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FRIDAY, JUNE 13, 1975

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Pages 25197–25427

PART I

PRIVACY ACT OF 1974—FURTHER NOTICE TO AGENCIES

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HIGHLIGHTS OF THIS ISSUE

This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

NATIONAL SECURITY INFORMATION CLASSIFICATION—Executive order 25197

ENERGY—FEA proposal regulating coal allocation; comments by 6–23–75 25220

CLEMENCY—The Presidential Clemency Board amends application standards and administrative procedures 25199

DESEGREGATION—HEW/OE regulations regarding public education; effective 6–13–75 25207

HIGHWAY SAFETY PROGRAMS—DOT policy for approval of State plans 25246

(Continued inside)

PART II:

FLOOD PLAIN MANAGEMENT PLANS—DOD/Army establishes guidelines for determining economic benefits 25291

PART III:

CHARTER AND SCHOOL BUS OPERATIONS:
DOT/UMTA proposes regulating service provided by recipients of Federal assistance (2 documents); comments by 7–11–75 ..... 25303, 25309
DOT/UMTA issues provisional Federal assistance application guidelines 25315

PART IV:

MINIMUM WAGES—Labor/ESA determination for Federal and federally assisted construction 25317

June 13, 1975—Pages 25197–25427

reminders

(The items in this list were editorially compiled as an aid to FEDERAL REGISTER users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.)

Rules Going Into Effect Today

NOTE: These are no items eligible for inclusion in the list of RULES GOING INTO EFFECT.

List of Public Laws

NOTE: No acts approved by the President were received by the Office of the Federal Register for inclusion in today's LIST OF PUBLIC LAWS.

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FOOD ADDITIVES—HEW/FDA provides for safe use of certain chemicals in food contact articles (2 documents); effective 6-13-75 25205

MEETINGS—
Commerce/SESA: Census Advisory Committee on the Black Population for the 1980 Census, 7-18-75 25243
DOD: Defense Science Board, 7-16 and 7-17-75 25235
Defense Wage Committee, 7-1, 7-8, 7-15, 7-22, and 7-29-75 25235
National Advisory Council on Economic Opportunity, 6-30-75 25252
State: Advisory Committee on Transnational Enterprises, 6-30-75 25235

RECLASSIFIED MEETINGS—
HEW/FDA: National Advisory Food and Drug Committee, 6-24 and 6-25-75 25243

CANCELLED MEETINGS—
Justice/LEAA: Private Security Advisory Council, 6-13-75 25236

contents

THE PRESIDENT

Executive Order
National security information and material; classification and declassification; nomenclature changes 25197

EXECUTIVE AGENCIES

AGRICULTURAL MARKETING SERVICE
Rules
Limitations of handling and shipping:
Limes grown in Calif. and Ariz. 25200
Limes grown in Fla 25201

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE
Rules
Marketing quotas and acreage allotments:
Tobacco (fire-cured, dark air-cured, Virginia sun-cured, cigar binder and cigar filler and binder) 25199

AGRICULTURE DEPARTMENT
See Agricultural Marketing Service; Agricultural Stabilization and Conservation Service; Animal and Plant Health Inspection Service; Commodity Credit Corporation; Farmers Home Administration.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE
Rules
Inspection of meat, poultry, and products:
Enforcement of acts; New York (2 documents) 25202
Proposed Rules
Meat and poultry repackaged inspection products, sales by exempt stores in designated states; hearing 25230
Notices
Fleming Key Animal Import Center, procedures for issuance of permits; extension of time for comments 25242

CIVIL AERONAUTICS BOARD
Notices
Hearings, etc.:
International Air Transport Association (3 documents) 25247, 25248

COMMERCE DEPARTMENT
See Maritime Administration; Social and Economic Statistics Administration.

COMMITTEE FOR THE PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED
Notices
Procurement list, 1975; additions and deletions 25248

COMMODITY CREDIT CORPORATION
Proposed Rules
Tobacco (flue-cured); grade loan rates for price support on 1975-crop 25217

DEFENSE DEPARTMENT
See also Engineers Corps.
Notices
Meetings:
Defense Science Board 25235
Defense Wage Committee 25235

EDUCATION OFFICE
Rules
Desegregation of public education 25207

EMPLOYMENT STANDARDS ADMINISTRATION
Notices
Minimum wages for Federal and federally assisted construction; general wage determination decisions modifications, and supersedeas decisions 25317

ENGINEERS CORPS
Rules
Evaluation of beneficial contributions to national economic development for flood plain management plans 25291

ENVIRONMENTAL QUALITY COUNCIL
Notices
Environmental statements:
Availability (2 documents) 25248, 25249

FARMERS HOME ADMINISTRATION
Notices
Disaster areas:
Missouri 25242

FEDERAL AVIATION ADMINISTRATION
Rules
Airworthiness directives:
Sikorsky 25203
Control zones 25203
Jet routes (2 documents) 25204
Restricted areas 25204
VOR Federal airway 25204
Proposed Rules
Airport traffic area, special; proposed designation of Sabre U.S. Army Heliport 25219
Transition areas 25218

FEDERAL COMMUNICATIONS COMMISSION
Rules
Frequency allocations and radio treaty matters:
International radio regulations 25214

FEDERAL ENERGY ADMINISTRATION
Proposed Rules
Allocation of coal 25220
Notices
Environmental impact statement:
Mandatory Oil Import Programs 25251

FEDERAL DISASTER ASSISTANCE ADMINISTRATION
Notices
Disaster areas:
Arkansas 25244

FEDERAL HIGHWAY ADMINISTRATION
Notices
Highway safety program; approval policy 25246

FEDERAL INSURANCE ADMINISTRATION
Rules
National flood insurance program:
Special hazard areas (6 documents) 25206, 25207

FISH AND WILDLIFE SERVICE
Proposed Rules
Hunting:
Cibola National Wildlife Refuge, Ariz. and Calif 25217
Santee National Wildlife Refuge, South Carolina 25217
Sea Turtles; threatened status 25217

Notices
Endangered species permit, applications (3 documents) 25236, 25240
Nunivak National Wildlife Refuge; hearing on Muskox hunting 25239

FOOD AND DRUG ADMINISTRATION
Rules
Food additives:
Paper and paperboard components 25205
Resinous and polymeric coatings 25205
Proposed Rules
Zirconium, aerosol drug and cosmetic products containing; correction 25218
Notices
Meetings:
National Advisory Food and Drug Committee 25243

GENERAL ACCOUNTING OFFICE
Notices
Regulatory reports review:
Proposals, approvals, etc 25252

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Education Office; Food and Drug Administration.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT
See Federal Disaster Assistance Administration; Federal Insurance Administration; Interstate Land Sales Registration Office.

INTERIOR DEPARTMENT
See also Fish and Wildlife Service; Land Management Bureau.
Notices
Environmental statements:
Migratory Bird hunting 25241
Santa Barbara channel, Calif 25241

INTERSTATE COMMERCE COMMISSION
Rules
Car service orders:
Lehigh Valley Railroad Co 25215
Reading Co 25215
Notices
Abandonment of service:
Illinois Central Gulf Railroad 25260
Hearing assignments 25259
Motor carriers:
Irregular route property carriers; gateway elimination 25264
Temporary authority applications (2 documents) 25259, 25261
Transfer proceedings 25260

INTERSTATE LAND SALES REGISTRATION OFFICE
Notices
Land developers; investigatory hearings, orders of suspension, etc.:
Duck Key 25244
Golden Sage Ranchos 25245
Mile High Subdivision 25246
Sandy Creek Ranches 25245
Silver Springs Shores 25245

JUSTICE DEPARTMENT
See Law Enforcement Assistance Administration.

LABOR-MANAGEMENT SERVICES ADMINISTRATION
Notices
Employee Benefit Plans; extension of interim exemption from prohibitions on securities transactions; correction 25258

LABOR DEPARTMENT
See also Employment Standards Administration; Labor Management Services Administration; Manpower Administration; Occupational Safety and Health Administration.
Proposed Rules
Used automatic data processing equipment, regular dealer for 25219

LAND MANAGEMENT BUREAU
Notices
Applications:
New Mexico (2 documents) 25236

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
Notices
Meeting:
Private Security Advisory Council 25236

MANAGEMENT AND BUDGET OFFICE
Notices
Clearance of reports; list of requests 25252

MANPOWER ADMINISTRATION
Notices
Employment transfer and business competition determinations 25258

MARITIME ADMINISTRATION
Rules
Subsidized vessels and operators; conservative divided policy 25213
Notices
Applications, etc.:
States Steamship Co 25242

NATIONAL ADVISORY COUNCIL ON ECONOMIC OPPORTUNITY
Notices
Meeting 25252

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
Rules
Motor vehicle safety standards:
Hydraulic brake system; correction 25215
Notices
Highway safety program; approval policy 25246
Motor vehicle safety standards:
Lighting equipment 25246

NATIONAL INSTITUTES OF HEALTH
Notices
Meetings:
National Commission on Arthritis and Related Musculoskeletal Diseases; correction 25244

NUCLEAR REGULATORY COMMISSION
Notices
Applications, etc.:
Department of Water and Power of the City of Los Angeles 25252

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
Rules
State plans for enforcement of standards:
Maryland 25207
Notices
Applications, etc.:
Stauffer Chemical Co 25258

POSTAL RATE COMMISSION
Notices
Prehearing conference:
Retail Analysis Program for Facilities Deployment 25253

PRESIDENTIAL CLEMENCY BOARD
Rules
Administrative procedures; substantive standards 25199

RURAL ELECTRIFICATION ADMINISTRATION
Proposed Rules
REA Loan Policy 25218

SECURITIES AND EXCHANGE COMMISSION
Proposed Rules
Oil and gas disclosure 25230
Notices
Hearings, etc.:
Canadian Javelin, LTD 25254
Congress Street Fund, Inc., et al 25254
Continental Vending Machine Corp 25255
Dividend Shares, Inc 25255
Equity Progress Fund, Inc 25256
Kentucky Power Co 25256

SMALL BUSINESS ADMINISTRATION
Notices
Applications, etc.:
APCO Capital Corp 25257
Marcon Capital Corp 25257

SOCIAL AND ECONOMIC STATISTICS ADMINISTRATION
Notices
Meetings:
Census Advisory Committee on the Black Population for the 1980 Census 25243
Multiestablishment companies; consideration for surveys 25243

STATE DEPARTMENT

Notices

Committee establishment:
Transnational Enterprises Advisory Committee 25235
Meetings:
Transnational Enterprises Advisory Committee 25235

TRANSPORTATION DEPARTMENT

See Federal Aviation Administration; Federal Highway Administration; National Highway Traffic Safety Administration; Urban Mass Transportation Administration.

URBAN MASS TRANSPORTATION ADMINISTRATION

Proposed Rules

Charter bus operations; codification of requirements 25304
School bus operations; codification of requirements 25309

Notices

Charter and school bus operations; interim agreements 25315

list of cfr parts affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, follows beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1974, and specifies how they are affected.

2 CFR
101 25199

3 CFR
EXECUTIVE ORDERS:
11652 (Amended by EO 11862) 25197
11862 25197

7 CFR
724 25199
910 25200
911 25201
PROPOSED RULES:
1464 25217
1701 25218

9 CFR
331 (2 documents) 25202
381 (2 documents) 25202
PROPOSED RULES:
303 25230
381 25230

10 CFR
PROPOSED RULES:
303 25220
309 25220

14 CFR
39 25203
71 (4 documents) 25203, 25204
73 25204
75 (2 documents) 25204
PROPOSED RULES:
71 25218
93 25219

17 CFR
PROPOSED RULES:
231 25230
239 25230
241 25230
249 25230

21 CFR
121 (2 documents) 25205
PROPOSED RULES:
700 25218

24 CFR
1915 (6 documents) 25206, 25207

29 CFR
1952 25207

33 CFR
341 25292

41 CFR
PROPOSED RULES:
50-201 25219

45 CFR
180 25207

46 CFR
283 25213

47 CFR
87 25214

49 CFR
571 25215
1033 (2 documents) 25215
PROPOSED RULES:
604 25304
605 25309

50 CFR
PROPOSED RULES:
17 25217
32 (2 documents) 25217

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during June.

2 CFR

101 — 25199

3 CFR

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:

Memorandum of January 2, 1973 (Amended by Memorandum of May 20, 1975) — 24889

Memorandum of April 26, 1973 (Amended by Memorandum of May 20, 1975) — 24889

Memorandum of December 13, 1973 (Amended by Memorandum of May 20, 1975) — 24889

Memorandum of October 29, 1974 (Amended by Memorandum of May 20, 1975) — 24889

Memorandum of May 20, 1975 (2 documents) — 24887, 24889

Memorandum of May 22, 1975 — 24891

100 — 24993

101 — 24993

EXECUTIVE ORDERS:

11652 (Amended by EO 11682) — 25197

11862 — 25197

5 CFR

213 — 23717–21378, 23835, 23987–23989, 24353, 24517, 24893, 24993

302 — 23835

330 — 23836

351 — 23836

353 — 23836

531 — 23838

550 — 23838

772 — 23839

7 CFR

20 — 23839

29 — 24173

295 — 23719

412 — 24993

510 — 24893

724 — 25199

726 — 24994

905 — 24174

908 — 23720, 24175, 24717, 24994

910 — 24353, 24717, 25200

911 — 24353, 24995, 25201

915 — 24006

944 — 24008

953 — 23720, 24354

1421 — 24717

1464 — 24175

1823 — 24517

PROPOSED RULES:

51 — 24013

916 — 24018

917 — 24908

923 — 23763

929 — 24527

999 — 24363

1033 — 24193

1060 — 24738

1064 — 24019

1137 — 24908

1464 — 25217

1701 — 23763, 23874, 24738, 25218

1831 — 24204

9 CFR

78 — 23721

113 — 23721, 23989

151 — 24176

331 — 25202

381 — 25202

PROPOSED RULES:

112 — 24203

113 — 24203

303 — 25230

381 — 25230

10 CFR

213 — 24718

210 — 24517

211 — 24176

PROPOSED RULES:

71 — 23768

73 — 23768

205 — 24541, 24919

211 — 23895, 24365, 24919

212 — 24742

303 — 25230

309 — 25220

11 CFR

Ch. I — 23832

Ch. II — 23832

PROPOSED RULES:

Ch. II — 23833

12 CFR

201 — 23842

217 — 24894

PROPOSED RULES:

7 — 23874

204 — 25031

206 — 25031

217 — 25031

220 — 23768

226 — 23896

329 — 24918

544 — 23895

545 — 23896, 25030

555 — 25030

564 — 24755

701 — 24205, 24755

13 CFR

107 — 24354

PROPOSED RULES:

117 — 25032

121 — 23843, 24210

14 CFR

39 — 23721–23723, 23843, 23990, 24176–24178, 24355, 24996, 25203

71 — 23724, 23990, 24179–24181, 24355, 24518, 24720, 24721, 24895, 24996, 24997, 25203, 25204

73 — 25204

75 — 23724, 25204

97 — 23843, 24181, 24997

216 — 23844

227 — 24998

288 — 23844, 24518

377 — 24998

14 CFR—Continued

PROPOSED RULES:

1 — 24664

11 — 23897

21 — 24664

23 — 24664, 24802

25 — 23764, 24664

27 — 24664, 24802

29 — 24664, 24802

39 — 23764, 24363, 24364, 24914, 25027

71 — 23765, 23766, 24019, 24204, 24364, 24365, 24914, 25027, 25028, 25218

75 — 24914

91 — 24664

93 — 25028, 25219

121 — 24664, 24802

221 — 24740

15 CFR

4 — 24721

370 — 23990

371 — 23991

372 — 23991

374 — 23991

379 — 23994

385 — 23994

386 — 23994

PROPOSED RULES:

1202 — 23875

16 CFR

13 — 23724, 24895, 24999–25002

14 — 23845

PROPOSED RULES:

3 — 25032

4 — 25032

437 — 23897

447 — 24031, 24755

17 CFR

15 — 23994

18 — 23994

231 — 24896

271 — 24896

PROPOSED RULES:

231 — 25230

239 — 23770, 25230

241 — 25230

249 — 25230

271 — 24756

275 — 24756

18 CFR

1 — 25003

PROPOSED RULES:

2 — 24542

35 — 23768

154 — 24031, 24542

157 — 24542

19 CFR

1 — 24356

4 — 23845, 24518

24 — 24518

PROPOSED RULES:

4 — 24527

141 — 23874

20 CFR

404 — 24357

405 — 24324 24357

416 — 23846

PROPOSED RULES:

405 — 23878, 23974, 24529, 24530

21 CFR

1 — 23996
11 — 23725
121 — 23996, 23997, 25205
128c — 24162

PROPOSED RULES:

1 — 24909
3 — 24909
310 — 24328
700 — 24328, 25218
1020 — 24528, 24909
1030 — 23877
1308 — 24216

23 CFR

658 — 24519

PROPOSED RULES:

658 — 24532

24 CFR

82 — 23997
203 — 24216
207 — 23864
275 — 24818
570 — 23864, 24692
1909 — 23864
1914 — 23725, 23728, 23730, 23866–23872, 23977, 23978, 25003
1915 — 23979, 23982, 24183, 24722, 25206, 25207
1916 — 24521
1920 — 23864

PROPOSED RULES:

867 — 24738
1925 — 23878

25 CFR

88 — 24183
256 — 24184

26 CFR

1 — 23721, 23738, 24361
11 — 24002, 24521
301 — 23743

PROPOSED RULES:

1 — 24011, 24527
301 — 24011, 24527

27 CFR

PROPOSED RULES:

178 — 25026
181 — 25026

28 CFR

0 — 24726

29 CFR

97 — 24346
1602 — 25188
1910 — 23743, 23847, 24321
1926 — 23847
1952 — 24522, 24523, 25207
2550 — 24896
2603 — 23847

PROPOSED RULES:

522 — 24528
570 — 24215, 24528
1952 — 24020
2510 — 24642
2520 — 24642
2605 — 24206

30 CFR

PROPOSED RULES:

250 — 24193
251 — 24193

32 CFR

1900 — 24897

33 CFR

1 — 23743
68 — 24897
115 — 24898
117 — 24898, 25004
118 — 24898
341 — 25292

PROPOSED RULES:

117 — 24532
175 — 25026
204 — 24193

36 CFR

7 — 25004

38 CFR

PROPOSED RULES:

3 — 24920

39 CFR

111 — 24526

40 CFR

52 — 23743–23745, 23746, 23757, 24184, 24185, 24523, 25004–25011, 25152
85 — 24186, 24350
180 — 24524
423 — 23987
429 — 23824

PROPOSED RULES:

33 — 24534
35 — 24534
52 — 23766, 24534, 24726, 25029
136 — 24535
180 — 24539
416 — 24918
421 — 24539
429 — 23827
450 — 24020

41 CFR

5A–7 — 25011
101–21 — 23856
101–25 — 23856
101–26 — 24361, 25012
101–43 — 23856

PROPOSED RULES:

50–201 — 25219

42 CFR

51a — 24436

43 CFR

PUBLIC LAND ORDERS:

5174 (amended by PLO 5501) — 25013
5501 — 25013

PROPOSED RULES:

5400 — 24362
5420 — 24362
5450 — 24362

45 CFR

63 — 24003
86 — 24128
130 — 25013
169 — 23857
180 — 25207
185 — 25172
1303 — 25013

PROPOSED RULES:

81 — 24148
190 — 23970

46 CFR

10 — 23758
33 — 24900
283 — 25213
531 — 24727
536 — 24728

PROPOSED RULES:

20 — 23764
61 — 23764
146 — 24532
193 — 25026
547 — 24367

47 CFR

1 — 24003
2 — 24729, 24735
15 — 24524
21 — 24004
73 — 23863, 24525, 24729–24733
74 — 24901, 25022
76 — 25022
87 — 25214
91 — 24735
97 — 24737

PROPOSED RULES:

2 — 24754
15 — 24742
21 — 24021
31 — 24743
33 — 24743
43 — 24021
68 — 23879
73 — 23767, 23768, 24031, 24540, 24748–24753
91 — 24754

49 CFR

173 — 24902, 25024
177 — 24903
178 — 24904
192 — 24361
571 — 24525, 25215
590 — 24904
921 — 23758
1033 — 23872, 24005, 24006, 24526, 24906, 25215
1042 — 24906, 25024

PROPOSED RULES:

Ch. II — 24365
571 — 23897, 24204, 24915
604 — 25304
605 — 25309

50 CFR

17 — 25217
28 — 24907, 25025
32 — 25217

PROPOSED RULES:

20 — 24527

FEDERAL REGISTER PAGES AND DATES—JUNE

Pages	*Date*	*Pages*	*Date*
23717–23834	June 2	24517–24716	9
23835–23976	3	24717–24886	10
23977–24172	4	24887–24992	11
24173–24351	5	24993–25196	12
24353–24516	6	25197–25427	13

presidential documents

Title 3—The President

Executive Order 11862 • June 11, 1975

Amending Executive Order No. 11652[1] Relating To Classification and Declassification of National Security Information and Material

By virtue of the authority vested in me by the Constitution and statutes of the United States and in implementation of the Energy Reorganization Act of 1974, Public Law 93-438 (88 Stat. 1233), it is hereby ordered:

SECTION 1. Executive Order No. 11652 of March 8, 1972, as amended, is further amended as follows:

(a) Section 2(A) is amended by deleting the words "Atomic Energy Commission" and substituting instead the words "Energy Research and Development Administration."

(b) Section 2(B) is amended by adding the words "Nuclear Regulatory Commission" after the words "Overseas Private Investment Corporation."

(c) Section 7(A) is amended by deleting in the second sentence thereof the words "Atomic Energy Commission" and substituting instead the words "Energy Research and Development Administration."

(d) Section 8 is amended by deleting at the end thereof the words "Atomic Energy Commission" and substituting instead the words "Energy Research and Development Administration."

SEC. 2. This order shall become effective immediately.

Gerald R. Ford

THE WHITE HOUSE,
June 11, 1975.

[FR Doc.75-15570 Filed 6-11-75;3:42 pm]

[1] 37 FR 5209; 3A CFR, 1972 Comp., p. 154.

rules and regulations

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

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

Title 2—Clemency

CHAPTER I—PRESIDENTIAL CLEMENCY BOARD

PART 101—ADMINISTRATIVE PROCEDURES

Administrative Procedures and Substantive Standards

The Presidential Clemency Board published its administrative procedures and substantive standards on March 21, 1975 (40 FR 12763). It is the intent of the Board to provide notice to the public of the standards it uses to make recommendations to the President concerning individual applications for clemency. The Board also wishes to ensure equity and consistency for applicants under the President's clemency program.

As previously indicated, the Board does not consider itself bound by the Administrative Procedures Act. However, in its attempt to adhere to principles of substantive and procedural due process, the Board has published its regulations and will publish changes in those regulations as new circumstances are presented to it. The following is an explanation of such changes which seem to the Board to be the most significant since the last time its regulations were published. Therefore, §§ 101.2, 101.8(b), 101.8(d), and 101.9(a) are amended to read as follows:

§ 101.2 General definitions.

"Action attorney" means any individual on the staff of the Board who is assigned an applicant's case.

* * * * *

§ 101.8 Initial case summary.

* * * * *

(b) The initial case summary is sent by certified mail to the applicant or his representative. The summary is accompanied by an instruction describing the method by which the summary was prepared, by a copy of the guidelines used by the Board for the determination of cases and by a copy of these regulations, as amended. Applicants are encouraged to review the initial case summary for accuracy and completeness and are advised of their right to submit additional sworn and unsworn material. Additional material may be submitted in any length. Nothing over three (3) single-spaced, typewritten letter-sized pages in length is read verbatim to the Board. When necessary, therefore, an applicant should summarize his additional material to comply with this verbatim presentation requirement. If this is not done, the action attorney does so.

* * * * *

(d) An applicant's case is ready for Board consideration upon preparation of the initial case summary, and may be heard at any time after the summary is mailed to the applicant. However, the applicant may send any information which contradicts, amends, or supplements the initial case summary within thirty (30) days after the postmark date. An applicant's request for an extension of this time will be liberally construed provided the request is timely. If an applicant's case has been heard by the Board prior to the receipt of a timely submission amending, contradicting, or supplementing a case summary, the case will be presented *de novo* to another panel of the Board, other than that which heard the case originally if the submission contains relevant information which could have affected the disposition of the case. See § 101.11 for rules concerning reconsideration of cases.

* * * * *

§ 101.9 Consideration before the Board.

(a) At a regularly scheduled meeting of the Board, an applicant's case is considered. The Board may decide, however, that cases will be considered by panels of not less than three Board members. Any case may be brought before a majority of the full Board for consideration at the request of any panel member. Panel recommendations will be considered final decisions of the full Board unless a case is scheduled to be reviewed by a majority of the full Board.

* * * * *

These amendments will become effective immediately.

Issued in Washington, D.C. on June 10, 1975.

CHARLES E. GOODELL,
Chairman, Presidential Clemency Board, The White House.

[FR Doc. 75-15510 Filed 6-11-75;9:36 am]

Title 7—Agriculture

CHAPTER VII—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (AGRICULTURAL ADJUSTMENT), DEPARTMENT OF AGRICULTURE

SUBCHAPTER VII—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 724—FIRE-CURED, DARK AIR-CURED, VIRGINIA SUN-CURED, CIGAR-BINDER (TYPES 51 & 52), AND CIGAR-FILLER AND BINDER (TYPES 42, 43, 44, 53, 54, & 55) TOBACCOS

Subpart—Proclamations, Determinations and Announcements of National Marketing Quotas and Referendum Results

INCREASES IN ACREAGE ALLOTMENT AND MARKETING QUOTAS—1975-76 MARKETING YEAR AND TERMINATION OF CIGAR-BINDER TOBACCO ALLOTMENTS AND MARKETING QUOTAS

Basis and purpose. This document is issued to announce the findings and determinations made upon the basis of an investigation made pursuant to section 371 of the Agricultural Adjustment Act of 1938, as amended, to determine whether the operation of farm marketing quotas in effect on fire-cured (type 21) tobacco, fire-cured (types 22-24) tobacco, dark air-cured (types 35 and 36) tobacco, Virginia sun-cured (type 37) tobacco, cigar-binder (types 51 and 52) tobacco and cigar-filler and binder (types 42-44 and 53-55) tobacco for the 1975-76 marketing year will cause the amounts of such kinds of tobacco which are free of marketing restrictions to be less than the normal supply for such kinds of tobacco for such marketing year.

The Department announced in 40 FR 5135 and 16671 the total supply and normal supply for each of these kinds of tobacco for the 1974-75 marketing year. The total supply of each kind of tobacco for the current marketing year is less than the normal supply determined in accordance with the Act. The Department announced also that an investigation was being made to determine whether the operation of the farm marketing quotas in effect on each of such kinds of tobacco for the 1975-76 marketing year will cause the amounts of such kinds of tobacco which are free of marketing restrictions to be less than the normal supply for such kinds of tobacco for such marketing year.

In the course of such investigation, due notice and opportunity for a hearing were given to interested persons. Most responses suggested the continuation of the tobacco program and an increase in the quotas and allotments for fire-cured (type 21), Virginia sun-cured (type 37), and cigar-filler and binder (types 42-44 and 53-55) if an increase was needed to continue the program. The latest government statistics indicate that the 1975-76 production of these kinds of tobacco, under the quotas now in effect for the 1975-76 marketing year will cause the amounts of such kinds of tobacco which are free of marketing restrictions to be less than the normal supply for each of such kinds of tobacco for such marketing year. Therefore, it is hereby found that an increase of ten percent in the national marketing quotas and acreage allotments for these kinds of tobacco for the 1975-76 marketing year is necessary to make the amounts of such kinds of tobacco which are free of marketing restrictions equal to the normal supply. The national acreage factors for the 1975 crops of such kinds of tobacco are also being increased by 10 percent.

It has been found that the operation of the farm marketing quotas in effect for fire-cured (types 22-24) tobacco and dark air-cured (types 35 & 36) tobacco for the 1975-76 marketing year will not

cause the amounts of such kinds of tobacco which are free of marketing restrictions to be less than the normal supply for each of such kinds of tobacco for such marketing year. In view of this, the national marketing quotas heretofore announced for fire-cured (types 22–24) tobacco and dark air-cured (types 35 & 36) tobacco for the 1975–76 marketing year (40 FR 5135 and 7619) shall remain in effect.

It has been found that the operation of the farm marketing quotas in effect for cigar binder (types 51 and 52) for the 1975–76 marketing year will cause the amount of such tobacco which is free of marketing restrictions to be less than the normal supply of such kind of tobacco for such marketing year. Responses from interested parties favored termination of the national marketing quota and acreage allotment for the 1975–76 marketing year for such kind of tobacco. Therefore, it is hereby found that the termination of the farm marketing quotas and acreage allotments for such kind of tobacco for the 1975–76 marketing year is necessary to make the amount of such kinds of tobacco which is free of marketing restrictions equal to the normal supply.

This document constitutes a substantive rule which relaxes certain marketing quota restrictions applicable to producers of Virginia fire-cured (type 21), Virginia sun-cured (type 37) and cigar-filler and binder (types 42–44 and 53–55) tobaccos who are preparing to plant their 1975 crops. Accordingly, this document shall become effective immediately.

Subpart—Proclamations, Determinations, and Announcements of National Marketing Quotas and Referendum Results appearing in 7 CFR Part 724 is amended as follows:

§ 724.12 [Amended]

1. Section 724.12 Fire-cured (type 21) tobacco is amended as follows:

(a) Paragraph (d) is amended to increase the national marketing quota for fire-cured (type 21) tobacco by ten percent by changing "12 millions pounds" to "13.2 million pounds",

(b) Paragraph (e) is amended to increase the national acreage allotment for fire-cured (type 21) tobacco by ten percent by changing "10,371.65 acres" to "11,408.82 acres".

(c) Paragraph (f) is amended to read: "(f) *National Acreage Factor.* The national acreage factor for fire-cured (type 21) tobacco for use in determining farm acreage allotments is 1.1. It was calculated in accordance with the Act by dividing the national acreage allotment, less the national reserve, by the total of the preliminary allotments for 1975 old farms."

(d) Paragraph (g) is amended to read as follows: "(g) *National Acreage Reserve.* The national acreage reserve for fire-cured (type 21) tobacco is 99.00 acres, of which 16.5 acres are made available for 1975 new farms and 82.5 acres are made available for making corrections and adjusting inequities in old farm allotments."

§ 724.15 [Amended]

2. *Section 724.15 Virginia Sun-Cured Tobacco* is amended as follows:

(a) Paragraph (d) is amended to increase the national marketing quota for Virginia sun-cured (type 37) tobacco by ten percent by changing "1,848 thousand pounds" to "2,032.8 thousand pounds,"

(b) Paragraph (e) is amended to increase the national acreage allotment for Virginia sun-cured (type 37) tobcaco by ten percent by changing "1,545.15 acres" to "1,699.67 acres."

(c) Paragraph (f) is amended to read: "(f) *National Acreage Factor.* The national acreage factor for Virginia sun-cured (type 37) tobacco for use in determining farm acreage allotments is 1.1. It was calculated in accordance with the Act by dividing the national acreage allotment, less the national reserve, by the total of the preliminary allotments for 1975 old farms."

(d) Paragraph (g) is amended to read: "(g) *National Acreage Reserve.* The national acreage reserve for Virginia sun-cured (type 37) tobacco is 15.95 acres, of which 5.50 acres are made available for 1975 new farms, and 10.45 acres are made available for making corrections and adjusting inequities in old farm allotments."

§ 724.17 [Amended]

3. Section 724.17 *Cigar-filler and binder (types 42–44 and 53–55) tobacco* is amended as follows:

(a) Paragraph (d) is amended to increase the national marketing quota for cigar-filler and binder (types 42–44 and 53–55) tobacco by ten percent by changing "33.8 million pounds" to "37.2 million pounds."

(b) Paragraph (e) is amended to increase the national acreage allotment for cigar-filler and binder (types 42–44 and 53–55) tobacco by ten percent by changing "17,836.41 acres to "19,620.05 acres".

(c) Paragraph (f) is amended to read: "(f) *National Acreage Factor.* The national acreage factor for cigar-filler and binder (types 42–44 and 53–55) tobacco for use in determining farm acreage allotments is 1.1. It was calculated in accordance with the Act by dividing the national acreage allotment, less the national reserve, by the total of the preliminary allotments for 1975 old farms."

(d) Paragraph (g) is amended to read: "(g) *National Acreage Reserve.* The national acreage reserve for cigar-filler and binder (types 42–44 and 53–55) tobacco is 68.20 acres, of which 55.00 acres are made available for 1975 new farms, and 13.2 acres are made available for making corrections and adjusting inequities in old farm allotments."

