., to points in Nebraska; (17) on *Agricultural implements and machinery, tractors and binder twine*, by tacking at Knoxville, Iowa with applicant's tacking request in (1) above, to provide service from Chicago, Ill., to points in Nebraska; (18) on *Farm machinery*, by tacking at Pleasantville, Iowa with applicants tacking request in (1) above, to provide service from Chicago, Rock Island, Sterling, and Sandwich, Ill., to points in Nebraska; (19) on *Farm machinery and parts, binder twine*, and *animal feed*, by tacking at Pleasantville, Iowa, with applicant's tacking request in (1) above, to provide service from Chicago, Rock Island, and Moline, Ill., to points in Nebraska; (20) on *Fresh fruits and vegetables*, by tacking at Oskaloosa, Iowa, with applicant's tacking request in (1) above, to provide service from Chicago, Ill., to points in Nebraska; (21) on *Fruit*, by tacking at Oskaloosa, Iowa with applicant's tacking request in (1) above, to provide service from points in Illinois, to points in Nebraska; (22) on *Hardware, building material, fencing, and nails*, by tacking at Pleasantville and Oskaloosa, Iowa, with applicant's tacking request in (1) above, to provide service from Chicago and Chicago Heights, Ill., to points in Nebraska; (23) on *Meats, meat products, and meat by-products* (except commodities in bulk), *and articles distributed by meat-packinghouses* (except commodities in bulk), 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, and *such commodities* as are used by meat packers in the conduct of their business when destined to, designated by, and for use of meat packers (except commodities in bulk), by tacking at Omaha, Nebr., to provide service between points in Nebraska, on the one hand, and, on the other, West Point, Nebr., restricted to traffic originating at or destined to the plant of Armour & Company situated at or near West Point, Nebr.;

(24) On *General commodities* (except those of unusual value, Classes A and B explosives, groceries, dry goods, drugs, liquor, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment),

by tacking at Chicago, Ill., to provide service between points in Nebraska, on the one hand, and, on the other, Portage, Ind.; (25) on *Iron and steel articles*, as described in Appendix 5 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, by tacking at Fremont, Nebr., to provide service from Portage, Ind., to points in Nebraska; (26) on *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packinghouses*, as defined in Parts A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, by tacking at Fremont, Nebr., to provide service from points in Nebraska, to Austin and Owatonna, Minn.; (27) on *Dry superphosphate* (other than feed grade), *dry manufactured fertilizer compounds, and dry urea*, by tacking at Omaha, Nebr., to provide service (a) from points in Nebraska to points in Iowa, Minnesota and South Dakota, and (b) from Savage, Minn., and Atlantic, Dubuque, and Webster City, Iowa to points in Nebraska, restricted against commodities requiring special equipment; (28) on *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, in tank vehicles), by tacking at Council Bluffs, Iowa, to provide service from the plantsite of Armour & Company near Worthington, Minn., to points in Nebraska; (29) on *Hides and pelts*, by tacking at Omaha, Nebr., to provide service from points in Nebraska to Hazelwood, N.C., South Paris, Maine, Winchester, N.H., Buford, Ga., and points in Massachusetts, Delaware, Kentucky, and Tennessee.

(30) On *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 commodities in bulk, in tank vehicles), by tacking at Omaha, Nebr., to provide service from the plantsite and storage facilities utilized by Wilson & Co., Inc., at or near Cherokee, Iowa, to points in Nebraska; (31) on *Iron and steel articles* as defined by the Commission, in Appendix 5 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, by tacking at Sterling and Rock Falls, Ill., with applicant's tacking request in (1) above, to provide service from points in Nebraska to points in Minnesota; (32) on *Dry fertilizer and urea*, by tacking at Nebraska City, Nebr., and points in Nebraska both within 15 miles of Waterloo, Nebr., and 60 miles of Auburn, Nebr., to provide service between points in Nebraska, on the one hand, and, on the other, points in Iowa, South Dakota, North Dakota, Minnesota, Kansas, and Missouri (except St. Louis, Atlas, Horn, Neosho, and South River, Mo.), restricted against commodities requiring special equipment; (33) on *Dry fertilizer and urea*, by tacking at Nebraska City, Nebr., and points in Nebraska both within 15 miles of Waterloo, Nebr., and 60 miles of Auburn, Nebr., to provide service from points in Nebraska to St. Louis, Atlas, Horn, Neosho, and South River, Mo., restricted against commodities requiring special equipment; (34) on *Dry Fertilizer and urea*, by tacking at Nebraska City, Nebr., and points in Nebraska both within 20 miles of Waterloo, Nebr., and 60 miles of Auburn, Nebr., to provide service between points in Nebraska, on the one hand, and, on the other, points in Iowa, South Dakota, North Dakota, Minnesota, Kansas, and Missouri (except St. Louis, Atlas, Horn, Neosho, and South River, Mo.);

(35) On *Dry fertilizer and urea*, by tacking at Nebraska City, Nebr., and points in Nebraska both within 20 miles of Waterloo, Nebr., and 60 miles of Auburn, Nebr., to provide service from points in Nebraska to St. Louis, Atlas, Horn, Neosho, and South River, Mo.; (36) on *Anhydrous ammonia and fertilizer solutions*, in bulk, in tank vehicles, *and dry fertilizers*, by tacking at Council Bluffs, Iowa and points in Nebraska within 15 miles of Waterloo, Nebr., and 60 miles of Auburn, Nebr., to provide service from the plantsite of Cominco American Incorporated, located at or near Hoag, Nebr., to points in Nebraska, restricted against commodities requiring special equipment; (37) on *Anhydrous ammonia and fertilizer solutions*, in bulk, in tank vehicles, *and dry fertilizers*, by tacking at Council Bluffs, Iowa and points in Nebraska, both within 20 miles of Waterloo, Nebr., and 60 miles of Auburn, Nebr., to provide service from the plantsite of Cominco American Incorporated, located at or near Hoag, Nebr., to points in Nebraska within 20 miles of Waterloo, Nebr.; (38) on *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 commodities in bulk, in tank vehicles), by tacking at Council Bluffs, Iowa and points in Nebraska both within 15 miles of Waterloo, Nebr., and 60 miles of Auburn, Nebr., with applicants tacking request in (1) above, to provide service from Worthington and Mankato, Minn., to points in Nebraska; (39) on *Glassware and closures for glass containers, and paper containers* used in the packing or shipping of glass articles, by tacking at Council Bluffs, Iowa and points in Nebraska both within 20 miles of Waterloo, Nebr., and 60 miles of Auburn, Nebr., to provide service from points in Lake and Wills Counties, Ill., to points in Nebraska; (40) on *Pipe, tubing, and electric light poles and materials, equipment, and supplies* used in the installation and maintenance of electric light poles, by tacking at Valley, Nebr., to provide service from points in Nebraska to points in Indiana, Ohio, Michigan, Illinois, Pennsylvania, Iowa, Wisconsin and Minnesota, restricted against commodities requiring special equipment.

(41) On *Petroleum products*, in containers, by tacking at (a) Portage, Ind., (Sub-No. 18) via Moline, Ill., with applicant's tacking requested in (1) above, via Rock Island, Ill., or (b) Chicago, Ill., via Fremont, Nebr., to provide service from St. Marys, W. Va., to points in Nebraska, restricted against commodities requiring special equipment; (42) on *Petroleum products*, in containers, by tacking (a) at Portage, Ind. (Sub-No. 18) via Moline, Ill., with applicant's tacking requested in (1) above via Rock Island, Ill., or (b) Chicago, Ill., via Fremont, Nebr., to provide service from St. Marys, W. Va., to points within 20 miles of Waterloo, Nebr.; (43) on *Chemicals and fertilizers*, by tacking at Dakota City, Nebr., to provide service from points in Nebraska within 15 miles of Waterloo, Nebr., to points in Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, Minnesota, North Dakota, Oklahoma, South Dakota, Wisconsin and Wyoming, restricted against commodities requiring special equipment; (44) on *Chemicals and fertilizers*, by tacking at points in Nebraska within 15 miles of Waterloo, Nebr., and Dakota City, Nebr., to provide service from points in Nebraska within 20 miles of Waterloo, Nebr., to points in Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, Minnesota, North Dakota, Oklahoma, South Dakota, Wisconsin and Wyoming; (45) on *Iron and steel castings*, by tacking at Omaha, Nebr., to provide service from Lynchburg and Radford, Va., to points in Nebraska, restricted against commodities requiring special equipment; (46) on *Iron and steel castings*, by tacking at Omaha, Nebr., to provide service from Lynchburg and Radford, Va., to points in Nebraska within 20 miles of Waterloo, Nebr.

(47) On *Non-frozen inedible animal by-products* (except hides and commodities in bulk, in tank vehicles), by tacking at Omaha, Nebr., to provide service between points in Colorado, Iowa, Kansas, Minnesota, Nebraska and South Dakota, on the one hand, and, on the other, Nebraska, restricted to traffic either originating at or destined to the plantsites and/or warehouse facilities of Swift & Company and John Morrell & Company; (48) on *Petroleum products* (except petrochemicals), in containers, by tacking at Council Bluffs, Iowa to provide service from the facilities of the Quaker State Oil Refining Corporation, at Congo, Hancock County, W. Va., to points in Nebraska, restricted against commodities requiring special equipment and further restricted against to the transportation of traffic originating at the named facilities; (49) on *Petroleum products* (except petrochemicals), in containers, by tacking at Council Bluffs, Iowa and Omaha, Nebr., to provide service from the facilities of the Quaker State Oil Refining Corporation, at Congo, Hancock, County, W. Va., to points in Nebraska within 20 miles of Waterloo, Nebr., restricted to the transportation of traffic

originating at the named facilities; (50) on *General commodities* (except those of unusual value, Classes A and B explosives, groceries, dry goods, drugs, liquor, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), by tacking at Omaha, Nebr., to provide service between the facilities of Western Electric Company, Inc., at or near Underwood, Iowa, on the one hand, and, on the other, points in Nebraska; (51) on *Ventilators, ventilators parts, ventilator equipment, ventilator systems and accessories* used in the installtaion of such commodities, by tacking at Chicago, Ill., and Omaha, Nebr., to provide service from the facilities of Penn Ventilator Company, at Tabor City, N.C., to points in Nebraska, restricted against commodities requiring special equipment.

(52) On *Ventilators, ventilator parts, ventilator equipment, ventilator systems and accessories* used in the installation of such commodities, by tacking at Chicago, Ill., and Omaha, Nebr., to provide service from the facilities of Penn Ventilator Company, at Tabor City, N.C., to points in Nebraska within 20 miles of Waterloo, Nebr.; (53) on *Iron and steel articles*, by tacking at Omaha, Nebr., to provide service from the plantsite of Bethlehem Steel Corporation, at Lackawanna, N.Y., to points in Nebraska, restricted against commodities requiring special equipment; (54) on *Iron and steel articles*, by tacking at Omaha, Nebr., to provide service from the plantsites of Bethlehem Steel Corporation, at Lackawanna, N.Y., to points in Nebraska within 20 miles of Waterloo, Nebr. The tacking requested above includes requests to provide services not previously available to the applicant by joining numerous separate irregular route grants of authority which are restricted against tacking and eliminating their gateways in order to provide service from or to the new points named in this application. No new services are sought between points in authorities already restricted against tacking. In essence, the applicant is utilizing the existing authorities to "bridge" its tacking operations with the requests for authority above. This is a matter directly related to a Section 5(2) proceeding in MC–F–12579, published in the FEDERAL REGISTER issue of July 16, 1975. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr. The purpose of this republication is to indicate the commodities on which applicant will perform services with respect to its tacking operations.

Office of Proceedings

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 significant effect on the quality of the human environment resulting from approval of its request.

MOTOR CARRIERS OF PROPERTY

No. MC 26739 (Deviation No. 41), CROUCH FREIGHT SYSTEMS, INC., Highway 36 West, Box 1059, St. Joseph, Mo. 64502, filed February 19, 1976. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From junction U.S. Highway 6 and U.S. Highway 23 over U.S. Highway 6 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Ohio Highway 18, thence over Ohio Highway 18 to junction Interstate Highway 77, thence over Interstate Highway 77 to junction Interstate Highway 76, thence over Interstate Highway 76 to junction Interstate Highway 80, hence over Interstate Highway 80 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction Interstate Highway 84, thence over Interstate Highway 84 to junction Connecticut Highway 25, thence over Connecticut Highway 25 to Bridgeport, Conn., (2) From junction U.S. Highway 6 and U.S. Highway 23 over U.S. Highway 6 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Ohio Highway 18, thence over Ohio Highway 18 to junction Interstate Highway 77, thence over Interstate Highway 77 to junction Interstate Highway 76, thence over Interstate Highway 76 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction Interstate Highway 81, thence over Interstate Highway 81 to junction Interstate Highway 84, thence over Interstate Highway 84 to junction Connecticut Highway 25, thence over Connecticut Highway 25 to Bridgeport, Conn.

(3) From junction U.S. Highway 6 and U.S. Highway 23 over U.S. Highway 6 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Ohio Highway 18, thence over Ohio Highway 18 to junction Interstate Highway 77, thence over Interstate Highway 77 to junction Interstate Highway 76, thence over Interstate Highway 76 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 46 (near West Paterson, N.J.), thence over U.S. Highway 46 to junction New Jersey Highway 3, thence over New Jersey Highway 3 to junction U.S. Highway 1, and (4) From junction U.S. Highway 6 and U.S. Highway 23 over U.S. Highway 6 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Ohio Highway 18, thence over Ohio Highway 18 to junction Interstate Highway 77, thence over Interstate Highway 77 to junction Interstate Highway 76, thence over Interstate Highway 76 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction Interstate Highway 95, thence over Interstate Highway 95 to junction U.S. Highway 1, and return over the same routes 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 junction U.S. Highway 6 and U.S. Highway 23, over U.S. Highway 23 to junction Ohio Highway 18, thence over Ohio Highway 18 to junction U.S. Highway 224, thence over U.S. Highway 224 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction Ohio Turnpike, thence over the Ohio Turnpike to the Pennsylvania Turnpike, thence over the Pennsylvania Turnpike to the Philadelphia, Pa. exit, thence over U.S. Highway 1 via New York, N.Y., to Bridgeport, Conn., and return over the same route.