4. Section 724.36 and the center head preceding the section are revised, in order to terminate the 1975–76 quotas on cigar-binder (types 51 and 52) tobacco, to read:

TERMINATION OF QUOTAS, 1975–76 MARKETING YEAR

§ 724.36 Cigar-binder (types 51 and 52) tobacco.

It has been determined that the operation of farm marketing quotas in effect on cigar-binder (types 51 and 52) tobacco for the 1975–76 marketing year will cause the amount of such kind of tobacco which is free of marketing restrictions to be less than the normal supply of such kind of tobacco, and farm marketing quotas for the 1975–76 marketing year for such kind of tobacco are hereby terminated.

The material previously appearing in §§ 724.12, 724.15, 724.16 and 724.36 remains in full effect as to the marketing years to which it was applicable.

(Secs. 313, 371, 375, 52 Stat. 46, as amended, 64, as amended, 66, as amended; (7 U.S.C. 1313, 1371, 1375).

Effective date: June 13, 1975.

Signed at Washington, D.C. on: June 10, 1975.

E. J. PERSON,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.75-15443 Filed 6-12-75;8:45 am]

[Lemon Reg. 696]

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

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period June 15–21, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.996 Lemon Regulation 696.

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

handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons is about unchanged except that a truck shortage has caused order business to decline. Average f.o.b. price was $6.70 per carton the week ended June 7, 1975, compared to $6.48 per carton the previous week. Track and rolling supplies at 204 cars were up 44 cars from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 10, 1975.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period June 15, 1975, through June 21, 1975, is hereby fixed at 350,000 cartons.

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

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

Dated: June 11, 1975.

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

[FR Doc.75-15659 Filed 6-12-75;11:35 am]

[Lime Reg. 2]

PART 911—LIMES GROWN IN FLORIDA

Limitation of Handling

This regulation fixes the quantity of Florida limes that may be shipped to fresh market during the weekly regulation period. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 911. The quantity of limes so fixed was arrived at after consideration of the total available supply of Florida limes, the quantity currently available for market, lime prices, and the relationship of season average returns to the parity price for Florida limes.

§ 911.402 Lime Regulation 2.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911; 37 FR 10497), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Florida Lime Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

(i) The committee has submitted its recommendation with respect to the quantity of limes which it deems advisable to be handled during the succeeding week. Such recommendation results from consideration of the factors enumerated in the order. The committee further reports the fresh market demand for limes continues to weaken and market supplies during the current week exceed demand. Fresh shipments for the weeks ended June 7, 1975, and May 31, 1975, were 46,455 bushels and 44,560 bushels, respectively.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Florida limes, and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such limes; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 10, 1975.

(b) *Order.* (1) The quantity of limes grown in Florida which may be handled during the period June 15, 1975, through June 21, 1975, is hereby fixed at 25,500 bushels.

(2) As used in this section, "handled" and "limes" have the same meaning as when used in said amended marketing agreement and order, and "bushel" means 55 pounds of limes.

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

Dated: June 11, 1975.

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

[FR Doc.75-15581 Filed 6-12-75;11:45 am]

Title 9—Animals and Animal Products

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

SUBCHAPTER A—MANDATORY MEAT INSPECTION

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

SUBCHAPTER C—MANDATORY POULTRY PRODUCTS INSPECTION

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

Designation of the State of New York

Statement of considerations. A representative of the Governor of the State of New York has advised this Department that the State of New York is no longer in a position to continue administering the State meat inspection program after July 15, 1975, and has requested the Department to assume the responsibility for carrying out the provisions of titles I and IV of the Federal Meat Inspection Act, with respect to establishments within the State at which cattle, sheep, swine, goats, or equines are slaughtered or their carcasses, or parts or products thereof, are prepared for use as human food, solely for distribution within such State, and with respect to intrastate operations and transactions concerning meat products and other articles and animals subject to the Federal Meat Inspection Act, and persons, firms, and corporations engaged therein.

Also, the said representative of the Governor of the State of New York has advised this Department that the State of New York is no longer in a position to continue administering the State poultry inspection program after July 15, 1975, and has requested the Department to assume the responsibility for carrying out the provisions of sections 1–4, 6–10, and 12–22 of the Poultry Products Inspection Act with respect to establishments within the State at which poultry are slaughtered or poultry products are processed for use as human food, solely for distribution within such State, and with respect to intrastate operations and transactions concerning products and other articles and animals subject to the Poultry Products Inspection Act, and persons, firms, and corporations engaged therein.

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

On July 16, 1975, the provisions of titles I and IV of the Federal Meat Inspection Act shall apply to intrastate operations and transactions in said State and to persons, firms, and corporations engaged therein, to the same extent and in the same manner as if such operations and transactions were conducted in or for "commerce," within the meaning of the Federal Meat Inspection Act, and any establishment in the State of New York which conducts any slaughtering or preparation of carcasses or parts or products thereof of cattle, sheep, swine, goats, horses, mules, or other equines, must have Federal inspection or cease its operations, unless it qualifies for an exemption under section 23(a) or 301(c) of the Federal Meat Inspection Act.

Also, on July 16, 1975, the provisions of sections 1–4, 6–10, and 12–22 of the Poultry Products Inspection Act shall apply to intrastate operations and transactions in said State and to persons, firms, and corporations engaged therein, to the same extent and in the same manner as if such operations and transactions were conducted in or for "commerce," within the meaning of the Poultry Products Inspection Act, and any establishment in the State of New York which conducts any slaughtering or processing of poultry or poultry products must have Federal inspection or cease its operations, unless it qualifies for an exemption under section 15 or 5(c) (2) of the Poultry Products Inspection Act.

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

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

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

1. In the "State" column, "New York" is added immediately below "New Jersey."

2. In the "Effective date of application of Federal provisions" column, "July 16, 1975" is added on the line with "New York."

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

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

1. In the "State" column, "New York" is added immediately below "New Jersey."

2. In the "Effective date of application of Federal provisions" column, "July 16, 1975" is added on the line with "New York."

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

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

These amendments and the notice given hereby shall become effective July 16, 1975.

Done at Washington, D.C., on June 9, 1975.

F. J. MULHERN,
Administrator, Animal and Plant Health Inspection Service.

[FR Doc.75-15438 Filed 6-12-75;8:45 am]

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

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

Subpart V—Special Provisions for Designated States and Territories; Criteria and Procedure for Designating Establishments With Operations Which Would Clearly Endanger the Public Health; Disposition of Poultry Products Therein

DESIGNATION OF NEW YORK UNDER FEDERAL MEAT AND POULTRY PRODUCTS INSPECTION ACTS FOR SPECIAL PURPOSES

Statement of considerations. Sections 202, 203, and 204 of the Federal Meat Inspection Act (21 U.S.C. 642, 643, 644) provide for recordkeeping, access, and related requirements; registration requirements; and regulation of transactions involving dead, dying, disabled, or diseased livestock of specified kinds, or parts of the carcasses of such animals that died otherwise than by slaughter, with respect to operators engaged in specified classes of business in or for "commerce" as defined in the Act. Similar provisions with respect to poultry and poultry products are contained in section 11 of the Poultry Products Inspection Act (21 U.S.C. 460). Section 205 of the Federal Meat Inspection Act and section 11(e) of the Poultry Products Inspection Act (21 U.S.C. 645, 460(e))

authorize the Secretary of Agriculture to exercise the authorities under the aforesaid sections with respect to persons, firms, and corporations engaged in the specified kinds of business but not in or for "commerce" in any State or organized Territory when he determines, after consultation with an appropriate advisory committee, that the State or Territory does not have at least equal authority under its laws or is not exercising such authority in a manner to effectuate the purposes of the Acts.

Officials of the State of New York have advised this Department that effective July 16, 1975, the State of New York will no longer be in a position to continue administering authorities under the aforesaid sections with respect to persons, firms, and corporations engaged in the specified kinds of business but not in or for "commerce."

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

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

1. In the "State" column, "New York" is added immediately below "New Jersey" in all three places.

2. In the "Effective date of designation" column, "July 16, 1975" is added on the line with "New York" in all three places.

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

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

1. In the "State" column, "New York" is added immediately below "New Jersey" in both places.

2. In the "Effective date" column, "July 16, 1975" is added on the line with "New York" in both places.

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

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

These amendments and the notice given hereby shall become effective July 16, 1975.

Done at Washington, D.C., on June 9, 1975.

F. J. MULHERN,
Administrator, Animal and Plant Health Inspection Service.

[FR Doc.75-15439 Filed 6-12-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No 75-NE-28; Amdt. 39-2238]

PART 39—AIRWORTHINESS DIRECTIVES

Sikorsky Model S-58 and S-58T Series Helicopters Certificated In All Categories Including Military Types

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an airworthiness directive was adopted on May 16, 1975 and made effective immediately as to all known operators of Sikorsky S-58 helicopters. The directive requires daily visual and repetitive dye penetrant inspections of stationary stars for cracks, and the replacement of these stars, if cracks are detected.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest, and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of Sikorsky S-58 helicopters by individual telegrams dated May 16, 1975. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations.

SIKORSKY AIRCRAFT. Applies to S-58A, S-58B, S-58C, S-58D, S-58E, S-58F, S-58G, S-58H, S-58J, S-58BT, S-58DT, S-58ET, S-58FT, S-58HT, S-58JT helicopters certificated in all categories, including Military Type HSS-1, HSS-1F, HSS-1N, HUS-1, HUS-1A, HUS-1AN, HUS-1G, HUS-1Z, H-34A, H-34C, H-34J, CH-34A, CH-34C, HH-34F, SH-34G, SH-34H, SH-34J, UH-34D, UH-34E, UH-34G, UH-34J, VH-34C and VH-34D helicopters. To prevent operation with fatigue cracks in the main rotor stationary star assembly, P/N S1610-24013, accomplish the following:

(a) Prior to the first flight of each day, conduct visual inspections of stationary star assemblies for cracks in the areas around the recesses and edges surrounding the recesses, inboard of all of the trunnion lugs.

(b) For stationary stars with more than 250 hours time in service: Within 5 hours time in service after the effective date of this AD, unless already accomplished, and at 50 hour intervals thereafter, conduct dye penetrant inspections of the areas described in paragraph (a) for cracks.

(c) If a crack is found during the above inspections, replace the cracked stationary star with a star that has been inspected in accordance with paragraph (b) above and found to be free of cracks, prior to flight. Sikorsky Alert Service Bulletin 58B10-10 covers this inspection.

This amendment becomes effective June 13, 1975 for all persons except those to whom it was made effective immediately by telegram dated May 16, 1975.

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

Issued in Burlington, Massachusetts, on June 6, 1975.

QUENTIN S. TAYLOR,
Director, New England Region.

[FR Doc.75-15419 Filed 6-12-75;8:45 am]

[Airspace Docket No. 75-EA-38]

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

Alteration of Control Zone

The Federal Aviation Administration is amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Pittsburgh, Pa. (Greater Pittsburgh International Airport) Control Zone (40 FR 417).

The Greater Pittsburgh International Airport, Pa., Control Zone description includes a 1-mile radius exclusion centered on Aliquippa-Hopewell Airport, Aliquippa, Pa., which has been abandoned. An alteration of the control zone to delete reference to the abandoned airport in accordance with the enclosure is therefore required.

Since the amendment is minor in nature, notice and public procedure hereon are unnecessary and the amendment may be made effective 0901 g.m.t. August 14, 1975.

In view of the foregoing, Part 71 of the Federal Aviation Regulations is amended, as follows:

1. Amend § 71.171 of Part 71, Federal Aviation Regulations so as to alter the description of the Pittsburgh, Pa. (Greater Pittsburgh International Airport) as follows:

In the text, delete ", excluding a 1-mile radius area of the center lat. 40°35'30" N., long. 80° 17' 30" W. of Aliquippa-Hopewell Airport, Aliquippa, Pa.".

(Sec. 307(a) of the Federal Aviation Act of 1958 [72 Stat. 749; 49 U.S.C. 1348], and sec. 6(c) of the Department of Transportation Act [49 U.S.C. 1655(c)])

Issued in Jamaica, N.Y., on May 28, 1975.

LOUIS J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc.75-15424 Filed 6-12-75;8:45 am]

[Airspace Docket No. 75-RM-15]

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

PART 73—SPECIAL USE AIRSPACE

Revocation of Restricted Areas

The purpose of these amendments to Parts 71 and 73 of the Federal Aviation Regulations is to revoke Restricted Areas R-2604 Platteville, Colo., and R-6102 Badlands, S. Dak.

Revocation of R-2604 and R-6102 is appropriate because the restricted areas are no longer required.

Since these amendments make available for public use airspace from which the public was previously restricted, thereby relieving a restriction upon the public, they are minor matters in which the public would have no particular interest and notice and public procedure thereon are unnecessary. Moreover, since they relieve a restriction, they may become effective immediately.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective June 13, 1975, as hereinafter set forth.

1. In § 71.151 (40 FR 343) "R-6102 Badlands, S. Dak." is deleted.

2. In § 73.26 (40 FR 665) Restricted Area R-2604 Platteville, Colo., is revoked.

3. In § 73.61 (40 FR 694) Restricted Area R-6102 Badlands, S. Dak., is revoked.

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

Issued in Washington, D.C., on June 9, 1975.

EDWARD J. MALO,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.75-15423 Filed 6-12-75;8:45 am]

[Airspace Docket No. 75-SO-38]

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

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Alteration of Airways and Jet Routes

On May 7, 1975, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (40 FR 19834) stating that the Federal Aviation Administration (FAA) was considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would alter V-7W, V-159, and J-41 northwest of Birmingham, Ala.

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

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended, effective 0901 g.m.t., August 14, 1975, as hereinafter set forth.

§ 71.123 (40 FR 307) is amended as follows:

1. In V-7 "and also a W alternate via INT Birmingham 298° and Muscle Shoals 178° radials;" is deleted and "and also a W alternate via Birmingham 300° and Muscle Shoals 178° radials;" is substituted therefor.

2. In V-159 "INT Birmingham 298° and Hamilton, Ala., 122° radials; Hamilton;" is deleted and "Hamilton, Ala.;" is substituted therefor.

§ 75.100 (40 FR 705) is amended as follows:

In J-41 "Birmingham, Ala.; Memphis, Tenn.;" is deleted and "Birmingham, Ala.; INT Birmingham 300° and Memphis, Tenn., 113° radials; Memphis;" is substituted therefor.

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

Issued in Washington, D.C., on June 9, 1975.

EDWARD J. MALO,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.75-15420 Filed 6-12-75;8:45 am]

[Airspace Docket No. 75-SO-29]

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

Alteration of Federal Airways

On April 10, 1975, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (40 FR 16217) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would delete V-16S from Nashville, Tenn., to Hinch Mountain, Tenn., and delete V-54S from Huntsville, Ala., to Chattanooga, Tenn.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., August 14, 1975, as hereinafter set forth.

§ 71.123 (40 FR 307) is amended as follows:

In V-16 "Hinch Mountain; including a south alternate via INT Nashville 117° and Hinch Mountain 268° radials, and a north alternate" is deleted and "Hinch Mountain; including a north alternate" is substituted therefore. In V-54 "Chattanooga, Tenn., including a N alternate and also a S alternate via Huntsville 097° and Chattanooga 229° radials;" is deleted and "Chattanooga, Tenn., including a N alternate;" is substituted therefor.

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

EDWARD J. MALO,
Acting Chief, Airspace and Air Traffic Rules Division.

Issued in Washington, D.C., on June 9, 1975.

[FR Doc.75-15421 Filed 6-12-75;8:45 am]

[Airspace Docket No. 75-GL-40]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Waypoint Name Change

The purpose of this amendment to Part 75 is to change the name of the UNION waypoint to WILDT.

This change will eliminate the use of the same name for two separate on request reporting points within the Minneapolis, Minn., Air Route Traffic Control Center Area.

Since the identifying names of waypoints and reporting points is a minor matter upon which the public is not particularly interested, notice and public procedure thereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective August 14, 1975.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 g.m.t., August 14, 1975, as hereinafter set forth.

§ 75.400 (40 FR 724) is amended as follows:

In J-805R "UNION 42°57'17"N. 91°45'37"W. Nodine, Minn." is deleted and "WILDT 42°57'17"N. 91°45'37"W. Nodine, Minn." is substituted therefor.

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

EDWARD J. MALO,
Acting Chief, Airspace and Air Traffic Rules Division.

Issued in Washington, D.C. on June 9, 1975.

[FR Doc.75-15422 Filed 6-12-75;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

[Docket No. 75F-0077]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

COMPONENTS OF PAPER AND PAPERBOARD IN CONTACT WITH AQUEOUS AND FATTY FOODS

Notice was given by publication in the FEDERAL REGISTER of November 25, 1974 (39 FR 41194) that a petition (FAP 4B2991) had been filed by Nopco Chemical Division, Diamond Shamrock Chemical Co., P.O. Box 2386R, Morristown, NJ 07960, proposing that § 121.2526 *Components of paper and paperboard in contact with aqueous and fatty foods* (21 CFR 121.2526) be amended to provide for safe use of a polyaminoamideepichlorohydrin resin as a component of paper and paperboard intended to contact food.

The Commissioner of Food and Drugs, having evaluated data in the petition and other relevant material, is amending the regulation as set forth below to provide for use of the additive as proposed by the petitioner, effective on June 13, 1975.

Therefore, under provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 348(c)(1))) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2526(a)(5) is amended by alphabetically inserting in the list of substances a new item, to read as follows:

§ 121.2526 Components of paper and paperboard in contact with aqueous and fatty foods.

* * * * *

(a) * * *

(5) * * *

List of substances	*Limitations*
* * *	* *
Polyaminoamide - epichlorohydrin modified resin produced by reacting adipic acid with diethylenetriamine to produce a polyamide which is modified by reaction with diethylaminopropylamine and further reacted with dichloroethyl ether to form a polyamide intermediate. This polyamide intermediate is then reacted with epichlorohydrin such that the finished resins have a nitrogen content of 10.9-12.4 percent (Kjeldahl, dry basis) and a minimum viscosity in 40 percent - by - weight aqueous solution of 250 centipoises at 22° C, as determined by a Brookfield Model LVT viscometer using a No. 2 spindle at 30 r.p.m. (or equivalent method).	For use only as a wet-strength agent and/or retention aid employed prior to the sheet-forming operation in the manufacture of paper and paperboard, and used at a level not to exceed 0.5 percent by weight of the finished dry paper and paperboard.

* * * * *

Any person who will be adversely affected by the foregoing order may at any time on or before July 14, 1975, file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective June 13, 1975.

(Sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 348(c)(1)).)

Dated: June 9, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-15428 Filed 6-12-75;8:45 am]

[Docket No. 75F-0078]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

RESINOUS AND POLYMERIC COATINGS

The Food and Drug Administration is amending § 121.2514 *Resinous and polymeric coatings* (21 CFR 121.2514) to provide for the use of isobutylene-isoprene-divinylbenzene copolymers as components of can end cements for use in contact with food.

Notice was given in the FEDERAL REGISTER of September 20, 1974 (39 FR 33814) that a food additive petition (FAP 4B2980) had been filed by Dewey & Almy Chemical Division, W. R. Grace & Co., 62 Whittemore Ave., Cambridge, MA 02140, proposing that § 121.2514 be amended to provide for the safe use of isobutylene-isoprene-divinylbenzene copolymers as components of can end cements for use in contact with food.

The Commissioner of Food and Drugs, having evaluated the data in the food additive petition and other relevant material concludes that § 121.2514 should be amended as set forth below to provide for the safe use of the above named copolymers as components of can end cements.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 348(c)(1))) and under authority delegated to the Commissioner (21 CFR 2.120) § 121.2514 is amended in paragraph (b)(3)(xxxi) by alphabetically inserting in the list of substances a new item as follows:

§ 121.2514 Resinous and polymeric coatings.

* * * * *

(b) * * *

(3) * * *

(xxxi) * * *

Isobutylene-isoprene-divinylbenzene copolymers for use only at levels not to exceed 15 percent by weight of the dry cement composition.

* * * * *

Any person who will be adversely affected by the foregoing order may at any time on or before July 14, 1975, file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective June 13, 1975.

(Sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 348(c)(1)).)

Dated: June 9, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-15429 Filed 6-12-75;8:45 am]

Title 24—Housing and Urban Development

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-229]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities; Correction

On March 27, 1974, in 39 FR 11261, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the Village of Barrington, Illinois, as an eligible community and included Map No. H 170057 01 which indicates that Lot 35, Block 1, Barrington Meadows Subdivision, Barrington, Illinois, as recorded in Book 1322, Page 45 in the office of the Clerk of Lake County, Illinois, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective March 22, 1974, Map No. H 170057 01 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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: May 29, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-15451 Filed 6-12-75;8:45 am]

[Docket No. FI-239]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities; Correction

On April 11, 1974, in 39 FR 13147, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the Village of Lindenhurst, Illinois, as an eligible community and included Map No. H 170379 01 which indicates that Lot No. 3, Block No. 177, Venetian Village Unit No. 20, Lindenhurst, Illinois, recorded as Document No. 969233, in Book 34, Page 48 in the office of the Recorder of Lake County, Illinois, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective April 5, 1975, Map No. H 170391 01 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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: May 29, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc. 75-15450 Filed 6-12-75;8:45 am]

[Docket No. FI-246]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities; Correction

On April 16, 1974, in 39 FR 13647, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Farmers Branch, Texas, as an eligible community and included Map No. H 480174 02 which indicates that the 4th Installment, Valley View Place, Farmers Branch, Texas, as recorded in Volume 74187, Page 415, and the 6th Installment, as recorded in Volume 74197, Page 702 in the office of the Clerk of Dallas County, Texas, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective April 12, 1974, Map No. H 480174 02 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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: May 29, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-15449 Filed 6-12-75;8:45 am]

[Docket No. FI-289]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities; Correction

On June 19, 1974, in 39 FR 21149, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Kent, Washington, as an eligible community and included Map No. H 530080 01 which indicates that Lots 1 through 7, Pierce's Second Addition, Kent, Washington, as recorded in Volume 69, Page 57, in the office of the Auditor of King County, Washington, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective June 7, 1974, Map No. H 530080 01 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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: May 29, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-15447 Filed 6-12-75;8:45am]

[Docket No. FI-446]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities; Correction

On January 13, 1975, in 40 FR 2427, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Overland Park, Kansas, as an eligible community and included Map No. H 200174 07 which indicates that Lot No. 28, Block 3, Lot No. 33, Block 16, and the structures on Lots No. 12 through 15, 17 through 21, and 35, Block 16, Section 5, Hanover Subdivision, Overland Park, Kansas, as recorded in Book 34, Page 14, in the office of the Register of Deeds, Johnson County, Kansas, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective January 3, 1975, Map No. H 200174 07 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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: May 29, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-15452 Filed 6-12-75;8:45 am]

[Docket No. FI-596]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities; Correction

On June 27, 1973, in 38 FR 16863, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Grand Prairie, Texas, as an eligible community and included Map No. H 485472 19 which indicates that the property located at the corner of Arlington-Webb-Britton Road and Harwood-Dallas County Line Road, Grand Prairie, Texas, and recorded in Volume 5278, Pages 115 through 123, of the Deed Records in the office of the Clerk of Tarrant County, Texas, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is within Zone C, and not within the Special Flood Hazard Area. Accordingly, effective July 6, 1973, Map No. H 485472 19 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(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: May 29, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-15448 Filed 6-12-75;8:45 am]

Title 29—Labor

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

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

Maryland Plan—Approval of State Poster and State Standards

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, provides procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) for review of changes and progress in the development and implementation of State plans which have been approved in accordance with section 18(c) of the Act and Part 1902 of this chapter. Only July 5, 1973, a notice was published in the FEDERAL REGISTER (38 FR 17834) of the approval of the Maryland plan and of the adoption of Subpart O of Part 1952 containing the decision of approval. On March 13, 1975, the State submitted a supplement to the plan involving a State-initiated change (see Subpart E of 29 CFR Part 1953) which is outlined in paragraph (2) below. In addition, a notice was published in the FEDERAL REGISTER on October 3, 1974, concerning the approval of the Maryland standards by the Assistant Regional Director of the Occupational Safety and Health Administration (39 FR 35740). The standards adopted by Maryland were those Federal standards which were in effect as of September 4, 1974. The promulgation of these standards represents a completion of a developmental step.

2. *Description of the supplement.* The supplement concerns the Maryland State poster which is to be posted at all covered workplaces in the State. Among other things, the poster contains provisions notifying employees of their obligations and protections under the Maryland Act, their right to request inspections and their right to remain anonymous as a result, their right to participate in inspections, their protection against discharge or discrimination under both Federal and State law for the exercise of their rights under the Federal and State laws and their right to file complaints about the administration of the State program with the Occupational Safety and Health Administration.

3. *Location of the plan and its supplement for inspection and copying.* A copy of this supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Associate Assistant Secretary for Regional Programs, Room N-3112, 200 Constitution Ave., NW., Washington, D.C. 20210; Office of the Assistant Regional Director, Occupational Safety and Health Administration, 15220 Gateway Center, 3535 Market Street, Philadelphia, Pennsylvania 19104; Office of the Commissioner, Division of Labor and Industry, 203 East Baltimore Street, Baltimore, Maryland 21202.

4. *Public participation.* Under § 1953.2 of this chapter, the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) may prescribe alternative procedures to expedite the review process or for any good cause which may be consistent with applicable law. The Assistant Secretary finds that the Maryland poster incorporates all of the provisions required under 29 CFR 1952.10(a)(5) and 29 CFR 1903.2(a)(3) (39 FR 39036, November 5, 1974). Accordingly, it is found that further public comment is unnecessary.

5. *Decision.* After careful consideration, the Maryland plan supplement described above is approved under Part 1953 of this chapter. This decision incorporates the requirements of the Act and implementing regulations applicable to State plans generally. In addition, Subpart O of 29 CFR Part 1952 is amended to reflect the completion of two developmental steps by the promulgation and approval of the Maryland occupational safety and health standards and the approval of the Maryland poster. Accordingly, for the reasons stated in section 4 above. Subpart O of Part 1952 is hereby amended by adding a new section as follows:

§ 1952.214 Completed developmental steps.

(a) In accordance with § 1953.4, the Maryland occupational safety and health standards were approved by the Assistant Regional Director on October 3, 1974.

(b) In accordance with the requirements of 29 CFR 1952.10, the Maryland State poster was approved by the Assistant Secretary on June 6, 1975.

(Secs. 8(g)(2), 18, Pub. L. 91-596, 84 Stat. 1600, 1608 (29 U.S.C. 657(g)(2), 667))

Signed at Washington, D.C. this 6th day of June, 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75-15462 Filed 6-12-75;8:45 am]

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 180—DESEGREGATION OF PUBLIC EDUCATION

Notice of proposed rulemaking was published in the FEDERAL REGISTER on March 17, 1975 (40 FR 12243), setting forth proposed amended regulations for the program of desegregation of public education authorized in Title IV of the Civil Rights Act of 1964, 78 Stat. 246, as amended (42 U.S.C. 2000c-2000c-9). Pursuant to section 503 of the Education Amendments of 1972, a public hearing was held April 21, 1975 in Washington, D.C., on the proposed regulations. In addition, written comments were received and considered.

Several of the comments received may warrant changes in the proposed regulations. However, in view of the legal necessity of obligating funds appropriated for the program for the fiscal year 1975 prior to June 30, 1975, it has been determined that adoption of such substantive amendments to the regulations as to these funds would not be feasible. Accordingly, the proposed regulations are adopted, with changes of an editorial nature only, as final regulations intended only to govern awards made under the program from funds appropriated for the fiscal year 1975.

Pursuant to section 503(d) of the Education Amendments of 1972, it is intended that a subsequent document will be published in the FEDERAL REGISTER indicating action taken with respect to the

proposed regulations, in light of the comments received, which will govern awards from funds appropriated for the program for fiscal years succeeding the fiscal year 1975.

Part 180 of Title 45 of the Code of Federal Regulations is amended to read as set forth below.

Effective date. The notice of proposed rulemaking was transmitted to Congress on March 10, 1975 pursuant to section 431(d) of the General Education Provisions Act (20 U.S.C. 1232(d)). The time period set forth therein for congressional action has expired without such action having been taken. Therefore, these regulations shall become effective on June 13, 1975.

(Catalog of Federal Domestic Assistance Program No. 13.405, Civil Rights Technical Assistance and Training)

Dated: May 8, 1975.

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

Approved: June 6, 1975.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

PART 180—DESEGREGATION OF PUBLIC EDUCATION

Subpart A—General Provisions

Sec.
180.01 Purpose.
180.02 Definitions.
180.03 Applicability of Subchapter A.

Subpart B—Technical Assistance Arrangements With State Educational Agencies

180.11 Eligibility for awards.
180.12 Authorized activities.
180.13 Proposals.
180.14 Criteria for awards.
180.15 Award procedures.
180.16 Awards for activities to benefit non-English dominant minority group students.

Subpart C—General Assistance Centers

180.21 Eligibility for awards.
180.22 Authorized activities.
180.23 Proposals.
180.24 Criteria for awards.
180.25 Award procedures.
180.26 Awards for activities to benefit non-English dominant minority group students.

Subpart D—Training Institutes

180.31 Eligibility for assistance.
180.32 Authorized activities.
180.33 Applications.
180.34 Criteria for assistance.
180.35 Award procedures.

Subpart E—Grants to School Boards

180.41 Eligibility for assistance.
180.42 Authorized activities.
180.43 Applications.
180.44 Criteria for assistance.
180.45 Award procedures.

AUTHORITY: Title IV of the Civil Rights Act of 1964, 78 Stat. 246, as amended (42 U.S.C. 2000c-2000c-9), unless otherwise noted.

Subpart A—General Provisions

§ 180.01 Purpose.

The purpose of this part is to provide for awards as authorized by sections 403, 404, and 405 of title IV of the Civil Rights Act of 1964, as amended, for technical assistance, training institutes, and grants to school boards in connection with desegregation of public elementary and secondary schools.

(42 U.S.C. 2000c)

§ 180.02 Definitions.

Except as otherwise specified, the following definitions shall apply to the terms used in this part:

(a) (1) "Desegregation" means (except for purposes of §§ 180.16 and 180.26) the assignment of students to public schools and within such schools without regard to their race, color, religion, sex, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance. For purposes of this paragraph, overcoming racial imbalance means the assignment of students to correct conditions of segregation or separation (on the basis of race, color, religion, or national origin) not resulting from State or local law or official action.

(2) For purposes of §§ 180.16 and 180.26, "desegregation" means the assignment of students to public schools and within such schools in such manner as to provide such students with an equal opportunity for effective participation in educational programs despite English language deficiencies of such students which result because they are from environments in which the dominant language is other than English.

(42 U.S.C. 2000c(b); *United States* v. *Jefferson County Board of Education*, 372 F. 2d 836, 878-879 (5th Cir. 1966), cert. den. 389 U.S. 840 (1967); *Lau* v. *Nichols*, 414 U.S. 563 (1974))

(b) "Public school" means any elementary or secondary educational institution, provided that such public school is operated by a State, subdivision of a State, or government agency within a State, or operated wholly or predominantly from or through the use of governmental funds or property, or funds or property derived from a governmental source.

(42 U.S.C. 2000c(c))

(c) "School board" means any agency or agencies which administer a system of one or more public schools, and any other agency which is responsible for the assignment of students to or within such system.

(42 U.S.C. 2000c(d))

(d) "Institution of higher education" means an educational institution in any State which: (1) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate; (2) is legally authorized within such State to provide a program of education beyond high school; (3) provides an educational program for which it awards a bachelor's degree; or provides not less than a 2-year program which is acceptable for full credit toward such a degree; or offers a 2-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge; (4) is a public or other nonprofit institution; and (5) is accredited by a nationally recognized accrediting agency or association listed by the Commissioner.

(42 U.S.C. 2000c-2000c-9)

(e) (1) "Minority group" refers (except for purposes of §§ 180.16 and 180.26) to persons (i) who are Negro, American Indian, Spanish-surnamed American, Portuguese, Oriental, Alaskan natives, or Hawaiian natives, or (ii) who have been specifically determined by the Commissioner to have been segregated or separated on the basis of race, color, religion, or national origin as a result of State or local law or official action.

(2) For purposes of §§ 180.16 and 180.26, "minority group" refers to persons who have been specifically determined by the Commissioner to be from environments in which the dominant language is other than English and who, as a result of such circumstances, are not capable of effective participation in the educational process.

(42 U.S.C. 2000c-2000c-9; *Lau* v. *Nichols*, 414 U.S. 563 (1974))

(f) "Non-English dominant minority group" refers to persons described in § 180.02(e)(2).

(42 U.S.C. 2000c-2000c-9)

(g) "State" means one of the 50 States or the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(42 U.S.C. 2000c)

(h) "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or if there is no such officer or agency, an officer or agency designated by the Governor or by State law for such purpose.