No. MC 59488 (Deviation No. 18), SOUTHWESTERN TRANSPORTATION COMPANY, 7600 S. Central Expressway, P.O. Box 6187, Dallas Tex. 75216, filed February 23, 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 Camden, Ark., over Arkansas Highway 4 to Hope, Ark., thence over Interstate Highway 30 to Texarkana, Tex., 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 Camden, Ark., over U.S. Highway 79 to junction U.S. Highway 82, thence over U.S. Highway 82 to Texarkana, Tex., and return over the same route.

No. MC 59488 (Deviation No. 19), SOUTHWESTERN TRANSPORTATION COMPANY, 7600 S. Central Expressway, P.O. Box 6187, Dallas, Tex. 75216, filed February 23, 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 Lewisville, Ark., over Arkansas Highway 29 to Hope, Ark., 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 Lewisville, Ark., over U.S. Highway 82 to Texarkana, Ark., thence over U.S. Highway 67 to Hope, Ark., and return over the same route.

No. MC 115093 (Deviation No. 43), MERCURY MOTOR EXPRESS, INC., P.O. Box 23406, Tampa, Fla. 33622, filed October 3, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Durham, N.C., over U.S. Highway 501 to Lynchburg, Va., 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 Culpeper, Va., over U.S. Highway 29 to Danville, Va., thence over Virginia Highway 86 to the Virginia-North Carolina State line, thence over North Carolina Highway 86 to junction U.S. Highway 70, thence over U.S. Highway 70 to Durham, N.C., and return over the same route. Said operations are restricted to the transportation of traffic moving between points in Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, the District of Columbia, and those in that part of New York on and south of New York Highway 7, on the one hand, and, on the other, points in Georgia and Florida.

No. MC 13547 (Deviation No. 2), LEONARD BROTHERS TRANSPORT COMPANY, INC., 1701 St. Louis, Kansas City, Mo. 64101, filed February 11, 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 Kansas City, Mo., over Interstate Highway 29 to St. Joseph, Mo., 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 Kansas City, Mo., over U.S. Highway 69 to junction Missouri Highway 116, thence over Missouri Highway 116 to junction Missouri Highway 13, thence over Missouri Highway 13 to junction U.S. Highway 36, thence over U.S. Highway 36 to St. Joseph, Mo., and return over the same route.

No. MC 111231 (Deviation No. 47), JONES TRUCK LINES, INC., 610 E. Emma Ave., Springdale, Ark. 72764, filed February 26, 1976. Carrier's representative: Kim D. Mann, 702 World Center Bldg., 918 Sixteenth St., N.W., Washington, D.C. 20006. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Mobile, Ala., over U.S. Highway 45 to junction Alternate U.S. Highway 45, thence over Alternate U.S. Highway 45 to junction U.S. Highway 78, thence over U.S. Highway 78 to Memphis, Tenn., 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 Mobile, Ala., over U.S. Highway 98 to junction Mississippi Highway 26, thence over Mississippi Highway 26 to Poplarville, Miss., thence over U.S. Highway 11 to Hattiesburg, Miss., thence over U.S. Highway 49 to Jackson, Miss., thence over combined U.S. Highway 80 and Interstate Highway 20 to junction U.S. Highway 80, thence over U.S. Highway 80 to junction U.S. Highway 61, thence over U.S. Highway 61 to Memphis, Tenn., and return over the same route.

No. MC 60580 (Deviation No. 9), MAISLIN TRANSPORT OF DELAWARE, INC., 7401 Newman Blvd., La Salle, Quebec, Canada, H8N1X4, filed February 25, 1976. Carrier's representative: Edward L. Nehez, 744 Broad St., Newark, N.J. 07102. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Lancaster, Pa., over Pennsylvania Highway 501 to junction Pennsylvania Highway 283, thence over Pennsylvania Highway 283 to junction Pennsylvania Highway 743, thence over Pennsylvania Highway 743 to junction Interstate Highway 81, thence over Interstate Highway 81 to Syracuse, N.Y., 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 Lancaster, Pa., over U.S. Highway 30 to Philadelphia, Pa., thence over U.S. Highway 1 to New York, N.Y., thence via the Holland Tunnel to Jersey City, N.J., thence over U.S. Highway 1 to junction New Jersey Highway 3, thence over New Jersey Highway 3 to junction New Jersey Highway 17, thence over New Jersey 17 to junction New York Highway 17, thence over New York Highway 17 to Binghamton, N.Y., thence over U.S. Highway 11 to Syracuse, N.Y., and return over the same route.

No. MC 61440 (Deviation No. 18), LEE WAY MOTOR FREIGHT, INC., 3000 West Reno, P.O. Box 82488, Oklahoma City, Okla. 73108, filed February 25, 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 St. Louis, Mo., over Interstate Highway 64 to junction Indiana Highway 161, thence over Indiana Highway 161 to junction Indiana Highway 64, thence over Indiana Highway 64 to New Albany, Ind., 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 St. Louis, Mo., over U.S. Highway 50 to junction U.S. Highway 150, thence over U.S. Highway 150 to New Albany, Ind., and return over the same route.

No. MC 115093 (Deviation No. 46), MERCURY MOTOR EXPRESS, INC., P.O. Box 23406, Tampa, Fla. 33622, filed February 26, 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 junction U.S. Highway 15 and Virginia Highway 20, near Sprouses Corner, Va., over Virginia Highway 20 to Charlottesville, Va., 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 pertinent service routes as follows: (1) From Harrisburg, Pa., over U.S. Highway 15 to junction North Carolina Highway 50, thence over North Carolina Highway 50 to Raleigh, N.C., and (2) From Fairmont, W. Va., over U.S. Highway 250 to Richmond, Va., and return over the same routes. Said operations In (1) and (2) above, are restricted to the transportation of traffic moving between points in Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, the District of Columbia, and those in that part of New York on and south of New York Highway 7, on the one hand, and, on the other, points in Georgia and Florida.

No. MC 115093 (Deviation No. 47), MERCURY MOTOR EXPRESS, INC., P.O. Box 23406, Tampa, Fla. 33622, filed February 26, 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 Woods Mill, Va., over Virginia Highway 6 to Greenfield, Va., thence over Virginia Highway 151 to Waynesboro, Va., 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 pertinent service routes as follows: (1) From Culpeper, Va., over U.S. Highway 29 to Danville, Va., thence over Virginia Highway 86 to the Virginia-North Carolina State line, thence over North Carolina Highway 86 to junction U.S. Highway 70, thence over U.S. Highway 70 to Durham, N.C., and (2) From Fairmont, W. Va., over U.S. Highway 250 to Richmond, Va., and return over the same routes. Said operations in (1) and (2) above, are restricted to the transportation of traffic moving between points in Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, the District of Columbia, and those in that part of New York on and south of New York Highway 7, on the one hand, and, on the other, points in Georgia and Florida.

No. MC 115093 (Deviation No. 48), MERCURY MOTOR EXPRESS, INC., P.O. Box 23406, Tampa, Fla. 33622, filed February 26, 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 Winchester, Va., over U.S. Highway 522 to Hancock, Md., 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 pertinent service routes as follows: (1) From Binghamton, N.Y., over U.S. Highway 11 to Roanoke, Va., and (2) From Pittsburgh, Pa., over Pennsylvania Highway 51 to Uniontown, Pa., thence over U.S., Highway 40 to Hagerstown, Md., and return over the same routes. Said operations in (1) and (2) above, are, restricted to the transportation of traffic moving between points in Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, the District of Columbia, and those in that part of New York on and south of New York Highway 7, on the one hand, and, on the other, points in Georgia and Florida.

No. MC 115093 (Deviation No. 49), MERCURY MOTOR EXPRESS, INC.,

P.O. Box 23406, Tampa, Fla. 33622, filed February 26, 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 Winchester, Va., over U.S. Highway 50 to Romney, W. Va., thence over West Virginia Highway 28 to Cumberland, Md., 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 pertinent service routes as follows: (1) From Binghamton, N.Y., over U.S. Highway 11 to Roanoke, Va., and (2) From Pittsburgh, Pa., over Pennsylvania Highway 51 to Uniontown, Pa., thence over U.S. Highway 40 to Hagerstown, Md., and return over the same routes. Said operations in (1) and (2) above, are restricted to the transportation of traffic moving between points in Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, the District of Columbia, and those in that part of New York on and south of New York Highway 7, on the one hand, and, on the other, points in Georgia and Florida.

No. MC 115093 (Deviation No. 50), MERCURY MOTOR EXPRESS, INC., P.O. Box 23406, Tampa, Fla. 33622, filed February 26, 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 junction U.S. Highways 11 and 220 near Roanoke, Va., over U.S. Highway 220 to Cumberland, Md., 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 pertinent service routes as follows: (1) From Binghamton, N.Y., over U.S. Highway 11 to Roanoke, Va., and (2) from Pittsburgh, Pa., over Pennsylvania Highway 51 to Uniontown, Pa., thence over U.S. Highway 40 to Hagerstown, Md., and return over the same routes. Said operations in (1) and (2) above are restricted to the transportation of traffic moving between points in Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, the District of Columbia, and those in that part of New York on and south of New York Highway 7, on the one hand, and, on the other, points in Georgia and Florida.

Office of Proceedings

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 61599 (Deviation No. 11), CONTINENTAL SOUTHEASTERN LINES, INC., P.O. Box 2387, Charlotte, N.C. 28234, filed February 23, 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 a deviation route as follows: From junction U.S. Highway 521 and South Carolina Highway 12 over U.S. Highway 521 to junction South Carolina Highway 43, and return over the same route 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 Camden, S.C., over U.S. Highway 521 to junction South Carolina Highway 12, thence over South Carolina Highway 12 to the Kershaw-Sumter County line, thence over South Carolina Highway 43 to the Sumter-Lee County line, thence over South Carolina Highway S–31–38 to the Lee-Sumter County line, thence over South Carolina Highway 43 to junction U.S. Highway 521, thence over U.S. Highway 521 to Sumter, S.C., and return over the same route.

Office of Proceedings

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.

Florida Docket No. 760122–CCT, filed February 23, 1976. Applicant: MULLINS, INC., 3302 Enterprise Road, Fort Pierce, Fla. 33450. Applicant's representative: Richard B. Austin, Suite 214, Palm Coast II Bldg., 5255 N.W. 87th Avenue, Miami, Fla. 33178. Certificate of Public Convenience and Necessity sought to extend its Certificate No. 702 so as to authorize the transportation of *heavy articles and commodities* which, due to size, weight and/or bulk, require specialized handling and equipment; *construction equipment and materials; and plastic pipe*, bundled or banded, in length of 12 ft. or more, between all points and places in Brevard, Highlands, Glades, Hendry, Indian River, St. Lucie, Martin and Okeechobee Counties, Fla., on the one hand, and, on the other, all points and places in the State of Florida, and between all points in the State of Florida and the eight named counties. Applicant seeks interstate authority to the same extent as intrastate authority. Foreign commerce authority also sought.

Note: Applicant presently holds authority in Docket No. MC 121680. Hearing: Date, time and place not yet fixed. Requests for information should be addressed to the Florida Public Service Commission, 700 South Adams Street, Tallahassee, Fla. 32304 and should *not* be directed to the Interstate Commerce Commission.

Georgia Docket No. 7312–M filed February 3, 1976. Applicant: SPECIALIZED FURNITURE CARRIERS, INC., 255 Ottley Drive, Atlanta, Ga. 30324. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of *New furniture and new furniture parts*, in truckload and less-truckload quantities, from Atlanta and Chamblee, Ga., on the one hand, and, on the other, all points in Georgia over no fixed route. Intrastate, interstate and foreign commerce authority sought. Hearing: Date, time and place scheduled for April 13, 1976, no time given, in Commission's Hearing Room, 177 State Office Building, 244 Washington Street, S.W., Atlanta, Ga. Requests for procedural information should be addressed to the Georgia Public Service Commission, 162 State Office Building, 244 Washington Street, S.W., Atlanta, Ga. 30334 and should *not* be directed to the Interstate Commerce Commission.

New York Docket No. T–3952, filed February 26, 1976. Applicant: BERMAN'S MOTOR EXPRESS, INC., P.O. Box 1566, Binghamton, N.Y. 13902. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of *General commodities*, to serve off-route point of town of North Norwich under present authority to operate between Binghamton and Norwich over New York Highway 12. Intrastate, interstate, interstate and foreign commerce authority sought. Hearing: Date, time and place not yet fixed. Requests for procedural information should be addressed to the New York State Department of Transportation, 1220 Washington Avenue, State Campus, Albany, N.Y., 12226 and should *not* be directed to the Interstate Commerce Commission.

Oklahoma Docket No. MC 31849 (Sub-No. 3), filed February 13, 1976. Applicant: HAROLD L. MANNING, doing business as MANNING FREIGHT LINES, P.O. Box 458, Pauls Valley, Okla. 73075. Applicant's representative: Charles Nesbitt, 620 Cravens Building, Oklahoma City, Okla. 73102. Certificate of Public

Convenience and Necessity sought to operate a freight service as follows: Transportation of *General commodities,* (A), from Pauls Valley via SH 19 to Lindsay, thence via SH 76 to junction with U.S. 70, thence via U.S. 70 to Ardmore and return, with alternate route from Maysville via SH 74 and SH 7 to Ratliff City, serving the points of Pauls Valley, Maysville, Lindsay, Erin Springs, Elmore City, Pernell, Tatumus, Ratliff City, Fox, Healdton, Lone Grove and Ardmore; and off-route points of Antioch, Katie, Hennepin, Eola, Velma, Alma, Tussy, Countyline, Graham, Wilson, Dillard and Ringling; (B) from Ardmore via U.S. 70 and SH 7 and 12 to Tishomingo, thence via SH 99 to Madill, thence via U.S. 70 to Kingston, thence via U.S. 32 to Marietta, and return, serving the points of Ardmore, Dickson, Mannsville, Ravia, Tishomingo, Madill, Kingston, Lebanon and Marietta, and off route points of Mill Creek and Troy; and (C) from Lexington via U.S. 77 to Pauls Valley, and return, serving the points of Lexington, Purcell, Wayne, Paoli and Pauls Valley. That all of the above points be unitized with applicant's present authority which is as follows, towit: Order No. 103079, Certificate No. MC 31849 dated February 6, 1974, Transportation of general commodities, from Oklahoma City to Paoli via U.S. 77 to Marietta, thence to Ardmore, thence over U.S. 70 to Dickson, thence over State Highway 177 to Sulphur, thence over State Highway 7 to Davis, thence over U.S. 77 to Paoli, serving the points of Paoli, Pauls Valley, Wynnewood, Davis, Springer, Ardmore, Overbrook, Marietta, Dickson, Baum, Nebo, Drake and Sulphur, Oklahoma, and return. No points to be passed through and not served. Intrastate, interstate and foreign commerce authority sought. Hearing: Date, time and place scheduled for March 29, 1976, no time shown, at the Jim Thorpe Office Building, Oklahoma City, Okla. Requests for procedural information should be addressed to the Oklahoma Corporation Commission, Jim Thorpe Office Building, Oklahoma City, Okla. 73105 and should *not* be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-7647 Filed 3-16-76;8:45 am]

federal register

WEDNESDAY, MARCH 17, 1976

PART II:

ENVIRONMENTAL PROTECTION AGENCY

■

AMBIENT AIR QUALITY

Reference and Equivalent Methods

Title 40—Protection of the Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[FRL 495–1]

AMBIENT AIR MONITORING REFERENCE AND EQUIVALENT METHODS

Miscellaneous Amendments

On February 18, 1975, EPA proposed amendments to Parts 50, 51, and 53 of Title 40, Code of Federal Regulations (40 FR 7064). These amendments were intended to add flexibility to Part 53 and related sections of Parts 50 and 51, and were largely inspired by public comments on Part 53 as originally proposed on October 12, 1973 (38 FR 28438). Interested persons were afforded an opportunity to participate in the rulemaking by submitting written comments. After considering the comments received, the amendments have been revised and are being promulgated today.

Only a few relatively minor changes have been made to the amendments as originally proposed. A general discussion of the amendments appeared in the preamble associated with the amendments when they were proposed. Therefore, only the major amendments and the changed amendment are discussed briefly below.

Supersession of reference methods. EPA intends to encourage and take advantage of advances in the art of monitoring pollutants in ambient air. Accordingly, Part 53 is being amended by adding a new § 53.16, set forth below, establishing procedures and criteria applicable to requests that the Administrator specify a new manual reference method, or a new measurement principle and calibration procedure for automated reference methods, by revising the appropriate appendix to 40 CFR Part 50. A corresponding amendment to § 53.7 makes clear that the Administrator may take such action in the absence of a request under § 53.16. For purposes of 40 CFR 51.17(a), supersession of a reference method under § 53.16 will ordinarily require replacement of existing air monitoring methods within a reasonable period as discussed more fully below.

(1) *Criteria for supersession.* The Administrator will ordinarily take action under § 53.16 only if he determines that a candidate method (or some variation thereof) is substantially superior to the existing reference method(s). In exercising his discretion, the Administrator will consider not only the benefits that would result from such action but also the potential economic consequences for State and local air pollution control agencies and any disruption of the State and local air quality monitoring programs that might result from the necessity of replacing existing air monitoring equipment within a reasonable period (see § 53.16(b)). As a result, it is expected that supersession of reference methods will occur relatively infrequently, and only when the advantages of such action clearly outweigh potential disadvantages.

(2) *Procedures.* Because action under § 53.16 will involve amendment of Part 50 and will affect both manufacturers and users of air monitoring methods, as well as the public interest in effective air pollution control programs, EPA believes such action should be governed by the requirements for informal ("notice-and-comment") rulemaking specified in § 4 of the Administrative Procedure Act, 5 U.S.C. § 553. Accordingly, § 53.16 provides that informal rulemaking procedures will be followed once the Administrator reaches a tentative conclusion that revision of an appendix to Part 50 is appropriate under § 53.16. As discussed more fully below, § 53.16 also establishes procedures by which an applicant may seek to invoke the informal rulemaking process. In effect, these procedures implement 5 U.S.C. 553(e), which requires in general terms that agencies afford interested persons the right to petition for the issuance, amendment, or repeal of a rule.

A person requesting action under § 53.16 must submit an application similar to that required by § 53.4 for a reference or equivalent method determination. Within 75 days, the Administrator will make a "preliminary finding" on the application or notify the applicant that further information or tests are needed before a preliminary finding can be made. If the preliminary finding is negative (in which case the Administrator will determine whether the applicant's candidate method can be designated as a reference or equivalent method), the applicant may appeal the finding by various means. If the preliminary finding is affirmative (or if a negative preliminary finding is reversed after an appeal), the Administrator will publish a notice of proposed rulemaking in the FEDERAL REGISTER, indicating that he proposes (a) to revise the appropriate appendix to Part 50 and (b) to take appropriate action to cancel existing reference or equivalent method designations. The notice will indicate what period(s) of time the Administrator will allow for replacement of existing methods (discussed below) and will solicit public comments on the proposal. If, after consideration of comments received, the Administrator determines that the appendix in question should be revised, he will take appropriate action by publication in the FEDERAL REGISTER.

(3) *Replacement of existing methods.* 40 CFR 51.17(a), as amended on February 18, 1975 (40 FR 7042), requires that State implementation plans adopted pursuant to § 110 of the Clean Air Act (42 U.S.C. 1857c–5) provide for the establishment of air quality surveillance systems. Each such system must comply with certain requirements, one of which is that each method used by a State to monitor the ambient air for certain pollutants must ordinarily be either the appropriate reference method or an equivalent method (see 40 CFR 51.17a, promulgated on February 18, 1975 (40 FR 7043)). In the event that an appendix to 40 CFR Part 50 is revised (and existing reference or equivalent method designations are cancelled) under the new § 53.16, 40 CFR 51.17a would ordinarily require State and local control agencies to replace existing monitoring methods with new reference or equivalent methods based on the revised appendix. To minimize the costs and disruption that might result, § 51.17(a) is being amended to provide a reasonable period, to be determined by the Administrator, for the replacement by existing equipment in such cases. As indicated above, the period(s) the Administrator will allow would be included in the notice of proposed rulemaking that would precede revision of the appendix in question, and the period(s) could be revised, if appropriate, after consideration of comments received in response to the notice.

Use of nonconforming analyzers in certain cases. Some comments on Part 53 as originally proposed suggested that use of existing analyzers be permitted for the remainder of their useful lives under 40 CFR 51.17(a) where the analyzer partially or substantially meets the requirements of Part 53. In response, EPA proposed and is now promulgating three exceptions to the general rule requiring use of reference or equivalent methods for purposes of 40 CFR 51.17(a): an interference exception (§ 51.17a(b)), and two range exceptions (§§ 51.1a (c) and (d)). The nature and purposes of these exceptions were described in the notice of proposed rulemaking published on February 18, 1975 (40 CFR 7064). It should be noted that agencies applying for any of the exceptions may rely on data or other information known to EPA from its own testing and from other sources as provided in § 51.17a(e)(3). In most cases, this should substantially reduce the burden of applying for the exceptions.

Modification of methods by users. Section § 53.14 (as promulgated on February 18, 1975 (40 FR 7044) establishes certain requirements applicable to modification of reference or equivalent methods by their vendors. To assure the reliability and national comparibility of air quality data obtained under 40 CFR 51.17(a), however, EPA believes some provision is necessary for approval of approval of user modifications as well.

Accordingly, 40 CFR 51.17a (as promulgated on February 18, 1975 (40 FR 7042)) is being amended by adding a new paragraph (f) set forth below, that requires prior approval of user modifications. As with 40 CFR 53.14, the new paragraph (f) attempts to minimize any burdens and delays resulting from the requirement of prior approval by encouraging brevity in requests for approval and by asking the user to state the probable effect of the modification. In many cases, probably little information will be necessary to demonstrate that the modification will have no significant adverse effect on the performance characteristics of the method, and in such cases the time necessary for EPA review should be short. In addition, requests for approval are necessary only for modifications that would or might "significantly"

alter the performance characteristics of the method; accordingly, requests for approval are unnecessary for most minor or trivial modifications of methods. Finally, as discussed more fully below, provision has been made to permit temporary modifications without prior approval in certain cases.

Conditions of designation. 40 CFR 53.9 is being amended by adding several further conditions applicable to designations of reference or equivalent methods. As with the conditions already specified in § 53.9, failure to comply with any of the additional conditions will constitute grounds for cancellation of such designations.

The additional conditions may be summarized as follows:

(1) Any analyzer offered for sale as a reference or equivalent method must bear a label or sticker indicating that it has been designated as a reference or equivalent method in accordance with Part 53.

(2) If such an analyzer has one or more selectable ranges, the label or sticker must be placed in close proximity to the range selector and must indicate which range or ranges have been designated as reference or equivalent methods.

(3) An applicant who offers analyzers for sale as reference or equivalent methods must maintain a list of ultimate purchasers of such analyzers and must notify them within 30 days if a reference or equivalent method designation applicable to the analyzers has been cancelled or if adjustment of the analyzers is necessary under 40 CFR 53.11(b) to avoid a cancellation.

(4) An applicant who modifies an analyzer previously designated as a reference or equivalent method may not sell the analyzer (as modifiedf) as a reference or equivalent method (although he may choose to sell it without such representations), nor attach a label or sticker to the analyzer (as modified) under the provisions described above, until he has received notice under 40 CFR 53.14(c) that the original designation or a new designation will apply to the method as modified or until he has applied for and received notice of a new reference or equivalent method determination for the analyzer as modified.

Comments received on proposed amendments and changes made in final amendments. EPA received comments on the proposed amendments from 5 respondents. Three of the respondents had no specific comments on the proposed amendments but did have comments on 40 CFR Part 53 in general. The latter comments had no bearing on the amendments set forth below, but will be kept on file pending proposal of any further amendments to Part 53.

Two of the respondents approved or supported the amendment to add a provision for supersession of reference methods, but reiterated and emphasized the need to consider such supersessions very seriously, carefully weighing such factors as (1) the substantial investment by State and local control agencies (as well as some industries) in air monitoring equipment which might have to be replaced; (2) the degree of method accuracy or performance required for showing compliance with the pertinent ambient air quality standard; (3) the relationship between a candidate method and the pertinent ambient air quality standard, assuming the latter was based on data collected by the existing reference method; and (4) the availability of funds from EPA to help agencies replace existing analyzers with designated methods. Upon review of the comments received, EPA has decided that the language of the proposed amendment was adequate and that no changes are required to accommodate these comments.

One comment suggested that indefinite use of existing instruments which have a proven consistent relationship with reference methods be permitted for purposes of § 51.17(a) to save the cost of replacing them. The proof of consistency would be correlation of parallel ambient air measurements made with the analyzer in question and with the existing reference method. For reasons discussed in the preamble to previous amendments to 40 CFR Parts 50 and 51 (40 FR 7042, February 18, 1975), EPA has concluded that methods used for purposes of § 51.17(a) must be reference or equivalent methods unless one of the exceptions described in § 51.17a applies. These exceptions provide for use of existing analyzers up to February 18, 1980, and, as revised today, would permit use of such analyzers for the remainder of their useful lives under certain conditions. Also, as noted in the preamble mentioned above, EPA intends to test some existing analyzers, to the extent that its resources permit, and, if they meet the requirements of Part 53, to designate them as reference or equivalent methods.

Another comment supported the amendment concerning modifications of methods by users, but suggested that the 10-day requirement for reporting of temporary modifications to EPA was too burdensome. The comment further suggested that if the method is properly repaired within 60 days, the quarterly data submitted to EPA could be qualified to indicate the temporary modification. After considering this comment, EPA has revised the amendment on user modifications to eliminate the 10-day time limit for reporting of temporary modifications, and to require that such reports be submitted to EPA along with the quarterly data (see § 51.17a(f)(5)). Thus the report of the temporary modification and the data taken with the temporarily modified method will be sent to EPA together to facilitate more expedient evaluation of the data.

It should be noted that the address for submission of requests for approval and other information concerning user modifications or use of nonconforming methods (40 CFR 51.17a(e)) has been changed to reflect a reorganization within the Agency. Pending amendment of 40 CFR 53.4(a) to reflect this change of address, applications for reference or equivalent method determinations should also be submitted to the new address.

Effective date. These amendments become effective on April 16, 1976.

Dated: March 3, 1976.

RUSSELL E. TRAIN,
Administrator.

Chapter I, Title 40, Code of Federal Regulations, is amended as follows:

PART 50—NATIONAL PRIMARY AND SECONDARY AMBIENT AIR QUALITY STANDARDS

1. Section 50.1 is amended by revising paragraphs (f) and (g) to read as follows:

§ 50.1 Definitions.

* * * * *

(f) "Reference method" means a method of sampling and analyzing the ambient air for an air pollutant that is specified as a reference method in an appendix to this part, or a method that has been designated as a reference method in accordance with Part 53 of this chapter; it does not include a method for which a reference method designation has been cancelled in accordance with § 53.11 or § 53.16 of this chapter.

(g) "Equivalent method" means a method of sampling and analyzing the ambient air for an air pollutant that has been designated as an equivalent method in accordance with Part 53 of this chapter; it does not include a method for which an equivalent method designation has been cancelled in accordance with § 53.11 or § 53.16 of this chapter.

(Sec. 4(a), Pub. L. 91-604, 84 Stat. 1679 (42 U.S.C. 1857c-4))

PART 51—REQUIREMENTS FOR PREPARATION, ADOPTION, AND SUBMITTAL OF IMPLEMENTATION PLANS

2. Section 51.17a is amended by adding new paragraphs (a)(4), (a)(5), (b), (c), (d), (e), and (f) to read as follows:

§ 51.17a Air quality monitoring methods.

(a) *General requirements.* * * *

(4) Any manual or automated method purchased prior to cancellation of a reference or equivalent method designation applicable to that method under § 53.11 or § 53.16 of this chapter may be used for purposes of § 51.17(a) for a reasonable period of time to be determined by the Administrator.

(5) An analyzer may be used for its useful life for purposes of § 51.17(a) if such use is approved by the Administrator under paragraph (b), (c), or (d) of this section, or any combination thereof, unless the approval is withdrawn under paragraph (e)(5) of this section.

(b) *Use of nonconforming analyzers in certain geographical areas.* (1) The Administrator may approve use in a particular geographical area of an analyzer that is not a reference or equivalent

method for purposes of § 51.17(a) if the analyzer was purchased prior to February 18, 1975, and the Administrator determines:

(i) That the analyzer (or the method of which the analyzer is representative) meets all the requirements of Part 53 of this chapter that would apply if an application for a reference or equivalent method determination were submitted for the method of which the analyzer is representative except (A) the test for interference equivalent specified in § 53.23(d) of Part 53 and (B) the requirements of Subpart C of Part 53, if applicable, to the extent that failure to meet the Subpart C requirements results from sensitivity to interferants; and

(ii) That interferants that cause or would cause the analyzer to fail the requirements of § 53.23(d) and Subpart C of Part 53 do not occur in significant concentrations in the geographical area in which use of the analyzer is proposed. For purposes of this paragraph (b), a "significant concentration" means one that would cause a measurement error equal to or greater than the lower detectable limit specification in Table B–1 in Subpart B of Part 53.