(42 U.S.C. 2000c-2000c-9)

§ 180.03 Applicability of Subchapter A.

Assistance under this part is subject to applicable provisions contained in Parts 100 and (except with respect to Subpart C) 100a of this title (relating to fiscal, administrative, property management, and other matters), except that such assistance shall not be subject to the provisions of § 100a.26(b) of Part 100a, relating to criteria for awards.

(42 U.S.C. 2000c-2000c-9)

Subpart B—Technical Assistance Arrangements With State Educational Agencies

§ 180.11 Eligibility for awards.

(a) Any State educational agency may submit a proposal for a contract or other appropriate agreement pursuant to this subpart for the purpose of rendering technical assistance, upon request, to any school board, municipality, school dis-

trict, or other governmental unit legally responsible for operating a public school or schools in the preparation, adoption, and implementation of plans, assurances, or programs for the desegregation of public schools. A proposal may focus only on desegregation on the basis of race, color, religion, or national origin, only on desegregation on the basis of sex, or on both of these types of desegregation.

(42 U.S.C. 2000c-2; 20 U.S.C. 1231(b))

(b) Technical assistance proposed to be rendered pursuant to this subpart shall consist of or include the provision of information regarding effective methods of coping with special educational problems occasioned by desegregation.

(42 U.S.C. 2000c-2)

§ 180.12 Authorized activities.

Funds made available pursuant to this subpart shall be used for the activities described in paragraph (a) of this section and for one or more of the activities described in paragraphs (b) through (i) of this section, when such activities are requested in accordance with § 180.11(a).

(a) Planning and other activities designed to insure that administrators, teachers, and other educational personnel are not demoted or dismissed on the basis of race, color, religion, sex or national origin in the process of, or as a result of, desegregation;

(b) Assessment of desegregation-related educational needs in one or more public schools;

(c) Development of administrative methods and techniques to cope with special educational problems occasioned by desegregation;

(d) Development of educational programs, materials, and methods for use in desegregated classroom situations;

(e) Training of administrators, teachers, or other public school personnel in the implementation or use of methods, techniques, programs, and materials designed to cope with special educational problems occasioned by desegregation;

(f) Development of techniques for communications or interaction between public schools or school systems and the groups affected by the desegregation of such schools or school systems;

(g) Technical assistance to public school administrative staffs in determining the availability and appropriate utilization of funds under other Federal and State programs which would assist in coping with special educational problems occasioned by desegregation;

(h) Training of administrative staffs (in school districts which are required to desegregate their schools pursuant to a final order of a court of the United States, a State court, or a State agency or official or pursuant to a plan or assurance required by the Secretary) in efficient and educationally sound methods of assigning students to and within public schools;

(i) Any other activity which the Commissioner determines will make substantial progress toward achieving the purposes of this subpart.

(42 U.S.C. 2000c-2)

§ 180.13 Proposals.

(a) An applicant desiring to enter into an arrangement pursuant to this subpart for any fiscal year shall submit to the Commissioner a proposal for such fiscal year, which proposal shall set forth a program, project, or activity under which, and such policies and procedures as will assure that, the applicant will use the funds awarded on the basis of such proposal only for the activities described in § 180.12. Such proposals, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and by the Commissioner, unless such availability prior to the funding of proposals submitted under this subpart could result in another applicant's obtaining a competitive advantage.

(42 U.S.C. 2000c-2)

(b) Proposals submitted pursuant to this subpart shall contain a listing of the school boards, municipalities, school districts, or other governmental units to which the applicant proposes to render technical assistance, the nature of such assistance expected to be rendered, and a statement as to whether the proposed recipients of such assistance are desegregating their schools pursuant to an order of a court of the United States, a State court, or a State agency or official, or pursuant to a plan or assurance required by the Secretary. Such proposals shall also include copies of all requests for such assistance from such school boards, municipalities, school districts, or other governmental units, and a copy of the form to be prescribed or employed for additional requests for such assistance. Such requests, at a minimum, shall indicate the status of the requesting school board, municipality, school district, or other governmental unit with respect to desegregation and the nature of the special educational problems with respect to which technical assistance is requested, and shall be signed by the chief executive officer or other authorized representative of the requesting agency.

(42 U.S.C. 2000c-2)

(c) Proposals shall be submitted pursuant to this subpart in such form and at such times as the Commissioner may require.

(42 U.S.C. 2000c-2)

§ 180.14 Criteria for awards.

In reviewing proposals under this subpart, the Commissioner shall apply the following criteria:

(a) *Concentration of students*—(1) *(12 points) (Where the proposal focuses on desegregation on the basis of race, color, religion, or national origin or is submitted pursuant to § 180.16).* The number of minority group students enrolled in the public schools of the school boards, municipalities, school districts, or other governmental units which have requested technical assistance from the applicant, for desegregation on the basis of race, color, religion, or national origin or, with respect to a proposal submitted pursuant to § 180.16, for desegregation on the basis specified in that section, for the fiscal year for which assistance is sought.

(2) *(6 points) (Where the proposal focuses on desegregation on the basis of sex.* The total number of students enrolled in the public schools of the school boards, municipalities, school districts, or other governmental units which have requested technical assistance from the applicant for desegregation on the basis of sex for the fiscal year for which assistance is sought.

(42 U.S.C. 2000c-2)

(b) *Needs assessment (6 points).* (1) The magnitude of desegregation-related educational needs assessed by the applicant with respect to school boards, municipalities, school districts, or other governmental units within the applicant's State, and (2) the degree to which the applicant has demonstrated by objective evidence the existence of such needs.

(42 U.S.C. 2000c-2)

(c) *Statement of objectives (8 points).* The degree (1) to which the applicant sets forth specific, measurable objectives for its program, project, or activity, in relation to specifically identified educational needs, and (2) to which such objectives are realistically attainable within the limits of the project period and the available resources.

(42 U.S.C. 2000c-2)

(d) *Activities (23 points)*—(1) *Project design (13 points).* The extent to which (i) the proposal provides for a continuing exchange of information between the applicant and the school boards, municipalities, school districts, or other governmental units proposed to be served; (ii) the proposed program, project, or activity promises to involve a substantial proportion of the school boards, municipalities, school districts, or other governmental units within the applicant's State which could benefit from technical assistance; (iii) the proposed program, project, or activity is part of a comprehensive, long-range approach to desegregation planning and implementation; and (iv) the proposed services are concentrated upon classes or categories of beneficiaries which are sufficiently limited and specific to give promise of significant results;

(2) *Staffing (6 points).* The extent to which (i) the proposal contains evidence of background, training, and experience on the part of the professional staff employed or to be employed by the applicant in coping with special educational problems occasioned by desegregation; and (ii) the professional and other staff employed or to be employed by the applicant reflects in composition the race, sex, and ethnicity of the population to be served; and

(3) *Coordination (4 points).* The extent to which the applicant proposes to make use of other State resources and capabilities in meeting the desegrega-

tion-related needs of school boards, municipalities, school districts, and other governmental units.

(42 U.S.C. 2000c-2,

(e) *Resource management (4 points)*. The extent to which the applicant demonstrates that project costs are reasonable in relation to the expected benefits.

(42 U.S.C. 2000c-2)

(f) *Evaluation (5 points)*. The extent to which the applicant sets out a format for objectives, quantifiable measurement of the success of the proposed program, project, or activity in achieving the stated objectives, including (1) a timetable for compilation of data for evaluation, and (2) a method of reviewing the proposed program, project, or activity in the light of such data.

(42 U.S.C. 2000c-2)

§ 180.15 Award procedures.

Assistance under this subpart shall be awarded to applicants according to their ranking on the basis of the criteria set forth in § 180.14, except that assistance shall be awarded separately for purposes of § 180.16. However, the Commissioner shall not be required to approve any application which does not meet the requirements of this part, or which is otherwise of such insufficient promise for achieving the purposes of this part that its approval is not warranted. No more than 25 percent of the funds made available for assistance pursuant to this part (other than funds available under §§ 180.16 and 180.26) for any fiscal year shall be awarded for programs, projects, or activities to be conducted pursuant to this subpart, unless the Commissioner determines that the proposals pending before him for funds in excess of such amount for such programs, projects, or activities are of exceptional merit or promise.

(42 U.S.C. 2000c-2)

§ 180.16 Awards for activities to benefit non-English dominant minority group students.

(a) Any State educational agency may submit a proposal for a contract or other appropriate agreement pursuant to this subpart for the purpose of rendering technical assistance, upon request, to any school board, municipality, school district, or other governmental unit legally responsible for operating a public school or schools in the preparation, adoption and implementation of plans or programs for the desegregation of public schools (as the term "desegregation" is defined in § 180.02(a)(2) for purposes of this section), with respect to non-English dominant minority group students (as the term "non-English dominant minority group" is defined in § 180.02(f)). Such a proposal may be submitted whether or not the applicant has submitted a proposal pursuant to §§ 180.11–15.

(42 U.S.C. 2000c-2; 20 U.S.C. 1231(b); *Lau v. Nichols*, 414 U.S. 563 (1974))

(b) The provisions set forth for assistance under §§ 180.11–15 (except for the second sentence of § 180.11(a), § 180.14(a)(2), and the third sentence of § 180.15) shall apply to assistance under this section, except that:

(1) "Desegregation" and "minority group" are defined for purposes of this section as indicated in §§ 180.02(a)(2) and 180.02(e)(2); and

(2) Funds made available under this section shall be available for the following activities in addition to those described in § 180.12:

(i) Training of teachers and other ancillary educational personnel in skills related to desegregation problems associated with providing an equal educational opportunity for non-English dominant minority group students, including cultural awareness, oral and written language skills in the dominant languages of such students, and diagnostic evaluation, teaching of English as a second language, and prescriptive teaching techniques; and

(ii) Development of bilingual education programs, materials, and methods for their use in desegregated classroom situations involving non-English dominant minority group students.

(42 U.S.C. 2000c-2; *Lau v. Nichols*, 414 U.S. 563 (1974))

(c) No more than 25 percent of the funds made available for awards pursuant to this section and § 180.26 for any fiscal year shall be awarded for programs, projects or activities to be conducted pursuant to this section, unless the Commissioner determines that the proposals pending before him for funds in excess of such amount for such programs, projects, or activities are of exceptional merit or promise.

(42 U.S.C. 2000c-2; *Lau v. Nichols*, 414 U.S. 563 (1974))

Subpart C—General Assistance Centers

§ 180.21 Eligibility for awards.

Any public or private agency (other than a State educational agency), including any institution of higher education, may submit a proposal for a contract or other appropriate agreement pursuant to this subpart for the purpose of rendering technical assistance (as described in § 180.11(b)), upon request, to any school board, State, municipality, school district, or other governmental unit legally responsible for operating a public school or schools in the preparation, adoption, and implementation of plans, assurances, or programs for the desegregation of public schools. Such technical assistance shall be rendered through general assistance centers serving designated service areas as described in § 180.22(b). A proposal may focus only on desegregation on the basis of race, color, religion, or national origin, only on desegregation on the basis of sex, or on both of these types of desegregation.

(42 U.S.C. 2000c-2; 20 U.S.C. 1231(b))

§ 180.22 Authorized activities.

(a) Funds made available pursuant to this subpart shall be used for one or more of the activities described in § 180.12 (a) through (i), when such activities are requested in accordance with § 180.21.

(42 U.S.C. 2000c-2)

(b) *Service areas*. (1) Activities authorized under paragraph (a) of this section shall be carried out in one of the following designated service areas, to be specified by the applicant in its proposal:

1. Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island.
2. New York, New Jersey, Puerto Rico, Virgin Islands.
3. Pennsylvania, Delaware, Maryland.
4. Virginia, West Virginia, District of Columbia.
5. North Carolina.
6. South Carolina.
7. Georgia.
8. Florida.
9. Alabama.
10. Mississippi.
11. Kentucky, Tennessee.
12. Ohio.
13. Indiana.
14. Illinois.
15. Michigan.
16. Wisconsin, Minnesota.
17. Texas.
18. Louisiana.
19. Oklahoma.
20. Arkansas.
21. New Mexico.
22. Iowa, Nebraska, Kansas, Missouri.
23. North Dakota, South Dakota, Montana, Colorado, Wyoming, Utah.
24. California, Nevada, Arizona.
25. Hawaii, Guam, American Samoa, Trust Territory of the Pacific Islands.
26. Oregon, Washington, Idaho.
27. Alaska.

(2) A public or private agency entering into an arrangement pursuant to this subpart shall provide technical assistance, to the extent that financial and other resources permit, upon the request of any school board, State, municipality, school district or other governmental unit located within such agency's designated service area.

(3) No more than one award shall be made pursuant to §§ 180.21–25 for technical assistance activities in a single designated service area, unless the Commissioner determines that the proposals pending before him for additional awards for such activities in such an area are of exceptional merit or promise. Where the Commissioner determines that insufficient need exists in one or more designated service areas for a general assistance center, he may require applicants to expand their proposed activities to include more than one such area. Where the Commissioner determines that needs existing in one or more designated service areas will not be met by a general assistance center or a State educational agency, he may require applicants under this subpart to expand their proposed activities to include such areas.

(42 U.S.C. 2000c-2)

§ 180.23 Proposals.

(a) An applicant desiring to enter into an arrangement pursuant to this subpart for any fiscal year shall submit to the Commissioner a proposal for such fiscal year, which proposal shall set forth a program, project, or activity under which, and such policies and pro-

cedures as will assure that, the applicant will use the funds awarded on the basis of such proposal only for the activities described in § 180.22. Such proposals shall contain the information and materials described in § 180.13(b). Such proposals, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and by the Commissioner, unless such availability prior to the funding of proposals submitted under this subpart could result in another applicant's obtaining a competitive advantage.

(42 U.S.C. 2000c-2)

(b) Proposals shall be submitted pursuant to this subpart in such form and at such times as the Commissioner may require

(42 U.S.C. 2000c-2)

(c) Awards under this subpart shall be subject to the Federal Procurement Regulations (41 CFR Chapters 1 and 3), to the extent that such regulations are not inconsistent with the provisions of this part.

(42 U.S.C. 2000c-2)

§ 180.24 Criteria for awards.

In reviewing proposals under this subpart, the Commissioner shall apply the following criteria:

(a) *Concentration of students*—(1) (*18 points*) (*Where the proposal focuses on desegregation on the basis of race, color, religion, or national origin*). The number of minority group students enrolled in the public schools of the school boards, municipalities, school districts, or other governmental units, including State agencies legally responsible for operating a public school or schools, which have requested technical assistance from the applicant, for desegregation on the basis of race, color, religion, or national origin, for the fiscal year for which assistance is sought.

(2) (*9 points*) (*Where the proposal focuses on desegregation on the basis of sex*). The total number of students enrolled in the public schools of the school boards, municipalities, school districts, or other governmental units, including State agencies legally responsible for operating a public school or schools, which have requested technical assistance from the applicant for desegregation on the basis of sex for the fiscal year for which assistance is sought.

(b) *Needs assessment* (*9 points*). (1) The magnitude of desegregation-related educational needs assessed by the applicant with respect to school boards, municipalities, school districts, or other governmental units within the applicant's service area, and (2) the degree to which the applicant has demonstrated by objective evidence the existence of such needs.

(c) *Statement of objectives* (*12 points*). The degree (1) to which the applicant sets forth specific, measurable objectives for its program, project, or activity, in relation to specifically identified educational needs, and (2) to which such objectives are realistically attainable within the limits of the project period and the available resources.

(d) *Activities* (*35 points*)—(1) *Project design* (*23 points*). The extent to which (i) the proposal provides for a continuing exchange of information between the applicant and the school boards, municipalities, school districts, or other governmental units proposed to be served; (ii) the proposed program, project, or activity promises to involve a substantial proportion of the school boards, municipalities, school districts, or other governmental units within the applicant's service area which could benefit from technical assistance; (iii) the proposed program, project, or activity is part of a comprehensive, long-range approach to desegregation planning and implementation; and (iv) the proposed services are concentrated upon classes or categories of beneficiaries which are sufficiently limited and specific to give promise of significant results.

(2) *Staffing* (*12 points*). The extent to which (i) the proposal contains evidence of background, training, and experience on the part of the professional staff employed or to be employed by the applicant in coping with special educational problems occasioned by desegregation; (ii) the professional and other staff employed or to be employed by the applicant reflects in composition the race, sex, and ethnicity of the population to be served.