(2) Requests for approval under this paragraph (b) shall be submitted as provided in paragraph (e) of this section.

(3) Except as provided in paragraph (e)(3) of this section, each request submitted under this paragraph (b) shall contain the information specified in paragraph (e)(2) of this section and the following information:

(i) The date on which the analyzer was purchased;

(ii) An identification and description of the geographical area in which use of the analyzer is proposed;

(iii) Such data or other information as may be necessary to demonstrate that the interferants referred to in paragraph (b)(1)(ii) of this section do not occur in significant concentrations in the geographical area in which use of the analyzer is proposed; and

(iv) If Subpart C of Part 53 of this chapter would apply if an application for a reference or equivalent method determination were submitted for the method of which the analyzer is representative, test data for tests conducted with the analyzer in accordance with Subpart C in the geographical area in which use of the analyzer is proposed.

(4) Any person who has obtained approval of a request under this paragraph (b) shall:

(i) Assure that the analyzer for which approval was obtained is used for purposes of § 51.17(a) only in the geographical area identified in the request;

(ii) Report to the Administrator within 60 days any significant increase in concentrations of the interferants referred to in paragraph (b)(1)(ii) of this section in the geographical area identified in the request and concurrently submit such new or additional information as may be necessary to supplement the demonstration required by paragraph (b)(3)(iii) of this section; and

(iii) On a semi-annual basis submit reports containing such data or other information as may be necessary to demonstrate that the interferants referred to in paragraph (b)(1)(ii) of this section continue to occur in insignificant concentrations in the geographical area identified in the request. Reports required by this paragraph (b)(4) of this section shall be submitted to the address specified in paragraph (e)(1) of this section.

(c) *Use of methods with nonconforming ranges.*

(1) The Administrator may approve use of an analyzer that is not a reference or equivalent method for purposes of § 51.17(a) if: (i) The analyzer was purchased prior to February 18, 1975;

(ii) The Administrator determines that the analyzer (or the method of which the analyzer is representative) meets all requirements of Part 53 of this chapter that would apply if an application for a reference or equivalent method determination were submitted for the method of which the analyzer is representative except the range requirement specified in Table B–1 in Subpart B of Part 53; and

(iii) The range of the analyzer does not extend to concentrations more than two times the upper range limit specified in such Table B–1, or, if the analyzer has more than one selectable range, the analyzer will not be used for purposes of § 51.17(a) while operated in any range extending to such concentrations.

NOTE: If the use of the analyzer is approved under paragraph (d) of this section, the limitations specified in this paragraph (c)(1)(iii) of this section will not apply unless the approval under paragraph (d) is later withdrawn.

(2) Requests for approval under this paragraph (c) shall be submitted as provided in paragraph (e) of this section.

(3) Except as provided in paragraph (e)(3) of this section, each request submitted under this paragraph (c) shall contain the information specified in paragraph (e)(2) of this section and the following information:

(i) The date on which the analyzer was purchased; and

(ii) A statement that the range of the analyzer does not extend to concentrations more than two times the upper range limit specified in Table B–1 in Subpart B of Part 53 of this chapter, or, if the analyzer has more than one selectable range, that the analyzer will not be used for purposes of § 51.17(a) while operated in any range extending to such concentrations.

NOTE: If use of the analyzer is approved under paragraph (d) of this section, the statements required by this paragraph (c)(3)(ii) will be considered inapplicable unless the approval under paragraph (d) is later withdrawn.

(4) Any person who has obtained approval of a request under this paragraph (c) shall, if the analyzer has more than one selectable range, assure that the analyzer is not used for purposes of § 51.17(a) while operated in any range extending to concentrations more than two times the upper range limit specified in such Table B–1.

(d) *Use of methods with nonconforming ranges in certain geographical areas.*

(1) The Administrator may approve use in a particular geographical area of an analyzer having a broader range (*i.e.*, one extending to higher concentrations) than that permitted by paragraph (c) of this section for purposes of § 51.17(a), regardless of the date on which the analyzer was purchased, if:

(i) The analyzer has more than one selectable range, and one of the ranges either (A) is the range specified in Table B–1 in Subpart B of Part 53 of this chapter, or (B) is approved for use under paragraph (c) of this section (which applies only to analyzers purchased before February 18, 1975),

(ii) The Administrator determines that the analyzer (or the method of which the analyzer is representative) meets all the requirements of Part 53 of this chapter that would apply if an application for a reference or equivalent method determination were submitted for the method of which the analyzer is representative, except that paragraph (d)(1)(i) of this section shall apply in lieu of the range requirement specified in Table B–1;

(iii) The pollutant intended to be measured with the analyzer occurs on some occasions in concentrations more than two times the upper range limit specified in Table B–1 in the geographical area in which use of the analyzer is proposed; and

(iv) The Administrator determines that the resolution of each range that is broader than that permitted by paragraph (c) of this section and is proposed to be used for purposes of § 51.17(a) is adequate for its intended use. For purposes of this paragraph (d), "resolution" means the ability of the analyzer to detect small changes in concentration.

(2) Requests for approval under this paragraph (d) shall be submitted as provided in paragraph (e) of this section.

(3) Except as provided in paragraph (e)(3) of this section, each request submitted under this paragraph (d) shall contain the information specified in paragraph (e)(2) of this section and the following information:

(i) The range or ranges proposed to be used for purposes of § 51.17(a);

(ii) Test data, records, calculations, and test results as specified in paragraph (e)(2)(ii) of this section for each range proposed to be used for purposes of § 51.17(a);

(iii) An identification and description of the geographical area in which use of the analyzer is proposed;

(iv) Data or other information demonstrating that the pollutant intended to be measured with the analyzer occurs in concentrations more than two times the upper range limit specified in Table B–1 in Subpart B of Part 53 in the geographical area in which use of the analyzer is proposed; and

(v) Test data or other information demonstrating the resolution of each range that is broader than that permitted by paragraph (c) of this section and is proposed to be used for purposes of § 51.17(a).

(4) Any person who has obtained approval of a request under this paragraph (d) shall assure that the analyzer for which approval was obtained is used for purposes of § 51.17(a) only in the geographical area identified in the request and only while operated in the range or ranges specified in the request.

(e) *Requests for approval; withdrawal of approval.* (1) Requests for approval under paragraphs (b), (c), or (d) of this section shall be submitted to:

Director, Environmental Monitoring and Support Laboratory, Department E (MD-75), United States Environmental Protection Agency, Environmental Research Center, Research Triangle Park, North Carolina 27711.

(2) Except as provided in paragraph (e)(3) of this section, each request shall contain: (i) A statement identifying the analyzer (e.g., by serial number) and the method of which the analyzer is representative (e.g., by manufacturer and model number); and

(ii) Test data, records, calculations, and test results for the analyzer (or the method of which the analyzer is representative) as specified in Subpart B, Subpart C, or both (as applicable) of Part 53 of this chapter.

(3)(i) A request may concern more than one analyzer or geographical area and may incorporate by reference any data or other information known to EPA from one or more of the following:

(A) An application for a reference or equivalent method determination submitted by any person for the method of which the analyzer is representative or testing conducted by the applicant or by EPA in connection with such an application;

(B) Testing of the method of which the analyzer is representative at the initiative of the Administrator under § 53.7 of this chapter; or

(C) A previous or concurrent request for approval submitted by any person under this paragraph (e) of this section.

(ii) To the extent that such incorporation by reference provides data or information required by this paragraph (e) or by paragraph (b), (c), or (d) of this section, independent data or duplicative information need not be submitted.

(4) After receiving a request under this paragraph (e), the Administrator may request such additional testing or information or conduct such tests as may be necessary in his judgment for a decision on the request.

(5) If the Administrator determines, on the basis of any information available to him, that any of the determinations or statements on which approval of a request under this paragraph (e) of this section was based are invalid or no longer valid, or that the requirements of paragraphs (b)(4), (c)(4), or (d)(4) of this section, as applicable, have not been met, he may withdraw the approval after affording the person who obtained the approval an opportunity to submit information and arguments opposing such action.

(f) *Modifications of methods by users.* (1) Except as otherwise provided in this paragraph (f) of this section, no reference method, equivalent method or alternative method that is used for purposes of § 51.17(a) shall be modified in a manner that will or might significantly alter the performance characteristics of the method without prior approval by the Administrator. For purposes of this paragraph (f) of this section, "alternative method" means an analyzer, the use of which has been approved under paragraph (b), (c), or (d) of this section, or some combination thereof.

(2) Requests for approval under this paragraph (f) shall be submitted to the address specified in paragraph (e)(1) of this section.

(3) Each request submitted under this paragraph (f) shall include: (i) A description, in such detail as may be appropriate, of the desired modification;

(ii) A brief statement of the purpose(s) of the modification, including any reasons for considering it necessary or advantageous;

(iii) A brief statement of belief concerning the extent to which the modification will or may affect the performance characteristics of the method; and

(iv) Such further information as may be necessary to explain and support the statements required by paragraphs (f)(3)(ii) and (iii) of this section.

(4) Within 75 days after receiving a request for approval under this paragraph (f) of this section and such further information as he may request for purposes of his decision, the Administrator will approve or disapprove the modification in question by letter to the person or agency requesting such approval.

(5) A temporary modification that will or might alter the performance characteristics of a reference, equivalent, or alternative method may be made without prior approval under this paragraph (f) of this section if the method is not functioning or is malfunctioning, provided that parts necessary for repair in accordance with the applicable operation manual cannot be obtained within 45 days. Unless such temporary modification is later approved under paragraph (f)(4) of this section, the temporarily modified method shall be repaired in accordance with the applicable operation manual as quickly as practicable but in no event later than 4 months after the temporary modification was made, unless an extension of time is granted by the Administrator. Unless and until the temporary modification is approved, air quality data obtained with the method as temporarily modified shall be clearly identified as such when submitted in accordance with § 51.7 and shall be accompanied by a report containing the information specified in paragraph (f)(3) of this section. A request that the Administrator approve a temporary modification may be submitted in accordance with paragraphs (f)(1)–(4) of this section; in such cases the request will be considered as if a request for prior approval had been made.

(Secs. 4(a) and 15(c)(2), Pub. L. 91-604, 84 Stat. 1679, 1713 (42 U.S.C. 1857c-5, 1857g(a)).)

PART 53—AMBIENT AIR MONITORING REFERENCE AND EQUIVALENT METHODS

3. The title "§ 53.16 *Supersession of reference methods*" is added at the end of the table of sections for Subpart A.

4. Section 53.1 is amended by revising paragraphs (e), (f) and (k) to read as follows:

§ 53.1 Definitions.

* * * * *

(e) "Reference method" means a method of sampling and analyzing the ambient air for an air pollutant that is specified as a reference method in an appendix to Part 50 of this chapter, or a method that has been designated as a reference method in accordance with this part; it does not include a method for which a reference method designation has been cancelled in accordance with § 53.11 or § 53.16 of this chapter.

(f) "Equivalent method" means a method of sampling and analyzing the ambient air for an air pollutant that has been designated as an equivalent method in accordance with this part; it does not include a method for which an equivalent method designation has been cancelled in accordance with § 53.11 or § 53.16.

* * * * *

(k) "Applicant" means a person who submits an application for a reference or equivalent method determination under § 53.4, or a person who assumes the rights and obligations of an applicant under § 53.7.

5. Section 53.2 is revised to read as follows:

§ 53.2 General requirements for a reference method determination.

(a) *Manual methods:* Except as provided in § 53.16, manual methods will not be considered for reference method determinations under this part.

NOTE: As defined in § 53.1(e), "reference method" includes a manual method specified in an appendix to Part 50 of this chapter. Except as provided in § 53.16, the provisions of this part are inapplicable to such a method.

(b) *Automated methods:* A candidate automated method must utilize the measurement principle and calibration procedures specified in the appropriate appendix to Part 50 of this chapter and meet the requirements specified in Subpart B of this part.

NOTE: Except as provided in § 53.16, an automated method will not be considered for a reference method determination if a manual reference method is specified in the appropriate appendix to Part 50.

6. Section 53.7 is amended by adding new paragraphs (b) and (c) to read as follows:

§ 53.7 Testing of methods at the initiative of the Administrator.

* * * * *

(b) In the absence of an application requesting the Administrator to consider revising an appendix to Part 50 of this chapter in accordance with § 53.16, the Administrator may conduct such tests and compile such information as may be necessary in his judgment to make a determination under § 53.16(d) and on the basis of the tests and information make such a determination.

(c) If a method tested in accordance with this section is designated as a reference or equivalent method in accordance with § 53.8 or is specified or designated as a reference method in accordance with § 53.16, any person who offers the method for sale as a reference or equivalent method thereafter shall assume the rights and obligations of an applicant for purposes of this part with the exception of those pertaining to submission and processing of applications.

7. Section 53.9 is amended by adding new paragraphs (d), (e), (f), and (g) to read as follows:

§ 53.9 Conditions of designation.

* * * * *

(d) Any analyzer offered for sale as a reference or equivalent method shall bear a prominent, permanently affixed label or sticker indicating that the analyzer has been designated by EPA as a reference method or as an equivalent method (as applicable) in accordance with this part.

(e) If an analyzer is offered for sale as a reference or equivalent method but has one or more selectable ranges, the label or sticker required by paragraph (d) of this section shall be placed in close proximity to the range selctor and shall indicate clearly which range or ranges have been designated as parts of the reference or equivalent method.

(f) An applicant who offers analyzers for sale as reference or equivalent methods shall maintain an accurate and current list of the names and mailing addresses of all ultimate purchasers of such analyzers. For a period of seven years after publication of the reference or equivalent method designation applicable to such an analyzer, the applicant shall notify all ultimate purchasers of the analyzer within 30 days if the designation has been cancelled in accordance with § 53.11 or § 53.16 or if adjustment of the analyzer is necessary under § 53.11(b).

(g) If an applicant modifies an analyzer that has been designated as a reference or equivalent method, the applicant shall not sell the analyzer as modified as a reference or equivalent method nor attach a label or sticker to the analyzer as modified under paragraph (d) or (e) of this section until he has received notice under § 53.14(c) that the existing designation or a new designation will apply to the analyzer as modified or has applied for and received notice under § 53.8(b) of a new reference or equivalent method determination for the analyzer as modified.

8. In § 53.14 the phrase "(see § 53.9 (g))" is added at the end of the first sentence of paragraph (a).

9. A new § 53.16 is added to read as follows:

§ 53.16 Supersession of reference methods.

(a) This section prescribes procedures and criteria applicable to requests that the Administrator specify a new reference method, or a new measurement principle and calibration procedure on which reference methods shall be based, by revision of the appropriate appendix to Part 50 of this chapter. Such action will ordinarily be taken only if the Administrator determines that a candidate method or a variation thereof is substantially superior to the existing reference method(s).

(b) In exercising his discretion under this section, the Administrator will consider: (1) the benefits, in terms of the requirements and purposes of the Act, that would result from specifying a new reference method or a new measurement principle and calibration procedure; (2) the potential economic consequences of such action for State and local control agencies; and (3) any disruption of State and local air quality monitoring programs that might result from such action.

(c) An applicant who wishes the Administrator to consider revising an appendix to Part 50 of this chapter on the ground that the applicant's candidate method is substantially superior to the existing reference method(s) shall submit an application for a reference or equivalent method determination in accordance with § 53.4 and shall indicate therein that he desires such consideration. The application shall include, in addition to the information required by § 53.4, data and any other information supporting the applicant's claim that the candidate method is substantially superior to the existing reference method(s).

(d) After receiving an application under paragraph (c) of this section, the Administrator will publish notice of its receipt in the FEDERAL REGISTER and, within 75 calendar days after receipt of the application, take one of the following actions:

(1) Determine that it is appropriate to propose a revision of the appendix in question and send notice of the determination to the applicant;

(2) Determine that it is inappropriate to propose a revision of the appendix in question, determine whether the candidate method is a reference or equivalent method, and send notice of the determinations, including a statement of reasons for the determination not to propose a revision, to the applicant;

(3) Send notice to the applicant that additional information must be submitted before a determination can be made and specify the additional information that is needed (in such cases, the 75-day period shall commence upon receipt of the additional information);

(4) Send notice to the applicant that additional tests are necessary, specifying what tests are necessary and how they shall be interpreted (in such cases, the 75-day period shall commence upon receipt of the additional test data); or

(5) Send notice to the applicant that additional tests will be conducted by the Administrator, specifying the nature of and reasons for the additional tests and the estimated time required (in such cases, the 75-day period shall commence one calendar day after the additional tests have been completed).

(e)(1) After making a determination under paragraph (d)(1) of this section, the Administrator will publish a notice of proposed rulemaking in the FEDERAL REGISTER. The notice will indicate that the Administrator proposes (i) to revise the appendix in question; (ii) where the appendix specifies a measurement principle and calibration procedure, to cancel reference method designations based on the appendix; and (iii) to cancel equivalent method designations based on the existing reference method(s). The notice will include the terms or substance of the proposed revision, will indicate what period(s) of time the Administrator proposes to allow for replacement of existing methods under § 51.17a(a)(4) of this chapter, and will solicit public comments on the proposal with particular reference to the considerations set forth in paragraphs (a) and (b) of this section.

(2) If, after consideration of comments received, the Administrator determines that the appendix in question should be revised, he will by publication in the FEDERAL REGISTER (i) promulgate the proposed revision, with such modifications as may be appropriate in view of comments received; (ii) where the appendix (prior to revision) specifies a measurement principle and calibration procedure, cancel reference method designations based on the appendix; (iii) cancel equivalent method designations based on the existing reference method(s); and (iv) specify the period(s) that will be allowed for replacement of existing methods under § 51.17a(a)(4) of this chapter, with such modifications from the proposed period(s) as may be appropriate in view of comments received. Cancelled designations will be deleted from the list maintained under § 53.8(c). The requirements and procedures for cancellation set forth in

§ 53.11 shall be inapplicable to cancellation of reference or equivalent method designations under this section.

(3) If the appendix in question is revised to specify a new measurement principle and calibration procedure on which the applicant's candidate method is based, the Administrator will take appropriate action under § 53.5 to determine whether the candidate method is a reference method.

(4) Upon taking action under paragraph (e)(2) of this section, the Administrator will send notice of the action to all applicants for whose methods reference and equivalent method designations are cancelled by such action.

(f) An applicant who has received notice of a determination under paragraph (d)(2) of this section may appeal the determination by taking one or more of the following actions:

(1) The applicant may submit new or additional information in support of the application.

(2) The applicant may request that the Administrator reconsider the data and information already submitted.

(3) The applicant may request that any test conducted by the Administrator that was a material factor in making the determination be repeated.

(Sec. 15(c)(2), Pub. L. 91-604, 84 Stat. 1713 (42 U.S.C. 1857g(a)).)

[FR Doc.76-7359 Filed 3-16-76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 50]

[FRL 495-2]

NITROGEN DIOXIDE IN THE ATMOSPHERE

Measurement Principle and Calibration Procedure

Notice is hereby given that the Environmental Protection Agency (EPA) is considering an amendment to Part 50, Appendix F, of Title 40, Code of Federal Regulations, as set forth below. The purpose of this amendment is to establish a new measurement principle and calibration procedure to replace the existing reference method for the measurement of nitrogen dioxide (NO_2) in the atmosphere. As discussed more fully below, proposed amendments to 40 CFR Part 53, set forth elsewhere in this issue of the FEDERAL REGISTER, provide for designation of new NO_2 reference methods based on the proposed measurement principle and calibration procedure.

BACKGROUND

Pursuant to section 109 of the Clean Air Act (42 U.S.C. 1857c-4), as amended in 1970, EPA promulgated national primary and secondary ambient air quality standards for six pollutants, including NO_2, on April 30, 1971 (36 FR 8186). These standards are now codified as 40 CFR Part 50. At the same time, EPA published reference methods, described in appendices to Part 50, to be used by EPA and by State and local agencies in measuring ambient concentrations of the six air pollutants. The reference method for NO_2 is presently set forth in Appendix F to Part 50.

Apparent deficiencies with the reference method for NO_2 were subsequently identified, and EPA announced on June 14, 1972 (37 FR 11826), that the method was suspected of being unreliable and would be re-evaluated.

In a notice published on June 8, 1973 (38 FR 15174), EPA announced its intention, following completion of additional studies, to propose amendments to 40 CFR Part 50, Appendix F, to withdraw the current reference method for NO_2 and designate a new one. Technical descriptions of three methods or measurement principles for measurement of NO_2 were set forth at that time. The notice indicated that EPA would conduct complete evaluations and collaborative testing of these and possibly other methods. Interested persons were invited to submit pertinent information and comments. The notice also indicated that EPA would subsequently select and propose a new method or measurement principle to replace the existing NO_2 reference method. As discussed more fully below, EPA has completed its evaluation of various candidate methods and measurement principles and proposes to replace the existing reference method for NO_2 with the continuous chemiluminescence measurement principle and specified calibration procedures.

On February 18, 1975 (40 FR 7044), EPA promulgated 40 CFR Part 53, entitled "Ambient Air Monitoring Reference and Equivalent Methods," which established requirements and procedures governing designation of reference or equivalent methods for the measurement of specified pollutants. Because replacement of the existing reference method for NO_2 was under consideration as discussed above, the new Part 53 did not provide for designation of reference or equivalent methods for NO_2. However, the basic concepts and policies established in the new Part 53 are pertinent to the amendment described in this notice and, under the amendments to Part 53 proposed elsewhere in this issue of the FEDERAL REGISTER, will apply to designation of reference or equivalent methods for NO_2 in the future.

COMMENTS RECEIVED

In response to the June 8, 1973, notice inviting public involvement in the selection of a new method or measurement principle to replace the existing NO_2 reference method, EPA received comments from some 20 respondents. Many of the respondents reiterated or corroborated the conclusion that the existing NO_2 reference method is inadequate, that a better method should be established, and that candidate methods should be carefully evaluated before a replacement is selected. Also, many of the respondents offered information and technical data pertinent to one or more of the methods or measurement principles, or pointed out various advantages or disadvantages to be considered in making the selection. A few respondents offered or suggested additional methods for consideration. Others indicated needs for better method descriptions, better calibration procedures, and better calibration standards than those which were currently available.

All of the comments were carefully considered and much of the information was used in the planning and design of the performance and collaborative tests conducted by EPA, in the evaluation of the candidate methods and measurements principles, and in the final selection of the measurement principle proposed today. Documents summarizing the comments and EPA's responses to them are available from the Environmental Monitoring and Support Laboratory, United States Environmental Protection Agency, Research Triangle Park, North Carolina 27711, attention Dr. S.D. Shearer (MD-75). The same documents as well as the comments themselves will be available for inspection and copying at the United States Environmental Protection Agency, Public Information Reference Unit, Room 2922 (EPA Library), 401 M Street, SW., Washington, D.C. 20460.

TECHNICAL EVALUATION TESTS

Ultimately, EPA tested and evaluated three manual methods and two automated (analyzers) based on two measurement principles. The manual methods evaluated were (1) Sodium Arsenite (orifice bubbler), (2) Triethanolamine-Guiacol-Sulfite (TGS) with orifice bubbler, and (3) Triethanolamine (TEA) with orifice bubbler. The measurement principles tested were (1) Continous Colorimetric and (2) Continuous Chemiluminescence. Although the TGS and TEA methods were not identified as candidate methods in the June 8, 1973, notice, subsequent improvements in the methods and further consideration suggested that they should also be tested.

Two types of tests were used in the evaluations—method standarization tests and interrelatability tests. In the method standardization tests, information from developers, experienced users, and technical literature was first studied to establish the best technical description of the manual methods. Second, a statistical ruggedness test was used to identify critical variables affecting the method or analyzer performance. The technical or procedural description and specifications for the methods and analyzers were then revised to minimize adverse effects of these critical variables. Finally, a comprehensive interlaboratory collaborative test was conducted to determine the performance of the method or analyzer in actual use under typical onsite conditions by typical users. These tests were carried out with ambient air samples augmented as necessary with artificially generated NO_2. Analysis of the collaborative test data yielded statistical estimates of bias and precision.

The interrelatability tests were used to determine the intra-method and inter-method comparability of the various methods and analyzers under carefully controlled conditions. (The TEA method had been eliminated by the previous tests and was not included in these tests.) The methods and analyzers under test were arranged to simultaneously measure identical samples of either ambient or clean air augmented with artifically produced NO_2. The various test conditions were designed to include (1) tests to investigate comparability of the methods over NO_2 concentration ranges expected to occur in ambient air; (2) tests for comparability under various patterns of NO_2 concentration fluctuations; and (3) special tests for possible interference from ozone. Data from these tests were analyzed and interpreted statistically for use in evaluating the various methods and measurement principles.

RESULTS OF TECHNICAL EVALUATIONS

The TEA method was determined to require a bubble-dispersing frit to achieve high collection efficiency. The use of a frit involves several serious disadvantages in comparison to use of an orifice type bubbler (as in the TGS and arsenite methods). For this reason, the TEA methods was not considered suitable for replacement of the existing reference method and was not evaluated further. Evaluation of the Continuous Colorimetric measurement principle indicated a quite variable and significant positive bias, a slow response time, and a negative interferent response to ozone.

In addition, the static calibration procedure used with this measurement principle was unreliable. For these reasons, the Continuous Colorimetric measurement principle was determined to be inferior to the Continuous Chemiluminescence measurement principle and the other two manual methods and therefore was not given further consideration for replacement of the existing reference method.

Evaluations of the TGS and Arsenite methods and the Continuous Chemiluminescence measurement principle indicated that all would be technically acceptable as replacements for the existing reference method. The rationale for selection of the continuous chemiluminescence measurement principle is discussed below.

This summary of the technical evaluations is necessarily brief. A document providing a more detailed summary of the evaluations (and of the rationale for selection of the continuous chemiluminescence measurement principle) and comprehensive test reports for each of the methods or measurement principles tested are available from the Environmental Monitoring and Support Laboratory, United States Environmental Protection Agency, Research Triangle Park, North Carolina, 27711, attention Dr. S. D. Shearer (MD–75) and will be available for inspection and copying at the United States Environmental Protection Agency, Public Information Reference Unit, Room 2922 (EPA Library), 401 M Street, SW., Washington, D.C. 20460.

Selection Rationale

A number of considerations entered into EPA's selection of the Continuous Chemiluminescence measurement principle as the proposed replacement for the existing NO_2 reference method. In general, the most significant factors were as follows:

(1) *Technical evaluations.* On the basis of the technical evaluations, consideration was limited to the Arsenite and TGS methods and the continuous chemiluminescence principle. The evaluations also provided quantitative performance indicators such as collection efficiency, bias, precision, interferences, and intra-method and inter-method correlations which were used to assess the relative technical merits of each method or measurement principle.

(2) *Public Comments.* Careful consideration was given to the comments, data, recommendations, and other information submitted to EPA in response to the Federal Register notice of June 8, 1973, referred to above.

(3) *Equivalency determinations.* An important function of a reference method is its role in testing of candidate methods to determine equivalency. (See 40 CFR Part 53 and the amendments to Part 53 proposed elsewhere in this issue of the Federal Register.) For this purpose, reference methods must be readily available and usable under field sampling conditions. Although either of the manual (24-hour) methods considered could serve this purpose, an automated method offers significant advantages as discussed more fully below.

(4) *Short term measurements.* For determining compliance with the National Ambient Air Quality Standard for both NO_2 and pohtochemical oxidants, hour measurements are adequate. However there is a growing need for short-term (hourly average) data to analyze diurnal patterns, to study the relationship between emission sources and receptor or monitoring sites, to develop effective and efficient control strategies for both NO_2 and photochemical oxidants, and to provide data during air pollution episodes. Reference methods based on the Continuous Chemiluminescence principle would meet these needs, whereas the 24-hour manual methods could not. If a short term standard should ever be promulgated in the future, it would require supersession of any 24-hour reference method, which in turn would require cancellation of all equivalent method designations based on the superseded reference method.

(5) *Economic impact.* The use of analyzers based on the chemiluminescent measurement principle is more expensive than the use of manual bubbler methods. However, as discussed more fully below, EPA is confident that equivalent manual methods will be available for use in control agency networks, obviating any need for such agencies to purchase large quantities of chemiluminescent analyzers. Where reference methods must be used, the cost of chemiluminescent analyzers is comparable to the cost of other types of automated analyzers.