(e) *Evaluation* (*7 points*). The extent to which the applicant sets out a format for objective, quantifiable measurement of the success of the proposed program, project, or activity in achieving the stated objectives, including (1) a timetable for compilation of data for evaluation, and (2) a method of reviewing the proposed program, project, or activity in the light of such data.

(f) *Budget* (*10 points*). The degree to which (1) the proposal sets forth the lowest cost in relation to the numbers of minority group or (in the case of activities with regard to desegregation on the basis of sex) other students to be served and (2) the proposal reflects prudent and balanced use of equipment, subcontracts, travel, and other support costs.

(42 U.S.C. 2000c-2)

§ 180.25 Award procedures.

In awarding funds under this subpart (which shall be done separately for awards provided for in § 180.26), the Commissioner shall apply the provisions of the Federal Procurement Regulations (41 CFR Chapters 1 and 3). However, he shall not be required to approve any proposal which does not meet the requirements of this part, or which is otherwise of such insufficient promise for achieving the purposes of this part that its approval is not warranted. No more than 50 percent of the funds made available for assistance pursuant to this part (other than funds available under §§ 180.16 and 180.26) for any fiscal year shall be awarded for programs, projects, or activities to be conducted pursuant to this subpart, unless the Commissioner determines that the proposals pending before him for funds in excess of such amount for such programs, projects, or activities are of exceptional merit or promise.

(42 U.S.C. 2000c-2)

§ 180.26 Awards for activities to benefit non-English dominant minority group students.

(a) Any public or private agency (other than a State educational agency), including any institution of higher education, may submit a proposal for a contract or other appropriate agreement pursuant to this subpart for the purpose of rendering technical assistance (as described in § 180.11(b)), upon request, to any school board, State, municipality, school district, or other governmental unit legally responsible for operating a public school or schools in the preparation, adoption, and implementation of plans or programs for the desegregation of public schools (as the term "desegregation" is defined in § 180.02(a)(2) for purposes of this section), with respect to non-English dominant minority group students (as the term "non-English dominant minority group" is defined in § 180.02(f)). Such technical assistance shall be rendered through general assistance centers serving designated service areas as described in paragraph (b)(3) of this section. Such a proposal may be submitted whether or not the applicant has submitted a proposal pursuant to §§ 180.21-25.

(42 U.S.C. 2000c-2; 20 U.S.C. 1231(b); *Lau v. Nichols*, 414 U.S.C. 563 (1974))

(b) The provisions set forth for assistance under §§ 180.21-25 (except for the third sentence of § 180.21, § 180.24 (a), and the third sentence of § 180.25) shall apply to assistance under this section, except that:

(1) "Desegregation" and "minority group" are defined for purposes of this section as indicated in § 180.02(a)(2) and 180.02(e)(2);

(2) Funds made available under this section shall be available for the activities described in § 180.16(b)(2) in addition to those described in § 180.12;

(3) The following designated service areas, one of which is to be specified by each applicant in its proposal, will prevail:

A. Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Puerto Rico, Virgin Islands.

B. Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, West Virginia, North Carolina, South Carolina, Kentucky, Tennessee, Georgia, Alabama, Mississippi, Florida.

C. Ohio, Indiana, Illinois, Michigan, Minnesota, Wisconsin, Missouri, Kansas, Iowa, Nebraska.

D. Texas, Louisiana, Arkansas.

E. Montana, North Dakota, South Dakota, Wyoming, Colorado, Utah, Oklahoma.

F. New Mexico, Arizona, Nevada.

G. Southern California (that part of California south of the northern boundaries of San Luis Obispo, Kern, and San Bernardino Counties).

H. Northern California (that part of California not included in Area G).

I. Washington, Oregon, Idaho, Alaska, Hawaii, Guam, Trust Territory of the Pacific Islands, American Samoa.

(42 U.S.C. 2000c-2; *Lau* v. *Nichols*, 414 U.S. 563 (1974))

(c) No more than 75 percent of the funds made available for awards pursuant to this section and § 180.16 for any fiscal year shall be awarded for programs, projects, or activities to be conducted pursuant to this section, unless the Commissioner determines that the proposals pending before him for funds in excess of such amount for such programs, projects or activities are of exceptional merit or promise.

(42 U.S.C. 2000c-2; *Lau* v. *Nichols*, 414 U.S. 563 (1974))

Subpart D—Training Institutes

§ 180.31 Eligibility for assistance.

Any institution of higher education may apply for a grant pursuant to this subpart for the operation of short term or regular session institutes for special training designed to improve the ability of teachers, supervisors, counselors, and other elementary or secondary school personnel (including school board members or trustees) to deal effectively with special educational problems occasioned by desegregation. An institute may focus only on desegregation on the basis of race, color, religion, or national origin, only on desegregation on the basis of sex, or on both of these types of desegregation.

(42 U.S.C. 2000c-3)

§ 180.32 Authorized activities.

(a) Funds made available pursuant to this subpart shall be used for institutes for special training in one or more of the problem areas described in § 180.12 (except § 180.12 (b) and (g)). Such institutes may be held on the campus of the applicant institutions or at other locations, and shall consist of (1) summer sessions not to exceed 6 weeks in duration, or (2) sessions conducted during the regular academic year.

(42 U.S.C. 2000c-3)

(b) Training shall be provided pursuant to this subpart only upon the request of a school board, State, municipality, school district, or other governmental unit legally responsible for operating a public school or schools.

(42 U.S.C. 2000c-3)

(c) *Stipends.* An individual who attends an institute on a full-time basis shall be paid a stipend of $30 for each institute day of attendance up to $150 per week. If, in the case of an institute described in paragraph (a) (2), less than five hours of training is scheduled to be provided on an institute day, the payment for such day shall be $6 per hour, within the $150 weekly limit. In the event that participation in an institute is interrupted or is terminated prior to completion of the institute program, stipend payment shall be made to the individual for such period as he was in attendance on a full-time basis. For purposes of this paragraph, "attendance on a full-time basis" means attendance during a period for which the individual is receiving no other compensation for such attendance or for work performed during such period, and an "institute day" means each day of a program of an institute on which at least 2 (or, in the case of an institute described in paragraph (a) (1) of this section, 5) hours of training is scheduled to be provided.

(42 U.S.C. 2000c-3)

(d) *Travel allowances.* (1) An individual who attends an institute on a full-time basis (as defined in paragraph (c) of this section) may be provided travel or an allowance for his actual cost of travel, from place of residence or employment to place of the institute, and from place of the institute to his place of residence or employment, as set forth in the institution's arrangement with the Commissioner. The allowance for travel in the case of travel by private automobile shall be at the rate of 12 cents per mile. In the case of joint travel by private automobile by a group of participants, travel allowances shall be payable only to one of such participants, but without reduction on account of contribution to him by the other participants.

(2) In addition to the limitations of paragraph (d) (1) of this section, when air, rail, or steamship transportation is used, first-class accommodations or an allowance therefor may be provided only where first-class accommodations are the only class of service for the most direct travel route, or where less than first-class accommodations result or would result in greater cost than first-class accommodations.

(3) In the event that an individual's participation in an institute is terminated prior to his completion of the institute program, travel, or an allowance therefor, from place of the institute to his place of residence or employment may be provided only if such termination is occasioned by extraordinary circumstances not reasonably within the control of the individual.

(42 U.S.C. 2000c-3)

§ 180.33 Applications.

(a) An applicant desiring to receive assistance pursuant to this subpart for any fiscal year shall submit to the Commissioner an application for such fiscal year, which application shall set forth a program, project, or activity under which, and such policies and procedures as will assure that, the applicant will use funds awarded on the basis of such application only for the activities described in § 180.32. Such applications, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and by the Commissioner, unless such availability prior to the funding of applications submitted under this subpart could result in another applicant's obtaining a competitive advantage.

(42 U.S.C. 2000c-3)

(b) Applications for assistance submitted pursuant to this subpart shall contain a listing of the school boards, States, municipalities, school districts, or other governmental units to whose teachers, supervisors, counselors, and other elementary or secondary school personnel the applicant proposes to provide special training, the nature of such training expected to be provided, and a statement as to whether such school boards, States, municipalities, school districts, or other governmental units are desegregating their schools pursuant to an order of a court of the United States, a State court, or a State agency or official or pursuant to a plan or assurance required by the Secretary. Such applications shall also include copies of all requests for such training from such school boards, States, municipalities, school districts, or other governmental units, and a copy of the form to be prescribed or employed for additional requests for such training. Such requests, at a minimum, shall indicate the status of the requesting school board, State, municipality, school district, or other governmental unit with respect to desegregation, the number and percentage of minority group students enrolled, the nature of the special educational problems with respect to which training is requested, and the approximate number and type of personnel to be trained, and shall be signed by the chief executive officer or other authorized representative of the requesting agency.

(42 U.S.C. 2000c-3)

(c) Applications for assistance pursuant to this subpart shall be submitted in such form and at such time as the Commissioner may require.

(42 U.S.C. 2000c-3)

§ 180.34 Criteria for assistance.

(a) In reviewing applications under this subpart, the Commissioner shall apply the criteria set forth at § 180.14 (b), (c), (d) (2), (e), and (f), except that (1) needs shall be assessed pursuant to § 180.14(b) with respect to all school boards, States, municipalities, school districts, or other governmental units which have requested training assistance, and (2) 8 points shall be awarded for the criteria set forth in § 180.14(d) (2).

(42 U.S.C. 2000c-3)

(b) *Project design (15 points).* The Commissioner shall also apply the following criteria: the extent to which (1) The participants in the proposed institute or institutes will include persons with authority to effect substantive changes in public school policies and procedures, including school board members or trustees, superintendents, assistant superintendents, and school principals; (2) the applicant proposes to work with institute participants on a regular basis in classroom and other field situations after completion of formal training sessions; (3) the applicant sets forth specific methods or techniques for preparing institute participants to train other teachers, supervisors, counselors, and other elementary and secondary school personnel in dealing effectively with desegregation-related problems; and (4) the

proposed program, project, or activity is designed to develop specific educational strategies for dealing effectively with such problems.

(42 U.S.C. 2000c-3)

§ 180.35 Award procedures.

Assistance under this subpart shall be awarded to applicants according to their ranking on the basis of the criteria set forth in § 180.34, except that at least ten awards shall be made for each fiscal year for institutes of which the primary focus would be training with regard to desegregation on the basis of sex. However, the Commissioner shall not be required to approve any application which does not meet the requirements of this part, or which is otherwise of such insufficient promise for achieving the purposes of this part that its approval is not warranted. No more than 15 percent of the funds made available for assistance pursuant to this part (other than funds available under §§ 180.16 and 180.26) for any fiscal year shall be awarded for programs, projects, or activities to be conducted pursuant to this subpart, unless the Commissioner determines that the applications pending before him for funds in excess of such amount for such programs, projects, or activities are of exceptional merit or promise.

(42 U.S.C. 2000c-3)

Subpart E—Grants to School Boards

§ 180.41 Eligibility for assistance.

Any school board may make application pursuant to this subpart for a grant to pay, in whole or in part, the cost of employing a specialist to advise in problems incident to desegregation, and of giving to teachers and other public school personnel inservice training in dealing with problems incident to desegregation. An application may focus only on desegregation on the basis of race, color, religion, or national origin, only on desegregation on the basis of sex, or on both of these types of desegregation.

(42 U.S.C. 2000c-4)

§ 180.42 Authorized activities.

Funds made available pursuant to this subpart shall be used to employ specialists as described in § 180.41 and to provide inservice training as described in § 180.41, for the purpose of advice or training in one or more of the problem areas described in § 180.12, when such advice or training is not available from other sources.

(42 U.S.C. 2000c-4)

§ 180.43 Applications.

(a) An applicant desiring to receive assistance under this subpart for any fiscal year shall submit to the Commissioner an application for such fiscal year, which application shall set forth a program, project, or activity under which, and such policies and procedures as will assure that, the applicant will use funds awarded on the basis of such application only for the activities described in § 180.42. Such applications, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and by the Commissioner, unless such availability prior to the funding of applications submitted under this subpart could result in another applicant's obtaining a competitive advantage.

(42 U.S.C. 2000c-4)

(b) Applications for assistance pursuant to this subpart shall indicate whether the applicant is desegregating its schools pursuant to an order of a court of the United States, a State court, or a State agency or official, or pursuant to a plan or assurance required by the Secretary, and shall describe the problems incident to desegregation to be addressed by the proposed program, project, or activity. If an application for assistance pursuant to this subpart includes a request for funds for inservice training as described in § 180.41, such application shall indicate the reasons that such training is not available from other sources.

(42 U.S.C. 2000c-4)

(c) Applications for assistance pursuant to this subpart shall be submitted in such form and at such times as the Commissioner may require.

(42 U.S.C. 2000c-4)

§ 180.44 Criteria for assistance.

(a) In reviewing applications for assistance under this subpart, the Commissioner shall apply the criteria set forth in § 180.14 (c), (e) and (f). The Commissioner shall also apply the criteria set forth in paragraphs (b), (c), and (d) of this section.

(42 U.S.C. 2000c-4)

(b) *Concentration of students*—(1) *(20 points) (Where assistance with regard to desegregation on the basis of race, color, religion, or national origin is sought)*. The number and percentage of minority group students enrolled in the schools of the applicant school board for the fiscal year preceding the fiscal year for which assistance is sought.

(2) *(10 points) (Where assistance with regard to desegregation on the basis of sex is sought)*. The total number of students enrolled in the schools of the applicant school board for the fiscal year preceding the fiscal year for which assistance is sought.

(42 U.S.C. 2000c-4)

(c) *Needs assessment (6 points)*—(1) The magnitude of desegregation-related educational needs assessed by the applicant; (2) the degree to which the applicant has demonstrated by objective evidence the existence of such needs; and (3) the extent to which the applicant lacks the financial and other resources necessary to meet such needs.

(42 U.S.C. 2000c-4)

(d) *Activities (23 points)*—(1) *Qualifications of specialist (8 points)*. The extent to which the application (i) contains evidence of desegregation-related background, training, and experience on the part of the person to be employed as an advisory specialist, and (ii) sets forth procedures for direct, formal consultation, on a regular basis, by such specialist with school board members and trustees and the superintendent of the affected school district concerning problems incident to desegregation;

(2) *Community involvement (7 points)*. The extent to which the application (i) reflects the participation of representatives of the communities affected by desegregation (including, as applicable, minority and non-minority group communities) in the development of the proposed program, project, or activity, and (ii) contains evidence that such representatives will participate in the implementation of the proposed program, project, or activity; and

(3) *Comprehensiveness (8 points)*. The extent to which (i) the application contains evidence that the proposed program, project, or activity is part of a comprehensive, long-range approach to desegregation planning and implementation, and (ii) the applicant proposes to conduct activities addressing a broad range of problem areas.

(42 U.S.C. 2000c-4)

§ 180.45 Award procedures.

Assistance under this subpart shall be awarded to applicants according to their ranking on the basis of the criteria set forth in § 180.44. However, the Commissioner shall not be required to approve any application which does not meet the requirements of this part, or which is otherwise of such insufficient promise for achieving the purposes of this part that its approval is not warranted. No more than 10 percent of the funds made available pursuant to this part (other than funds available under §§ 180.16 and 180.26) for any fiscal year shall be awarded for programs, projects, or activities to be conducted pursuant to this subpart, unless the Commissioner determines that the applications pending before him for funds in excess of such amount for such programs, projects, or activities are of exceptional merit or promise.

(42 U.S.C. 2000c-4)

[FR Doc.75-16482 Filed 6-12-75;8:45 am]

Title 46—Shipping

CHAPTER II—MARITIME ADMINISTRATION, DEPARTMENT OF COMMERCE

SUBCHAPTER C—REGULATIONS AFFECTING SUBSIDIZED VESSELS AND OPERATORS

PART 283—CONSERVATIVE DIVIDEND POLICY

Vessel Operator; Operating-Differential Subsidy

On December 17, 1974, there appeared in the FEDERAL REGISTER (39 FR 43634) a notice of proposed rulemaking with respect to 46 CFR Part 283 pertaining to the conservative dividend policy required of each vessel operator receiving operating-differential subsidy under

Title VI of the Merchant Marine Act, 1936, as amended.

The proposed amendment requires an operator who acquires a vessel by bareboat charter or lease to capitalize his long-term charter hire payment obligations for purposes of establishing the operator's dividend policy under 46 CFR Part 283. The purpose of this requirement is to place an operator who acquires vessels by means of long-term lease on a par for purposes of dividend policy with the operator who acquires vessels by purchase.