General Discussion

Consistent with the basic definitions and policies established in 40 CFR Part 53, the proposed replacement for the existing NO_2 reference method is a "measurement principle and calibration procedure," rather than a reference method per se. In other words, the proposed Appendix F will specify only the measurement principle and associated calibration procedure on which reference methods for NO_2 must be based. As with reference methods for carbon monoxide and photochemical oxidants, analyzers based on the specified measurement principle and calibration procedure will be designated as reference methods if they are found to meet the performance specifications and other requirements set forth in 40 CFR Part 53 (see the amendments to Part 53 proposed elsewhere in this issue of the Federal Register) in accordance with the procedures set forth in Part 53. Note that the proposed calibration procedure for NO_2 reference methods includes two alternate procedures, either of which will be acceptable. Also, inasmuch as Appendix F will specify only the measurement principle and calibration procedure applicable to NO_2 reference methods, it would be possible to construct different types of analyzers based on this single measurement principle. Therefore a number of different analyzers could be designated as reference methods for NO_2.

As indicated above, analyzers based on the chemiluminescence measurement principle will be considered reference methods only if they are designated as such in accordance with Part 53. Accordingly, immediately after final promulgation of the revised Appendix F, there will be no NO_2 reference method until at least one analyzer has been designated as such under Part 53. In addition, equivalent methods for NO_2 cannot be designated until at least one reference method is available for the comparison testing required by Subpart C of Part 53 for equivalent method determinations. This situation should present no problem for State and local control agencies because proposed amendments to 40 CFR Part 51, appearing elsewhere in this issue of the Federal Register, would permit them to use existing NO_2 analyzers for 3 years and existing manual methods (excepting the existing reference method) for 1 year after promulgation of these amendments. Also, it may be possible for State and local control agencies to use existing analyzers for their useful lives in various special circumstances under amendments to § 51.17a promulgated elsewhere in this issue of the Federal Register.

In proposing that NO_2 reference methods be based on the chemiluminescence measurement principle, EPA is not necessarily advocating or encouraging increased use of chemiluminescent analyzers. The technical evaluation of the Arsenite and TGS manual methods indicated that both methods had good performance and would likely be more economical to use than automated methods. Accordingly, EPA is very interested in testing and, if they meet the requirements of Part 53, designating these two methods as equivalent methods (see 40 CFR 53.7). Designation of these methods as equivalent methods would allow State and local control agencies which are already using one or both of these methods to continue to use them after the 1 year time limit for existing methods mentioned above. And other control agencies could use either of the manual methods instead of more expensive automated analyzers.

EPA is prepared to carry out the necessary equivalency tests for these two manual methods as indicated above; however, such tests cannot be conducted until at least one chemiluminescence analyzer has been designated as a reference method and is available for comparison testing. EPA prefers to delay the equivalency testing of the TGS and Arsenite methods until an analyzer has been designated as a reference method through a normal application for a reference method designation from an analyzer manufacturer. If, however, such an application is not received within 3 months after promulgation of this amendment, EPA believes (in view of the 1 year time limit for use of existing manual methods) that it must itself initiate testing and designation of a reference method under 40 CFR 53.7 in order to complete the equivalency tests of the Arsenite and TGS methods in a timely fashion. Since the latter course could give

a competitive advantage to the manufacturer of the analyzer designated as a reference method, EPA encourages manufacturers of chemiluminescent analyzers to submit reference method applications for such analyzers within the three month period if possible. As soon as a reference method has been designated, EPA will conduct the equivalency tests of the two manual methods and, if either or both are designated as equivalent methods, will announce the designations in accordance with the provisions of Part 53.

EPA has previously considered whether the deficiencies intended in the existing NO_2 reference method affect the validity of the national primary and secondary ambient air quality standard for NO_2 and has concluded that the standard remains valid. See 38 FR 15180, 15182–83 (June 8, 1973). See also "Air Quality and Automobile Emission Control", a report prepared for the Committee on Public Works, United States Senate, 93d Cong., 2d Sess., by the Coordinating Committee on Air Quality Studies, National Academy of Sciences-National Academy of Engineering (Committee Print 1974); Finklea, J. F., Thomas R. Hauser, Larry E. Niemeyer, and Carl Shy, "Nitrogen Oxides Air Pollution: A Status Report", Read before the 66th Annual Meeting of the American Institute of Chemical Engineers, November 15, 1973, Philadelphia, Pa.; Hauser, T. R. and Carl M. Shy, "Position Paper: NO_x Measurement", *Environmental Science and Technology*, Volume 6, Number 10, October 1972. Although continuing study of health effects related to NO_2 may require revision of the standard in the future, EPA believes the proposed change in reference methods does not in itself require revision of the standard. Accordingly, no revision of the standard is being proposed at this time.

In accordance with EPA guidelines published October 21, 1974 (39 FR 37419), it has been determined that the proposed action will not make the attainment of standards substantially easier or more difficult or affect the basis on which the standards were established. Additionally, the environmental impacts of the proposed action have been judged insufficiently substantial to warrant preparation of an environmental impact statement. An assessment of the environmental impacts of the action indicated that the major impact will be the purchasing and placing into operation of a small number of NO_2 monitors. The number is expected to be small because considerable NO_2 monitoring is presently being performed by State and local agencies.

Interested persons may submit written comments on the proposed amendment in triplicate to the Director, Environmental Monitoring and Support Laboratory, Department E (MD–75), United States Environmental Protection Agency, Research Triangle Park, North Carolina, 27711. All comments postmarked on or before May 3, 1976 will be considered. All comments will be available for public inspection during normal business hours at the address specified above and at the United States Environmental Protection Agency, Public Information Reference Unit, Room 2922 (EPA Library), 401 M Street, S.W., Washington, D.C. 20460. The amendment, modified as the Administrator deems appropriate after consideration of comments, will become effective approximately 30 days after promulgation.

40 CFR 53.16, promulgated elsewhere in this issue of the FEDERAL REGISTER, establishes procedures and criteria for replacement ("supersession") of reference methods. Under § 53.16(a) and (b), the Administrator must consider certain factors (*e.g.*, potential economic consequences for State and local control agencies) before replacing an existing reference method. In the present case, the Administrator has previously determined that the existing NO_2 reference method is deficient and must be replaced, and public comments received on the June 8, 1973, FEDERAL REGISTER cited above support that conclusion. In addition, it is believed that replacement of the existing reference method with the proposed Appendix F would not cause unreasonable economic consequences for State and local control agencies or substantial disruption of State and local monitoring programs, particularly because use of existing NO_2 analyzers and manual methods (excepting the existing reference method) would be permitted for 5 years and 1 year, respectively, under the amendments to 40 CFR Part 51 proposed elsewhere in this issue of the FEDERAL REGISTER. However, comments are particularly invited on the considerations set forth in § 53.16(a) and (b).

This notice of proposed rulemaking is issued under the authority of section 109 of the Clean Air Act (42 U.S.C. 1857c–4), as amended by section 4 of Pub. L. 91–604, 84 Stat. 1679.

Dated: March 3, 1976.

RUSSELL E. TRAIN,
Administrator.

It is proposed to amend Part 50 of Title 40, Code of Federal Regulations, by revising Appendix F to read as follows:

APPENDIX F—MEASUREMENT PRINCIPLE AND CALIBRATION PROCEDURE FOR THE MEASUREMENT OF NITROGEN DIOXIDE IN THE ATMOSPHERE (GAS CHEMILUMINESCENCE)

1. *Principle and Applicability.*

1.1 Atmospheric concentration of nitrogen dioxide (NO_2) are measured indirectly by photometrically measuring the light intensity, at wavelengths greater than 600 nanometers, resulting from the chemiluminescent reaction of nitric oxide (NO) with ozone (O_3).[1,2,3] NO_2 is first quantitatively reduced to NO[4,5,6] by means of a converter. NO, which commonly exists in ambient air together with NO_2, passes through the converter unchanged causing a resultant total NO_X concentration equal to $NO+NO_2$. A sample of the input air is also measured without having passed through the converter. This latter NO measurement is subtracted from the former measurement ($NO+NO_2$) to yield the final NO_2 measurement. The NO and $NO+NO_2$ measurements may be made concurrently with dual systems, or cyclically with the same system provided the cycle time does not exceed 2 minutes.

1.2 An analyzer based on this principle will be considered a reference method only if it has been designated as a reference method in accordance with Part 53 of this chapter.

2. *Calibration.*

2.1 Alternative A—Gas phase titration (GPT) of an NO standard with O_3.

2.1.1 Principle. This calibration technique is based upon the rapid gas phase reaction between NO and O_3 to produce stoichiometric quantities of NO_2 in accordance with the following equation:[7]

$$NO+O_3 \rightarrow NO_2+O_2;\ k = 1.0\times10^7 \text{ liter mole}^{-1}\text{ sec}^{-1} \quad (1)$$

The quantitative nature of this reaction is such that when the NO concentration is known, the concentration of NO_2 can be determined. Ozone is added to excess NO in a dynamic calibration system, and a chemiluminescent NO analyzer is used as an indicator of changes in NO concentration. Upon the addition of O_3, the decrease in NO concentration observed on the calibrated NO analyzer is equivalent to the concentration of NO_2 produced. The amount of NO_2 generated may be varied by adding variable amounts of O_3 from a stable uncalibrated ozone generator.[8]

2.1.2 Apparatus. Figure 1, a schematic of a typical GPT apparatus, shows the suggested placement of the components listed below. All connections between components in the calibration system downstream from the O_3 generator should be glass or Teflon.

2.1.2.1 Air flow controllers. Devices capable of maintaining constant air flow within ±2%.

2.1.2.2 NO flow controller. A device capable of maintaining constant NO flow within ±2%. Component parts in contact with the NO should be of a non-reactive material.

2.1.2.3 Air flowmeters. Properly calibrated flowmeters capable of measuring and monitoring air flows within ±2%.

2.1.2.4 NO flowmeter. A properly calibrated flowmeter capable of measuring and monitoring NO flows within ±2%. (Rotameters have been reported to operate unreliably when measuring low NO flows and are not recommended.)

2.1.2.5 Pressure regulator for standard NO cylinder. This regulator must have non-reactive internal parts and a suitable delivery pressure.

2.1.2.6 Ozone generator. Capable of generating sufficient and stable levels of O_3 for reaction with NO to generate NO_2 concentrations in the range required.

2.1.2.7 Reaction chamber. A glass chamber for the quantitative reaction of O_3 with excess NO. The chamber should be of sufficient volume such that the following criterion is met: The product of the residence time of the reactant gases in the chamber (in seconds) times the air flow split ratio must be at least 500 seconds. Residence time is defined as the volume of the reaction chamber divided by the total flow through the chamber. The air flow split ratio is the total air flow (measured at the manifold) divided by the air flow through the ozone generator. To keep the residence time as short as possible and in turn to keep the reaction volume to a minimum, only a reduced portion of the total air flow actually passes through the ozone generator. (See reference 12 for more guidance.)

2.1.2.8 Mixing chamber. A glass chamber of proper design to provide thorough mixing of pollutant gas stream and diluent air. The residence time is not critical.

2.1.2.9 Output manifold. The output manifold should be constructed of glass or Teflon

of sufficient diameter to insure a minimum pressure drop at the analyzer connection. The system must have a vent designed to insure atmospheric pressure at the manifold and to prevent ambient air from entering the manifold.

2.1.2.10 Chemiluminescent NO analyzer. The NO channel of the chemiluminescent NO_2 analyzer under calibration may be used.

2.1.3 Reagents.

2.1.3.1 Cylinder containing NO standard. Cylinder containing 50 to 100 ppm NO in N_2 with less than 1 ppm NO_2. The cylinder must be traceable to a National Bureau of Standards NO in N_2 Standard Reference Material (SRM 1683 or SRM 1684) or NO_2 Standard Reference Material (SRM 1629). The cylinder (working standard) should be recertified on a regular basis as determined by the local quality control program.

2.1.3.2 Zero aid. Air, free of contaminants which will cause a detectable response on the NO and/or NO_2 analyzer or which might react with either NO or NO_2 in the gas phase titration. A procedure for generating zero air is given in reference 11.

2.1.4 Procedure.

2.1.4.1 Assemble the apparatus necessary for dynamic calibration. A typical system is shown in Figure 1.

2.1.4.2 Insure that all flowmeters are properly calibrated under the conditions of use against a reliable standard such as a soap-bubble meter or wet-test meter traceable to NBS. All volumetric flow rates should be corrected to 25°C and 760 mm Hg.

2.1.4.3 Precautions must be taken to remove O_2 and other contaminants from the NO pressure regulator and delivery system prior to the start of calibration to avoid any conversion of the standard NO to NO_2. Failure to do so can cause significant errors in calibration. This problem may be minimized by (1) pretreatment of the regulator; e.g., by careful evacuation of regulator when possible or flushing with pure N_2 in a vacuum oven at 50°C; (2) thorough flushing of the regulator and delivery system with NO after it has been connected to the standard cylinder; and (3) not removing the regulator from the cylinder between calibrations unless absolutely necessary.

2.1.4.4 Allow sufficient time for analyzer warm-up and stabilization. Adjust the diluent air and O_2 generator air flows to obtain the total air flow required at the output manifold and to obtain the desired air flow split ratio. The air flow through the O_2 generator should not exceed 10% of the total air flow. The total air flow must exceed the demand of the analyzer(s) under calibration to insure that no ambient air is pulled into the manifold vent. Allow the analyzer(s) to sample zero air until stable NO and NO_2 responses are obtained. After the responses have stabilized, make the proper zero adjustments to the NO and NO_2 (and NO_x if desired) analyzer(s).

2.1.4.5 Preparation of NO calibration curve.

2.1.4.5.1 Adjust the NO flow from the standard NO cylinder to generate an NO concentration of approximately 80% of the upper range limit (URL) of the NO range. The exact concentration is calculated from:

$$[NO]=\frac{F_{NO}\times C_{NO}}{F_{NO}+F_O} \quad (2)$$

where:

$[NO]$=diluted NO concentration, parts per million
F_{NO}=NO flow, cubic centimeter per minute
C_{NO}=cylinder NO concentration, parts per million
F_O=zero air flow, cubic centimeter per minute

Sample this NO concentration until the NO analyzer response has stabilized. Adjust the NO span control to obtain a full scale response equal to the desired URL. If substantial adjustment of the span control is necessary, it may be necessary to recheck the zero and span adjustments by repeating steps 2.1.4.4 and 2.1.4.5.1.

2.1.4.5.2 Repeat at several concentration values (at least five are suggested) by decreasing the NO flow or increasing the diluent air flow to give lower NO concentrations. Calculate the exact NO concentration generated using equation (2). Record the analyzer response for each NO concentration. Plot the analyzer response (y-axis) versus the calculated NO concentration (x-axis) and draw the NO calibration curve. For subsequent calibrations, this curve may be verified with a two-point calibration.

2.1.4.6 Preparation of NO_2 calibration curve.

2.1.4.6.1 Assuming the NO_2 zero has been properly adjusted while sampling zero air in step 2.1.4.4, adjust the NO flow and air flow to generate an NO concentration near 90% of the URL of the NO range. Using equation (2), calculate and record this NO concentration as $[NO]_{orig}$.

2.1.4.6.2 Observe the analyzer's NO_2 response. A positive NO_2 response may be caused by (1) analyzer mulfunction, (2) air or other contamination in the NO delivery system, or (3) NO_2 impurity in the NO cylinder. Consult the analyzer's instruction manual or manufacturer to correct analyzer malfunctions. Contamination in the NO delivery system is discussed in 2.1.4.3. Any NO_2 impurity in the NO cylinder is determined in the following procedure and a corresponding correction can subsequently be made for it. A negative NO_2 response would usually indicate analyzer malfunction.

2.1.4.6.3 Adjust the ozone generator to generate sufficient O_2 to produce an NO_2 concentration of approximately 80% of the URL of the NO_2 range.

2.1.4.6.4 Calculate the NO_2 concentration as follows:

$$[NO_2]=[NO]_{orig}-[NO]_{rem} \quad (3)$$

where:

$[NO_2]$=NO_2 concentration generated, parts per million

$[NO]_{orig}$=original NO concentration, parts per million

$[NO]_{rem}$=NO concentration remaining after addition of O_2, parts per million

NOTE: If the NO_2 impurity in the NO cylinder is known, the NO_2 concentration may be corrected as follows:

$$[NO_2]=NO_{orig}-[NO]_{rem}+\frac{{}^{c}NO_2\times {}^{F}NO}{{}^{F}NO+{}^{F}O} \quad (4)$$

where:

${}^{c}NO_2$=NO_2 impurity concentration in the NO cylinder, parts per million

2.1.4.6.5 When the analyzer's response has stabilized, adjust the NO_2 span control as necessary to obtain a full scale response equal to the desired URL. If substantial adjustment of the span control is necessary, it may be necessary to recheck the zero and span adjustments by repeating the zero and span procedure. Record the analyzer response and NO_2 concentration.

2.1.4.6.6 Maintaining the same NO flow and air flow as in 2.1.4.6.3, adjust the ozone generator to obtain several other concentrations of NO_2 over the NO_2 range (at least five are suggested). Calculate the NO_2 concentrations using equation (3) or (4) and record the corresponding analyzer responses. Plot the analyzer response (y-axis) versus the calculated NO_2 concentrations (x-axis). Connect the points and extrapolate the curve back to intercept the x-axis. The x-intercept indicates the NO_2 impurity in the NO cylinder or the error if a correction was made for NO_2 impurity according to equation (4). The NO_2 impurity is calculated as follows:

C_{NO_2}=x=intercept (parts per million NO_2)

$$\times\frac{F_{NO}+F_O}{F_{NO}} \quad (5$$

2.1.4.6.7 If the error due to the x-intercept being different from zero is excessive, according to applicable quality control or other criteria, the NO_2 calibration should be repeated using equation (4) to calculate the NO_2 concentrations. The final plot of analyzer response versus calculated NO_2 concentration is the NO_2 calibration curve.

NOTE: Detailed information on calibration and other procedures in this method can be found in reference 12.

2.2 Alternative B—NO_2 permeation device.

NOTE: Some NO_2 analyzers may require concurrent or prior calibration of associated NO and/or NO_x ranges; in such cases alternative A may be necessary or preferable to alternative B.

2.2.1 Principle. Atmospheres containing accurately known concentrations of nitrogen dioxide are generated by means of a permeation device.[9] The permeation device emits NO_2 at a known constant rate provided the temperature of the device is held constant (±0.1°C) and the device has been accurately calibrated at the temperature of use. The NO_2 emitted from the device is diluted with zero air to produce NO_2 concentrations suitable for calibration.

2.2.2 Apparatus. A system suitable for diluting the permeated NO_2 to the desired concentrations with zero air. Figure 2 shows a diagram of a typical system, using a small fixed air flow over the permeation device and subsequent dilution to the final concentration. Alternatively, the total air flow may be passed across the permeation device if the device is closely monitored to insure that no temperature variations occur as the flow rate is changed. The split-stream arrangement requires a mixing chamber, as shown. A valve may be used as shown in Figure 2 to divert the NO_2 from the permeation device to provide zero air at the manifold for zero adjustments. The permeation device should always have air flow across it to prevent large build-up of NO_2 in the system and a consequent restabilization period.

2.2.2.1 Air flow controllers. Devices capable of maintaining constant air flow within ±2%.

2.2.2.2 Air flowmeters. Properly calibrated flowmeters capable of measuring and monitoring air flows within ±2%.

2.2.2.3 Mixing chamber. A glass chamber of proper design to provide thorough mixing of pollutant gas stream and diluent air.

2.2.2.4 Drier. Scrubber to remove moisture from the permeation device air stream.

2.2.2.5 Output manifold. The output manifold should be constructed of glass or Teflon of sufficient diameter to insure a minimum pressure drop at the analyzer connection. The system must have a vent designed to insure atmosphere pressure at the manifold and to prevent ambient air from entering the manifold.

2.2.2.6 Constant temperature chamber. Chamber capable of housing the NO_2 permeation device and maintaining its temperature to within ±0.1°C.

2.2.2.7 Temperature measuring device. Device capable of measuring and monitoring the temperature of the NO_2 permeation device with an accuracy of ±0.05°C.

2.2.3 Reagents

2.2.3.1 Calibrated NO_2 permeation device. The permeation device must be a National Bureau of Standards NO_2 Standard Reference Material (SRM 1629). Information regarding the use of permeation devices is given in the NBS certificate of analysis that is issued with the device and by Scaringelli et. al[10] and Rook et. al.[11]

2.2.3.2 Zero air. Air, free of contaminants which might react with NO_2 or cause a detectable response on the NO_2 analyzer. The zero air passing across the permeation device must be very dry to avoid surface reactions on the device.

2.2.4 Procedure

2.2.4.1 Assemble the calibration apparatus such as the typical one shown in Figure 2. All materials in contact with the pollutant must be glass or Teflon and be completely clean.

2.2.4.2 Insure that the flow measuring device(s) are properly and accurately calibrated under the conditions of use against a reliable standard such as a soap-bubble meter or wet-test meter traceable to NBS. All volumetric flows should be corected to 25° C and 760 mm Hg.

2.2.4.3 Install the permeation device in the constant temperature chamber and allow it to stabilize at the calibration temperature as directed by NBS. The temperature should be controlled to within ±0.1 C° or better and monitored with the temperature measuring device.

2.2.4.4 Allow the NO_2 analyzer under calibration to sample zero air until a stable response is obtained. When the response has stabilized, make the proper zero adjustments.

2.2.4.5 Adjust the air flow to provide on NO_2 concentration of approximately 80% of the URL of the NO_2 range. The total air flow must exceed the demand of the analyzer(s) under calibration. The actual concentration of NO_2 is calculated as:

$$[NO_2]=\frac{R\times K}{F_T} \quad (6)$$

where:

$[NO_2]$ = NO_2 concentration, parts per million
R = permeation rate, microgram per minute
K = 0.532 μl $NO_2/\mu g$ NO_2 (at 25°C and 760 mm Hg)
F = total air flow, liter per minute (corrected to 25°C and 760 mm Hg)

When the analyzer response has stabilized, adjust the NO_2 span control as necessary to obtain a full scale response equal to the desired URL. If substantial adjustment of the span control is necessary, it may be necessary to recheck the zero and span adjustments by repeating steps 2.2.4.4 and 2.2.4.5.

2.2.4.6 Adjust F_T to provide several other concentrations of NO_2 (at least five are suggested) over the analyzer's range, calculating the concentration using equation (6). Plot the analyzer response (y-axis) versus the NO_2 concentration (x-axis) and draw the NO_2 calibration curve.

NOTE: Additional information on calibration is provided in reference 12.

2.3 Frequency of calibration. The frequency of calibration, as well as the number of points necessary to establish the calibration curve and the frequency of other performance checks, will vary from one analyzer to another. The user's quality control program should provide guidelines for initial establishment of these variables and for subsequent alteration as operational experience is accumulated. Manufacturers of analyzers should include in their instruction/operation manuals information and guidance as to these variables and on other matters of operation, calibration, and quality control.

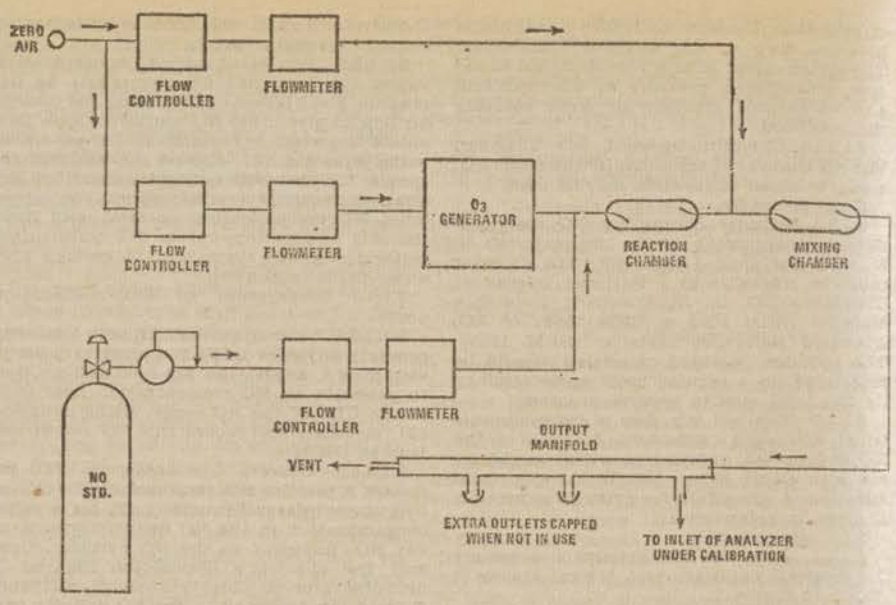

Figure 1. Schematic diagram of a typical GPT apparatus.

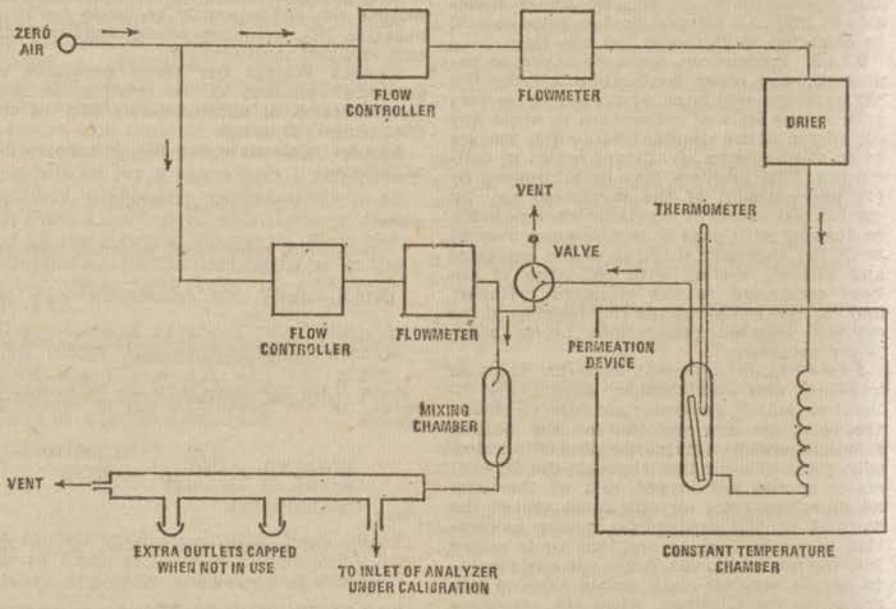

Figure 2. Schematic diagram of a typical calibration apparatus using an NO_2 permeation device.

2.4 Converter efficiency. Determination of the efficiency with which the converter converts NO_2 to NO is not a mandatory part of the analyzer calibration. However, calibration stability of the analyzer depends on the conversion efficiency being constant. Since a low converter efficiency is less likely to be constant, determination of converter efficiency may be useful as a quality control check or as an indicator of the need for analyzer performance checks. A procedure for determining converter efficiency is given in reference 12.

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(Sec. 4, Pub. L. 91–604, 84 Stat. 1678 (42 U.S.C. 1857c–4))

[FR Doc.76–7360 Filed 3–16–76;8:45 am]

[40 CFR Parts 51 and 53]

[FRL 495–3]

AMBIENT AIR MONITORING REFERENCE AND EQUIVALENT METHODS

Reference and Equivalent Methods for Nitrogen Dioxide

Notice is hereby given that the Environmental Protection Agency (EPA) is considering amendments to Parts 51 and 53 of Title 40, Code of Federal Regulations, as set forth below. The purpose of these amendments is to extend the scope of Parts 51 and 53 to provide for designation and use of reference and equivalent methods for the measurement of nitrogen dioxide (NO_2) in the atmosphere.

Elsewhere in this issue of the FEDERAL REGISTER, EPA is proposing to amend Appendix F of 40 CFR Part 50 to specify a new measurement principle and calibration procedure applicable to reference methods for the measurement of NO_2 in the atmosphere. As discussed more fully below, the proposed amendments to Part 53 would provide for designation of NO_2 reference methods based on the new measurement principle and calibration procedure and for designation of equivalent methods. The proposed amendments to Part 51 would require use of such reference and equivalent methods (with certain exceptions) for purposes of the State Air Quality Surveillance Systems required by 40 CFR 51.17(a).

BACKGROUND

On February 18, 1975 (40 FR 7044), EPA promulgated a new Part 53 of Title 40, Code of Federal Regulations, which established definitive requirements and procedures by which methods for sampling and analyzing the ambient air may be designated "reference methods" or "equivalent methods" for the measurement of specified air pollutants. Provisions for designation of reference and equivalent methods for NO_2 were specifically excluded from Part 53 because, at the time of promulgation, there were technical problems with the existing NO_2 reference method and replacement of that method was being considered. For similar reasons, use of reference or equivalent methods in the air quality surveillance systems required by 40 CFR 51.17 (a) was not required at that time (see 40 CFR 51.17a, promulgated on February 18, 1975 (40 FR 7042)).