Interested persons were requested to submit written comments on the proposed amendment. Careful consideration has been given to all comments submitted. As a result of these comments the following changes have been made to the proposed amendment to Part 283 as herein adopted:

(1) The proposed amendment of § 283.3(c)(2)(i) has been changed to provide that charter hire expenses applicable to leases that are required to be capitalized shall not be taken in account in determining whether an operator has working capital equal to one-half of average voyage expenses. The purpose of this change is to lessen the restriction of dividend policy that would result if the portion of charter hire expenses payable within one year were required to be included under item C (current liabilities) as well as under item E (one-half of average voyage expenses) of Schedule C contained in Part 283.

(2) The proposed amendment of § 283.6(b)(1) has been changed to make clear that there shall be included in Schedule A (Surplus Available for Distribution to Shareholders) as an itemized restriction only that portion of any profit recognized in income as the result of sale and leaseback financing that has not been amortized over the life of the related lease. Thus to the extent that such profit is amortized over the life of the related lease it is not to be included as an itemized restriction in Schedule A and may be available for distribution to shareholders.

(3) The proposed amendment of § 283.3(b)(1)(iv) has been changed in order to clarify that only that portion of any profit realized as the result of sale and leaseback financing that has not been amortized over the life of the related lease is to be excluded from the present (discounted) value of noncapitalized leases in the computation of funds available under paragraph (b)(1) of § 283.3.

(4) The proposed amendment of paragraph (c)(1) of § 283.3 has been changed by extending the second parenthesis to the end of this paragraph. The purpose of this change is to clearly provide that noncapitalized lease obligations payable within one year are to be added to current liabilities in the computation of working capital.

Accordingly, Part 283 of Title 46 of the Code of Federal Regulations is amended as follows:

Section 283.3 is amended as follows:

1. In paragraph (b)(1)(v) by deleting the word "and";

2. By renumbering (b)(1)(vi);

3. In paragraph (b)(2)(ii) by deleting the word "and";

4. Paragraph (b)(2)(iii) is renumbered as paragraph (b)(2)(iv) and a new paragraph (b)(2)(iii) is added;

5. Paragraphs (c)(1) and (c)(2)(i) is amended; As amended, § 283.3 reads as follows:

§ 283.3 Conservative dividend policy criteria.

* * * * *

(b) *Operator's obligation with respect to construction and acquisition of vessels and retirement of indebtedness.* * * *

(1) Funds available shall mean the sum of: * * *

(vi) The present (discounted) value of noncapitalized financing leases, but excluding the related unamortized portion of any profit realized as the result of sale and leaseback financing. A financing lease means any lease which, during the noncancellable lease period, either covers 75 percent or more of the economic life of the property or has terms which assure the lessor of a full recovery of the fair market value of the property at the inception of the lease (normally represented by his investment), plus a reasonable return on the use of the assets invested, subject only to limited risk in the realization of the residual interest in the property and the credit risks generally associated with secured loans. Present value shall be computed by discounting net lease payments by the interest rate contained in the lease agreement or, if no interest rate is contained in such agreement, by the interest rate generally in use in the financing of purchases of similar properties at the time of inception of the lease. Net lease payments mean gross lease payments less actual or estimated amounts attributable to items of expense such as taxes, insurance, maintenance and other operating expenses. If the actual amount of such items of expense are unavailable and cannot be estimated with reasonable accuracy, gross lease payments may be substituted for net lease payments in the computation of present value; and

* * * * *

(2) Funds required shall mean the sum of: * * *

(iii) The present value of noncapitalized financing leases excluding that portion of the present value of any such lease payable within one year; and

* * * * *

(c) *Operator's obligation to maintain adequate working capital.* * * *

(1) *Working capital defined.* Working capital shall consist of total current assets (accounts 100–199, as defined in Part 282 of this chapter) less accrued deposits to any fund established pursuant to the Act minus total current liabilities (accounts 400–495, as defined in Part 282 of this chapter, plus that portion of any noncapitalized financing lease payable within one year).

(2) *Standard prescribed for working capital*—(i) *General standard.* Operators shall maintain a level of working capital equal to one-half of average voyage expenses. For purposes of this part, charter hire expenses applicable to leases required to be capitalized under paragraph (b)(1)(iv) of this section shall not be taken into account in determining whether an operator has maintained a level of working capital equal to one-half of average voyage expenses. See Limitation 4 of § 286.3(a)(2) of this chapter for the method of determining average voyage expenses.

* * * * *

6. By renumbering §§ 283.6(b)(i), (ii), (iii), and (iv) as §§ 283.6(b)(1), (2), (3), and (4) respectively and by amending § 283.6(b)(1) to read as follows:

§ 283.6 Notification and reporting requirements.

* * * * *

(b) *Annual reports.* * * *

(1) Surplus available for distribution to stockholders, in the format set forth in Schedule A. Any profit recognized in income as the result of sale and leaseback financing, except to the extent such profit has been recognized in income through amortization over the life of the related lease, shall be included under Schedule A as an itemized restriction;

* * * * *

Effective date. This amendment is effective on June 13, 1975.

(Sec. 204(b), Merchant Marine Act, 1936, as amended (46 U.S.C. 1114), Reorganization Plans No. 21 of 1950 (64 Stat. 1273) and No. 7 of 1961 (75 Stat. 840) as amended by Pub. L. 91-469 (84 Stat. 1036), Department of Commerce Organization Order 10-8 (38 FR 19707, July 23, 1973)

Dated: June 10, 1975.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.75-15501 Filed 6-12-75;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 87—AVIATION SERVICES

Frequencies Available

1. By this Order, the Commission is deleting reference in Part 87 of the rules to the Extraordinary Administrative Radio Conferences (EARC) and related agreements and to specific revisions of the International Civil Aviation Organization (ICAO) Assignment Plan.

2. In the past, Extraordinary Administrative Radio Conferences were held to revise the international Radio Regulations. Similar conferences will be held in the future; however, the name of the conferences will be different. Reference to these conferences and related agreements in Part 87 rather than directly to the international Radio Regulations serves no useful purpose but requires periodic and tedious revision of Part 87.

3. For the same reason, the Commission is deleting in Part 87 reference to the specific revisions of International Civil Aviation Organization (ICAO) Assignment Plan. This document is being continually revised and the most recent

revision is the one in force. Reference to a specific revision of this document also serves no useful purpose.

4. Authority for these amendments appears in section 4(i) and 303(r) of the Communications Act of 1934, as amended, and in § 0.231(d) of the Commission's rules and regulations. Since the amendments are editorial in nature, intended merely to simplify the rules as specified above and not to substantively alter them, the prior notice, procedure and effective date provisions of 5 U.S.C. § 553 are not applicable.

5. In view of the above, *It is ordered*, That effective June 20, 1975, Part 87 is amended as set forth as attached below.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.)

Adopted: June 4, 1975.

Released: June 5, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] R. D. LICHTWARDT,
Executive Director.

Part 87 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. Section 87.293 (b), (c), and (d) are amended to read as follows:

§ 87.293 Frequencies available.

* * * * *

(b) Frequencies in the bands allocated to the aeronautical mobile (R) service in accordance with the applicable international Radio Regulations.

(c) Frequencies allocated to the aeronautical mobile (R) service in addition to those listed in § 87.295 through § 87.307 may be assigned upon the showing that a need exists, and that such use would not result in harmful interference to other stations operating in accordance with the applicable international Radio Regulations.

(d) Applications for the use of frequencies allocated to the aeronautical mobile (R) service, not in accordance with § 87.295 through § 87.307, shall be accompanied by a showing that a need exists and that such use would not result in harmful interference to other stations operating in accordance with the applicable international Radio Regulations.

* * * * *

2. Section 87.303 intro text is amended to read as follows:

§ 87.303 International high frequency service.

Frequencies available for assignment by the authority having jurisdiction over the respective international aeronautical enroute stations on the Major World Air Route Areas (MWARAs) as defined in the applicable international Radio Regulations and the International Civil Aviation Organization (ICAO) Assignment Plan are as follows:

* * * * *

[FR Doc.75-15487 Filed 6-12-75;8:45 am]

Title 49—Transportation

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

[Docket No. 70-27, Notice 15]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Hydraulic Brake Systems

Correction

In FR Doc. 75-15109 appearing at page 24525, in the issue of Monday June 9, 1975 on page 24526 first column, last paragraph, the sixth line now reading;

"75 and Standard No. 105 is _____,"

should read:

"75 and Standard No. 105 is June 9, 1975,".

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Corrected Rev. S.O. 1207, Amdt. 1]

PART 1033—CAR SERVICE

Lehigh Valley Railroad Co. Directed To Operate Certain Portions of Lehigh and New England Railway Co.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 6th day of June 1975.

Upon further consideration of Corrected Revised Service Order No. 1207 (40 FR 13506), and good cause appearing therefor:

It is ordered, That: § 1033.1207 *Corrected Revised Service Order No. 1207* (Lehigh Valley Railroad Company (Robert C. Haldeman, trustee) directed to operate certain portions of Lehigh and New England Railway Company) be, and it is hereby, amended by substituting the following paragraph (a) for paragraph (a) thereof:

(a) *It is ordered*, That the Lehigh Valley Railroad Company, debtor (Robert C. Haldeman, Trustee), be, and it is hereby directed to enter upon the railroad properties presently operated by the Lehigh and New England Railway Company, except the Tamaqua branch, extending between Tamaqua, Pennsylvania, and Hauto, Pennsylvania, and to operate such railroad and facilities subject to any necessary approval of the reorganization court of the United States District Court for the Eastern District of Pennsylvania, for the purpose of handling, routing, and moving the traffic of the Lehigh and New England Railway Company in accordance with the lawful instructions of shippers and consignees and in compliance with the rules and regulations of the Commission, and subject to the rates and charges prescribed in tariffs lawfully published and filed in accordance with law and applicable to freight traffic transported over the lines of the Lehigh and New England Railway Company; that such entry and operations shall commence on or before 12:01 a.m., January 24, 1975, and shall continue for a period of 240[1] days, unless such period is reduced by order of the Commission for cause shown; and that a certified copy of the order of the court authorizing the Lehigh Valley Railroad Company, debtor, to perform the directed service pursuant to the order of the Commission shall be filed with this Commission, with appropriate reference to this proceeding; and

It is further ordered, That the fourth paragraph appearing on page 2 of Corrected Revised Service Order No. 1207 be, and it is hereby, amended by substituting the following paragraph for the aforementioned paragraph thereof:

It further appearing, that in light of the emergency situation which would result from a cessation of all transportation service by the LNE, public notice and hearings are impracticable and not required by the procedures set forth in section 1(15) of the Act; that the public interest requires the continuation of operation over certain lines of the LNE by the LV for a period of operation of 240[1] days as provided by section 1(16) (b) of the Act; and that good cause exists for making this order effective upon the date served;

Effective date. This amendment shall become effective at 11:59 p.m., June 23, 1975.

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

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

By the Commission, Division 3.

[SEAL] RICHARD W. KYLE,
Acting Secretary.

[FR Doc.75-15493 Filed 6-12-75;8:45 am]

[Corrected Rev. S.O. 1208, Amdt. 1]

PART 1033—CAR SERVICE

Reading Co., Directed To Operate Certain Portions of Lehigh and New England Railway Co.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 6th day of June 1975.

Upon further consideration of Corrected Revised Service Order No. 1208

[1] Change. The 240-day period authorized herein will expire at 11:59 p.m., September 21, 1975.

(40 FR 13508), and good cause appearing therefor:

It is ordered, That: § 1033.1208 *Corrected Revised Order No. 1208* (Reading Company, Andrew L. Lewis, Jr., and Joseph L. Castle, Trustees, directed to operate certain portions of Lehigh and New England Railway Company) be, and it is hereby, amended by substituting the following paragraph (a) for paragraph (a) thereof:

(a) *It is ordered,* That the Reading Company, Andrew L. Lewis, Jr., and Joseph L. Castle, Trustees (Rdg), be, and it is hereby directed to enter upon that portion of the Tamaqua branch of the Lehigh and New England Railway (LNE) extending between milepost 2.20 west of Hauto, Pennsylvania, and a connection with the Reading Company at milepost 6.55 in the vicinity of Tamaqua, Pennsylvania, and to operate such railroad and facilities subject to any necessary approval of the reorganization court of the United States District Court for the Eastern District of Pennsylvania, for the purpose of handling, routing, and moving the traffic of the Lehigh and New England Railway Company in accordance with the lawful instructions of shippers and consignees and in compliance with the rules and regulations of the Commission, and subject to the rates and charges prescribed in tariffs lawfully published and filed in accordance with law and applicable to freight traffic transported over the lines of the Lehigh and New England Railway Company; that such entry and operations shall commence on or before 12:01 a.m., January 24, 1975, and shall continue for a period of 240[1] days, unless such period is changed by order of the Commission for cause shown; and that a certified copy of the order of the court authorizing the Reading Company to perform the directed service pursuant to the order of the Commission shall be filed with this Commission, with appropriate reference to this proceeding; and

It is further ordered, That the fourth full paragraph appearing on page 2 of Corrected Revised Service Order No. 1208 be, and it is hereby, amended by substituting the following paragraph for the aforementioned paragraph thereof:

It further appearing, that in light of the emergency situation which would result from a cessation of all transportation service by the LNE, public notice and hearings are impractical and not required by the procedures set forth in section 1(15) of the Act; that the public interest requires the continuation of operation over certain lines of the LNE by the Rdg for a period of operation of 240[1] days as provided by section 1(16)(b) of the Act; and that good cause exists for making this order effective upon the date served;

Effective date. This amendment shall become effective at 11:59 p.m., June 23, 1975.

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

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

By the Commission, Division 3.

[SEAL] RICHARD W. KYLE,
Acting Secretary.

[FR Doc.75-15499 Filed 6-12-75;8:45 am]

[1] Change. (The 240-day period authorized herein will expire at 11:59 p.m., September 21, 1975.)

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 rulemaking prior to the adoption of the final rules.

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 17]

SEA TURTLES

Proposed "Threatened" Status; Correction

In FR Doc. 75-13189 appearing on page 21974 in the issue of May 20, 1975, in the first column on page 21977, the second line now reading "fishing gear or vessel was fishing in an" should have the word "not" inserted and should read "fishing gear or vessel was not fishing in an".

Dated: June 10, 1975.

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

[FR Doc.75-15459 Filed 6-12-75;8:45 am]

[50 CFR Part 32]

CIBOLA NATIONAL WILDLIFE REFUGE, ARIZONA, CALIFORNIA

Hunting

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), and the National Wildlife Refuge System Administration Act of 1966 (80 Stat. 927 as amended; 16 U.S.C. 668dd), as delegated to the Director, Fish and Wildlife Service, Part 242 of the Departmental Manual, it is proposed to amend 50 CFR 32 by the addition of Cibola National Wildlife Refuge, Arizona, California to the list of areas open to hunting of migratory game birds, upland game, and big game.

In accordance with 16 U.S.C. 668dd(d)(1) and 50 CFR 32.1, it has been determined that the opening will be compatible with the principles of sound wildlife management, will otherwise be in the public interest, and will be compatible with the major purposes for which the area was established.

The listing of the Cibola National Wildlife Refuge as an open area will be the first step in implementation of the proposed hunt plan for the refuge, which will be fully accomplished through annual issuance of special regulations permitting the hunting of doves, waterfowl, quail, rabbits, and deer on designated portions of the refuge.

An environmental assessment of the proposal has been prepared and is available for review by contacting the address below.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions or objections, with respect to the proposed amendment to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 97103 on or before July 6, 1975.

Accordingly, it is proposed that §§ 32.11, 32.21 and 32.31, List of open areas; migratory game birds, upland game and big game be amended by the following addition:

CALIFORNIA

Cibola National Wildlife Refuge.

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

[FR Doc.75-15432 Filed 6-12-75;8:45 am]

[50 CFR Part 32]

SANTEE NATIONAL WILDLIFE REFUGE, SOUTH CAROLINA

Hunting

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), and the National Wildlife Refuge System Administration Act of 1966 (80 Stat. 927 as amended; 16 U.S.C. 668dd), and as delegated to the Director, Fish and Wildlife Service, in Part 242 of the Departmental Manual, it is proposed to amend 50 CFR 32 by the addition of Santee National Wildlife Refuge, South Carolina to the list of areas open to hunting of big game.

In accordance with 16 U.S.C. 668dd (d)(1) and 50 CFR 32.1, it has been determined that the opening will be compatible with the principles of sound wildlife management, will otherwise be in the public interest, and will be compatible with the major purposes for which the area was established.