In view of the new measurement principle and calibration procedure for NO_2 reference methods being proposed elsewhere in this issue of the FEDERAL REGISTER, provisions for designation of NO_2 reference and equivalent methods can now be proposed to extend the scope of Part 53. For similar reasons, EPA believes it is now appropriate to propose an amendment of 40 CFR 51.17a to require use of such methods (with certain exceptions, discussed below) for purposes of 40 CFR 51.17(a). The proposed amendments to Parts 51 and 53 may, of course, require revision as a result of any revisions of the proposed measurement principle and calibration procedure for NO_2 after consideration of comments received on any or all of these proposals.

DESIGNATION OF NO_2 REFERENCE AND EQUIVALENT METHODS

The proposed amendments to Part 53, set forth below, are relatively simple and straightforward. Table B–1 of Part 53 would be revised to add a new column for NO_2 giving specifications for each of the performance parameters. Table B–3 would be revised to add interferant concentration specifications for various types of NO_2 methods. Table C–1 would be revised to add new NO_2 specifications for concentration range, simultaneous measurements required, and maximum discrepancy. With one minor exception, there would be no changes to Subpart A of Part 53 or to the test procedures in Subparts B and C. Since the proposed revision to Appendix F of Part 50 (appearing elsewhere in this issue of the FEDERAL REGISTER) would specify only a measurement principle and calibration procedure, a reference method for NO_2 would be required to utilize the proposed measurement principle and calibration procedure meet all requirements of Subparts A and B, and be designated as a reference method in accordance with the procedural requirements of Part 53. An equivalent method for NO_2 would have to meet the specifications given in Subpart C (and Subpart B if an automated method) and be designated as an equivalent method in accordance with the procedural requirements of Part 53.

The proposed NO_2 specifications for the performance parameters in Table B–1 are comparable to the corresponding specifications for SO_2 and photochemical oxidant. The proposed NO_2 specifications for the consistent relationship tests of Subpart C are also similar to the corresponding specifications for SO_2 and photochemical oxidant. The slight differences in the concentration range requirements for the NO_2 Subpart C tests reflect differences in the level of the ambient air quality standard for NO_2 and in the nature of occurrence of NO_2. The somewhat tighter maximum discrepancy specifications being proposed for NO_2 in the medium and high concentration ranges are based on the relatively advanced development of present NO_2 measurement technology as substantiated by EPA laboratory tests on several widely used NO_2 measurement methods. It should be noted that no 1-hour consistent relationship measurements are being proposed, even though the measurement principle and calibration procedure proposed elsewhere in this issue of the FEDERAL REGISTER would permit such 1-hour measurements. The reasons for this are twofold: (1) The ambient air quality standard for NO_2 is specified in terms of an annual arithmetic mean—thus 24-hour measurements would suffice for compliance determinations; and (2) a reqirement for 1-hour measurements would preclude the designation as equivalent methods of manual 24-hour integrated methods which provide substantial economic advantages over the use of automated (continuous) methods.

USE OF EXISTING METHODS

When Part 53 was promulgated on February 18, 1975 (40 FR 7044), an associated amendment to 40 CFR Part 51 (40 FR 7042) required that any method for SO_2, CO, or photochemical oxidant used for purposes of § 51.17(a) be a reference or equivalent method as defined in Part 53. The amendment also provided specific periods of time after promulgation to allow for replacement of existing methods with designated methods. These periods were 5 years for automated methods and 6 months for manual methods. During these interim periods, use of existing methods is permitted.

A similar amendment to Part 51, set forth below, would likewise require that any method for NO_2 used for purposes of § 51.17(a) be a reference or equivalent method as defined in Part 53. The new amendment would also provide specific periods of time for replacement of existing methods for NO_2. However, use of the existing reference method (promulgated on April 30, 1971 (36 FR 8186)), would not be permitted after promulgation of this amendment because of the serious technical problems with the

method. This should present no significant problem to State and local control agencies because most if not all of these agencies replaced the existing reference method with the arsenite method shortly after the June 8, 1973, notice announcing EPA's intention to replace the existing reference method (38 FR 15174). The specific periods of time allowed for replacement of existing methods would be 3 years for automated NO_2 methods and 1 year for manual NO_2 methods. With the exception of the existing reference method, use of existing methods for NO_2 would be permitted during these interim periods. In addition, use of existing automated methods for the remainder of their useful lives may be possible in some cases under amendments to 40 CFR 51.17a promulgated elsewhere in this issue of the FEDERAL REGISTER.

The 1 year interim period being proposed for replacement of manual NO_2 methods will allow for testing and designation of 1 or more equivalent manual methods, as discussed in the preamble accompanying the proposed amendments to Part 50 elsewhere in this issue of the FEDERAL REGISTER. The 3 year interim period being proposed for replacement of automated NO_2 methods, as opposed to the 5 year period for SO, CO, and oxidant methods, is justified because far fewer automated NO_2 methods are in use among State and local agencies, thus mitigating the economic impact of the new requirements.

Interested persons may submit written comments on these proposed amendments in triplicate to the Director, Environmental Monitoring and Support Laboratory, Department E (MD-75), United States Environmental Protection Agency, Research Triangle Park, North Carolina, 27711. All comments postmarked on or before May 3, 1976 will be considered. All comments will be available for public inspection during normal business hours at the address specified above and at the United States Environmental Protection Agency, Public Information Reference Unit, Room 2922 (EPA Library), 401 M Street, SW., Washington, D.C. 20460. The amendments, modified as the Administrator deems appropriate after consideration of comments will become effective approximately 30 days after promulgation.

(Secs. 110(a) and 301(a) of the Clean Air Act (42 U.S.C. 1857c-5(a), 1857g(a)), as amended by sections 4(a) and 15(c)(2) of Public Law 91-604, 84 Stat. 1678, 1713.)

Dated: March 3, 1976.

RUSSELL E. TRAIN,
Administrator.

It is proposed to amend Chapter I, Title 40, Code of Federal Regulations, as follows:

PART 51—REQUIREMENTS FOR PREPARATION, ADOPTION, AND SUBMITTAL OF IMPLEMENTATION PLANS

1. In Section 51.17, the table in paragraph (a)(1) is amended by revising the entry for Nitrogen Dioxide under the heading "Measurement method or principle" to read as follows: "Gas phase chemiluminescence or equivalent."

2. Section 51.17a is amended by revising paragraph (a) to read as follows:

§ 51.17a Air quality monitoring methods.

(a) *General requirements.* (1) Except as otherwise provided in this paragraph (a), each method for measuring SO_2, CO, photochemical oxidant, or NO_2 used for purposes of § 51.17(a) shall be a reference method or equivalent method as defined in § 53.1 of this chapter. Concentrations of particulate matter shall be measured by the reference method specified in Appendix B to Part 50 of this chapter and by the tape sampler method.

(NOTE: Part 53 of this chapter does not presently provide for reference or equivalent method determinations with respect to methods of measuring hydrocarbons corrected for methane or suspended particulates. Guidance for the selection of automated methods for measuring hydrocarbons may be found in the EPA Environmental Monitoring Series document (EPA-650/4-74-018), *Guidelines for Determining Performance Characteristics of Automated Methods for Measuring Nitrogen Dioxide and Hydrocarbons Corrected for Methane in Ambient Air,* which may be obtained from the National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia, 22151. For SO_2, CO, photochemical oxidant, and NO_2, a list of methods designated as reference or equivalent methods under Part 53 may be obtained as provided in § 53.8 of this chapter.)

(2) Any analyzer for SO_2, CO, or photochemical oxidant purchased before February 18, 1976, may be used for purposes of § 51.17(a) up to and including February 18, 1980. Any analyzer for NO_2 purchased prior to 1 year after [date of promulgation of these amendments] may be used for purposes of § 51.17(a) for a period not to exceed three years after [date of promulgation of these amendments.]

(3) Any manual method for SO_2, CO, or photochemical oxidant in use before February 18, 1975, may be used for purposes of § 51.17(a) up to and including August 18, 1975. Any manual method for NO_2, other than the method specified in Appendix F to Part 50 of this chapter prior to [date of promulgation of these amendments], in use before [date of promulgation of these amendments] may be used for purposes of § 51.17(a) for a period not to exceed 1 year after [date of promulgation of these amendments].

(Secs. 4(a) and 15(c)(2), Pub. L. 91-604, 84 Stat. 1678, 1713 [42 U.S.C. 1857c-5, 1857g(a)])

PART 53—AMBIENT AIR MONITORING REFERENCE AND EQUIVALENT METHODS

3. In § 53.20, Table B-1 is revised to read as follows:

53.20 General provisions.

* * * * *

TABLE B-1.—*Performance specifications for automated methods*

Performance parameter	Units[1]	Sulfur dioxide	Photochemical oxidants	Carbon monoxide	Nitrogen dioxide	Definitions and test procedures
1. Range	Parts per million.	0-0.5	0-0.5	0-50	0-0.5	Sec. 53.23(a).
2. Noise	do	.005	.005	.50	.005	Sec. 53.23(b).
3. Lower detectable limit	do	.01	.01	1.0	.01	Sec. 53.23(c).
4. Interference equivalent						Sec. 53.23(d).
Each interferant	do	±.02	±.02	±1.0	±0.2	
Total interferant	do	.06	.06	1.5	.04	
5. Zero drift, 12 and 24 hour	do	±.02	±.02	±1.0	±.02	Sec. 52.23(e).
6. Span drift, 24 hour						Do.
20 percent of upper rante limit	Percent	±20.0	±20.0	±10.0	±20.0	
80 percent of upper range limit	do	±5.0	±5.0	±2.5	±5.0	
7. Lag time	Minutes	20	20	10	20	Do.
8. Rise time	do	15	15	5	15	Do.
9. Fall time	do	15	15	5	15	Do.
10. Precision						Do.
20 percent of upper range limit	Parts per million.	.01	.01	.5	.02	
80 percent of upper range limit	do	.015	.01	.5	.03	

[1] To convert from parts per million to $\mu g/m^3$ at 25°C and 760 mm Hg, multiply by $M/0.02447$, where M is the molecular weight of the gas.

* * * * * *

4. In § 53.23, Table B–3, is revised to read as follows:

§ 53.23 Test procedures.

* * * * * *

TABLE B–3.—*Interferant test concentration,[1] parts per million*

Pollutant	Analyzer type[2]	Hydrochloric acid	Ammonia	Hydrogen sulfide	Sulfur dioxide	Nitrogen dioxide	Nitric oxide	Carbon dioxide	Ethylene	Ozone	M-Xylene	Water vapor	Carbon monoxide	Methane	Ethane
SO_2	Flame photometric (FPD).			0.1	[4] 0.14			750				[3] 20,000	50		
SO_2	Gas chromatography-(FPD).			.1	[4] .14			750				[3] 20,000	50		
SO_2	Spectrophotometric-wet chemical (pararosaniline reaction).	0.2	[3] 0.1	.1	[4] .14	0.5		750		0.5					
SO_2	Electrochemical	.2	[3] .1	.1	[4] .14	.5	0.5		0.2	.5		[3] 20,000			
SO_2	Conductivity	.2	[3] .1		[4] .14	.5		750							
SO_2	Spectrophotometric-gas phase.				[4] .14	.5	.5			.5	0.2				
O_3	Chemiluminescent			[3] .1				750		[4] .08		[3] 20,000			
O_3	Electrochemical		[3] .1		.5	.5				[4] .08		[3] 20,000			
O_3	Spectrophotometric-wet chemical (potassium iodide reaction).		[3] .1		.5	.5	[3] .5			[4] .08					
O_3	Spectrophotometric-gas phase.				.5	.5	[3] .5			[4] .08					
CO	Infrared							750				20,000	[4] 10		
CO	Gas chromatography with flame ionization detector.											20,000	[4] 10		0.5
CO	Electrochemical						.5		.2			20,000	[4] 10		
CO	Catalytic combustion-thermal detection.		.1					750	.2			20,000	[4] 10	5.0	.5
CO	IR fluorescence							750				20,000	[4] 10		.5
CO	Mercury replacement-UV photometric.								.2				[4] 10		.5
NO_2	Chemiluminescent		[3] .1		.5	[4] .1	.5					20,000			
NO_2	Spectrophotometric-wet chemical (azo-dye reaction).				.5	[4] .1	.5			.5					
NO_2	Electrochemical		[3] .1		.5	[4] .1	.5			.5		20,000	50		
NO_2	Spectrophotometric-gas phase		[3] .1		.5	[4] .1	.5			.5		20,000	50		

[1] Concentrations of interferant listed must be prepared and controlled to ±10 percent of the state value.
[2] Analyzer types not listed will be considered by the administrator as special cases.
[3] Do not mix with pollutant.
[4] Concentration of pollutant used for test. These pollutant concentrations must be prepared to ±10 percent of the stated value.

* * * * * * *

5. In § 53.32, the first sentence of paragraph (f) is revised to read as follows:

§ 53.32 Test procedures.

* * * * * * *

(f) For oxidant, carbon monoxide and nitrogen dioxide, no more than six (6) 1-hour measurements shall be made per day. * * *

* * * * * * *

6. In § 53.32, Table C–1 is revised to read as follows:

§ 53.32 Test procedures.

* * * * * * *

TABLE C–1.—*Test concentration ranges, number of measurements required, and maximum discrepancy specification*

Pollutant	Concentration range, parts per million	Simultaneous measurements required				Maximum discrepancy specification, parts per million
		1-hr		24-hr		
		First set	Second set	First set	Second set	
Oxidants	Low 0.06 to 0.10	5	6			0.02
	Med 0.15 to 0.25	5	6			.03
	High 0.35 to 0.45	4	6			.04
Total		14	18			
Carbon monoxide	Low 7 to 11	5	6			1.5
	Med 20 to 30	5	6			2.0
	High 35 to 45	4	6			3.0
Total		14	18			
Sulfur dioxide	Low 0.02 to 0.05			3	3	0.02
	Med 0.10 to 0.15			2	3	.03
	High 0.30 to 0.50	7	8	2	2	.04
Total		7	8	7	8	
Nitrogen dioxide	Low 0.02 to 0.08			3	3	0.02
	Med 0.10 to 0.20			2	3	.02
	High 0.25 to 0.35			2	2	.03
Total				7	8	

(Sec. 15(c)(2), Pub. L. 91–604, 84 Stat. 1713 [42 U.S.C. 1857 g(a)])

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