The listing of the Santee National Wildlife Refuge as an open area will be the first step in implementation of the proposed hunt plan for the refuge, which will be fully accomplished through annual issuance of special regulations permitting the hunting of deer on designated portions of the refuge.

An environmental assessment of the proposal has been prepared and is available for review by contacting the address below.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions or objections, with respect to the proposed amendment to the Regional Director, U.S. Fish and Wildlife Service, 17 Executive Park Drive NE., Atlanta, Georgia 30329 by July 15, 1975.

Accordingly, it is proposed that § 32.31, List of open areas; big game, be amended by the following addition:

SOUTH CAROLINA

Santee National Wildlife Refuge.

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

[FR Doc.75-15433 Filed 6-12-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[7 CFR Part 1464]

FLUE-CURED TOBACCO

Grade Loan Rates for Price Support on 1975-Crop

Notice is hereby given that CCC is considering the grade loan rates to be applied in making price support available on 1975-crop flue-cured tobacco.

Interested persons are invited to participate in establishing the grade loan rates to be applied by submitting views and recommendations in writing to the Director, Tobacco and Peanuts Division, Agricultural Stablization and Conservation Service, United States Department of Agriculture, Washington, D.C. 20250. All comments received on or before June 30, 1975, will be considered. The comment period is being limited to 15 days because the opening of the flue-cured markets is nearing and the grade loan rates to be applied must be established before the markets open. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Director during the regular business hours (8:15 a.m. to 4:45 p.m.) (7 CFR 1.27(b)).

Under the Tobacco Loan Program published in this part, CCC proposes to establish loan rates by grades for the 1975-crop flue-cured tobacco, types 11-14, as set forth herein. These proposed rates, calculated to provide the level of support of 93.2 cents per pound as determined under Section 106 of the Agricultural Act of 1949 (7 U.S.C. 1445) are as follows:

§ 1464.16 1975 Crop—Flue-Cured Tobacco, types 11–14, loan schedule.[1]

[Dollars per hundred pounds, farm sales weight]

Grade	Loan rate	Grade	Loan rate
A1F	118	B5GL	91
A2F	115	B6GL	86
B1L	110	B4GF	94
B2L	105	B5GF	91
B3L	102	B6GF	83
B4L	100	B4GR	88
B5L	98	B5GR	82
B6L	94	B6GR	77
B1F	110	B4GK	90
B2F	105	B5GK	85
B3F	102	B6GK	81
B4F	100	B5RG	79
B5F	98	B4GG	81
B6F	94	B5GG	77
B1FR	109	H1L	109
B2FR	104	H2L	105
B3FR	101	H3L	103
B4FR	98	H4L	101
B5FR	96	H5L	99
B6FR	92	H6L	95
B3R	95	H1F	109
B4R	90	H2F	105
B5R	85	H3F	103
B6R	81	H4F	101
B3K	99	H5F	99
B4K	96	H6F	95
B5K	93	H3FR	102
B6K	89	H4FR	99
B3LV	100	H5FR	96
B4LV	96	H6FR	93
B5LV	93	H4K	98
B3FV	100	H5K	95
B4FV	96	H6K	92
B5FV	93	C1L	108
B3LS	97	C2L	105
B4LS	94	C3L	103
B5LS	91	C4L	101
B6LS	85	C5L	99
B3FS	97	C1F	108
B4FS	94	C2F	105
B5FS	91	C3F	103
B6FS	85	C4F	101
B3KL	93	C5F	99
B4KL	91	C4LV	99
B5KL	88	C4FV	99
B6KL	83	C4LS	98
B3KF	93	C5LS	95
B4KF	91	C4KL	98
B5KF	88	C4KF	98
B6KF	83	C4KM	98
B3KM	96	C4KR	99
B4KM	94	X1L	103
B5KM	91	X2L	101
B6KM	86	X3L	99
B3KR	98	X4L	96
B4KR	96	X5L	92
B5KR	93	X1F	103
B4KV	93	X2F	101
B5KV	88	X3F	99
B6KV	84	X4F	96
B5R	81	X5F	92
B4GL	94	X3LV	96
		X4LV	93
		X3FV	96
		X4FV	93
		X3LS	96
		X4LS	92
		X3FS	96
		X4FS	92
		X4KL	92
		X4KF	92
		X4KV	91
		X3KM	96
		X4KM	92
		X4KR	95
		X4G	89
		X5G	84
		X4GK	88
		P2L	95
		P3L	93
		P4L	90
		P5L	86
		P2F	95
		P3F	93
		P4F	90
		P5F	86
		P4G	82
		P5G	76
		N4L	78
		N5XL	83
		N1K	85
		N1R	76
		N1GL	72
		N1GF	78
		N1GR	73
		N1GG	68

[1] The loan rates listed are applicable to tied and untied flue-cured tobacco which is (1) eligible tobacco as defined in the regulations and (2) identified by a marketing card which does not bear the notation "Discount Variety-Limited Support". Rates for eligible tobacco identified by a marketing card, which bears the notation "Discount Variety-Limited Support," are 50 percent of the loan rates listed plus fifty cents ($0.50) per hundred pounds. Tobacco is eligible for advance only if consigned by the original producer. Tobacco graded "W" (doubtful keeping order), "U" (unsound), "N2", "No-G" or "scrap" will not be accepted. The cooperative association through which advances are made available is authorized to deduct $1 per hundred pounds to apply against overhead costs.

Signed at Washington, D.C., on June 10, 1975.

E. J. PERSON,
Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc.75-15442 Filed 6-12-75;8:45 am]

Rural Electrification Administration

[7 CFR Part 1701]

RURAL ELECTRIFICATION

REA Loan Policy

On March 11, 1975, the Rural Electrification Administration published in the FEDERAL REGISTER notice of a proposal to issue a supplement to REA Bulletin 20-6, "Loans for Generation and Transmission." Interested persons were informed that they could submit written data, views, or comments on this proposed policy not later than August 12, 1975.

Comments received, and developments since publication of the notice, indicate that issuance of the proposed supplement would not be timely in view of other potential viable alternatives. We are therefore withdrawing the proposal, outlined in the FEDERAL REGISTER on March 11, 1975, to issue a supplement to REA Bulletin 20-6.

Dated at Washington, D.C., this 10th day of June, 1975.

DAVID A. HAMIL,
Administrator, Rural Electrification Administration.

[FR Doc.75-15492 Filed 6-12-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 700]

[Docket No. 75N-0003]

AEROSOL DRUG AND COSMETIC PRODUCTS CONTAINING ZIRCONIUM

Notice of Proposed Rule Making; Correction

In FR Doc. 75-14549, appearing at page 24328, in the issue of Thursday, June 5, 1975, the following correction is made. On page 24344 in the 3d column, paragraph (c) under § 700.16 is corrected by adding the phrase "not in compliance with this section and." As corrected, paragraph (c) reads as follows:

§ 700.16 Use of aerosol cosmetic products containing zirconium.

* * * * *

(c) Any such cosmetic product not in compliance with this section and shipped in interstate commerce after the effective date of the final regulation is subject to regulatory action.

Dated: June 9, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc. 75-15430 Filed 6-12-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 75-NW-14]

ALTERATION OF TRANSITION AREA

Proposed Rule Making

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Spokane, Washington, Transition Area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Operations, Procedures, and Airspace Branch, Northwest Region, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Washington, 98108. All communications received on or before July 14, 1975 will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Northwest Region, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Washington, 98108.

A review of the controlled airspace around Spokane, Washington, disclosed that additional Transition Area is required to provide controlled airspace for the Runway 21 ILS approach procedure at Spokane International Airport. Further, the review disclosed that the present descriptions of the Spokane, Washington, and Coeur d'Alene, Idaho, Transition Areas are overlapping. Accordingly, it is proposed that the Spokane and Coeur d'Alene Transition Areas be combined and the description clarified. In addition, it is proposed that the present Spokane Transition Area description be altered to provide sufficient controlled

airspace to accommodate the ILS procedure.

In consideration of the foregoing, the FAA proposes the following airspace actions:

In § 71.181 (40 FR 441), the description of the Coeur d'Alene, Idaho, Transition Area be deleted, and the description of the Spokane, Washington, Transition Area amended to read as follows:

SPOKANE, WASHINGTON

That airspace extending upward from 7,000 feet above the surface, bounded on the north by a line beginning at Latitude 47°50′ N, Longitude 118°00′ W, extending to Latitude 47°50′ N, Longitude 117°30′ W, to Latitude 47°58′ N, Longitude 117°16′ W, to Latitude 47°51′ N, Longitude 117°08′ W, to Latitude 47°56′ N, Longitude 116°47′ W, to Latitude 47°44′ N, Longitude 116°41′ W, to Latitude 47°37′ N, Longitude 117°13′ W, to Latitude 47°28′ N, Longitude 117°16′ W, to Latitude 47°17′ N, Longitude 117°47′ W, to Latitude 47°26′ N, Longitude 118°00′ W, thence to point of beginning; that airspace extending upward from 1,200 feet above the surface within a 52-mile radius of Fairchild AFB (Latitude 47°36′55″ N, Longitude 117°39′20″ W); that airspace south of Spokane extending from the 52-mile area, bounded on the east by V-253, on the south by V-236, on the west by the east edge of V-122E; that airspace southwest of Spokane extending upward from 6,000 feet MSL, bounded on the north by the arc of a 38-mile radius circle centered on the Fairchild AFB, on the northeast by V-2S, on the southeast by the arc of the 52-mile area, on the southwest by a line parallel to, and 10 miles northeast of, V-253; that airspace extending upward from 7,000 feet MSL within the area southeast of Spokane, bounded on the northwest by the 52-mile area, on the north by V-2, on the southeast by the north edge of V-536, and on the southwest by V-253.

(Section 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)), and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Seattle, Washington, on June 5, 1975.

C. B. WALK, Jr.,
Director, Northwest Region.

[FR Doc.75-15425 Filed 6-12-75;8:45 am]

[14 CFR Part 93]

[Docket No. 14703; Notice No. 75-28]

SPECIAL AIRPORT TRAFFIC AREA

Proposed Designation of Sabre U.S. Army Heliport

The Federal Aviation Administration is considering amending Part 93 of the Federal Aviation Regulations (14 CFR Part 93) to establish a new Subpart N prescribing a special airport traffic area with a reduced designated airspace area at Sabre U.S. Army Heliport near Clarksville, Tennessee.

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments are specifically invited on the environmental aspects of the proposal. Communications should identify the regulatory docket or notice number and be submitted in duplicate to Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue SW., Washington, D.C. 20591. All communications received on or before July 28, 1975, will be considered before taking action on the proposed rule. The specific terms or substance of the proposal contained in this notice may be changed in light of relevant comments received. Comments submitted will be available for examination in the Rules Docket, both before and after the closing data for comments.

A heliport is within the general definition of "airport" under FAR § 1.1. Under FAR Part 1, if the heliport has a control tower, an airport traffic area is automatically in effect when the control tower is operating. Under FAR § 91.85 (b), unless otherwise authorized or required by ATC, no person may operate an aircraft within an airport traffic area, except for the purpose of landing at, or taking off from, an airport within that area. An airport traffic area by definition, and unless otherwise specifically designated in Part 93, consists of that airspace extending up to, but not including, 3,000 feet above the elevation of the airport and within a horizontal radius of five statute miles from the geographic center of an airport at which a control tower is operating.

Normally, only those heliports situated on or adjacent to tower controlled airport facilities provide control tower services. In such a case, the heliport airport traffic area covers substantially the same airspace as the co-located or adjacent airport. However, Sabre U.S. Army Heliport, a tower-controlled heliport in the vicinity of Fort Campbell AAF, Kentucky is located some 4½ miles from the main facility. Its airport traffic area, therefore, extends well beyond that of Campbell AAF.

The location and combined size of the resulting airport traffic areas create some problems for general aviation aircraft operating in the local area without any corresponding improvement in flight safety. This is particularly so when flight around or above the areas becomes impractical because of weather. If a pilot is not familiar with the area and the installations, he may become confused in determining which tower to contact in order to transit either or both airport traffic areas.

The FAA believes that the standard size airport traffic area prescribed in FAR Part 1 is not required for flight safety at Sabre Heliport and that the designation of a smaller airport traffic area at that location would reduce the burden on general aviation aircraft operating within the area. The FAA has consulted with the military authority at Fort Campbell regarding the type of operations being conducted and the flight safety requirements of the area. In light of those discussions, and the proximity of a Restricted Area and the Campbell AAF airport traffic area, the FAA believes an airport traffic area having a two-mile radius and extending up to 2,000 feet would provide an adequate margin of flight safety during the hours the Sabre Control Tower is in operation. The control tower currently operates on Monday, Wednesday, and Friday from 0700 to 1700 hours local time and on Tuesday and Thursday from 0700 to midnight local time.

(Sections 307, 313(a), and 601, Federal Aviation Act of 1958 (49 U.S.C. §§ 1348, 1354(a), and 1421); and sec. 6(c) Department of Transportation Act (49 U.S.C. § 1655(c)).

In consideration of the foregoing, the FAA proposes to amend Part 93 of the Federal Aviation Regulations (14 CFR Chapter I) by establishing a new Subpart N to read as follows:

Subpart N—Sabre U.S. Army Heliport, Clarksville, Tennessee, Special Airport Traffic Area

§ 93.161 Applicability.

This subpart prescribes the Sabre U.S. Army Heliport special airport traffic area located in the vicinity of Clarksville, Tennessee, effective during the hours the Sabre Control Tower is in operation.

§ 93.163 Description of the area.

The Sabre U.S. Army Heliport special airport traffic area is designated as the airspace extending upward from the surface to, but not including, 2,000 feet above the elevation of the heliport, bounded by an arc of a two-statute-mile radius circle centered on the geographic center of the heliport.

Issued in Washington, D.C., on June 6, 1975.

RAYMOND G. BELANGER,
Director,
Air Traffic Service, AAT-1.

[FR Doc.75-15426 Filed 6-12-75;8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

[41 CFR Part 50-201]

WALSH-HEALEY PUBLIC CONTRACTS ACT

Regular Dealer for Used Automatic Data Processing Equipment

In accordance with § 50-201.101(c)(2) of the Walsh-Healey Public Contracts Act regulations, 41 CFR Part 50-201, the General Services Administration has requested that the Department of Labor promulgate a special definition for regular dealers in used automatic data processing equipment (ADPE). GSA has contended, for the reasons hereafter set forth, that such a definition is necessary to prevent the serious impairment of the conduct of Government business. The rationale for this request is as follows:

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

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

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

4. Regular dealers as defined in 41 CFR 50-201.101(b) and the Federal Procurement Regulations, 41 CFR 1-12.-603-2, do not exist for automatic data processing equipment. There are no known sources of supply who stock or warehouse automatic data processing equipment for future sale as is customary in many industries. Even manufacturers do not stock or warehouse automatic data processing equipment. Rather, their general practice is to build to order. Some suppliers do own quantities of equipment which have been on lease. This equipment may be warehoused on a temporary basis after a lease has expired until a new user is found for the equipment. No supplier, however, maintains an inventory of this commodity in anticipation of future sales.

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

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

Interested persons are invited to submit written comments, views, or arguments on this proposal to the Administrator of the Wage and Hour Division, U.S. Department of Labor, Washington, D.C. 20210, on or before July 14, 1975.

It is proposed that a new paragraph (b)(10) be added to 41 CFR 50-201.101 as follows:

§ 50-201.101 Manufacturer or regular dealer.

* * * * *

(b) * * *

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

* * * * *

Signed at Washington, D.C., on this 6th day of June, 1975.

BERNARD E. DELURY,
Assistant Secretary of Labor.

[FR Doc.75-15463 Filed 6-12-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

[10 CFR Parts 303, 309]

ALLOCATION OF COAL

Notice of Proposed Rulemaking

The Federal Energy Administration ("FEA") hereby gives notice of a proposal to amend Chapter II of Title 10 of the Code of Federal Regulations by the addition of Subpart D—Supply Orders, to Part 303—Administrative Procedures and Sanctions and the addition of Part 309—Allocation of Coal.

I. *Introduction.* By rule adopted May 5, 1975, the FEA established its program to implement sections 2 (a), (b) and (c) of the Energy Supply and Environmental Coordination Act of 1974 (Pub. L. 93-319) (ESECA) relating to prohibiting certain powerplants and major fuel burning installations from burning petroleum products or natural gas as their primary energy source, and requiring certain powerplants in the early planning process to be designed and constructed to be capable of using coal as their primary energy source. By this notice of proposed rulemaking, FEA proposes regulations to implement section 2(d) of ESECA, which provides that:

> The Federal Energy Administration may, by rule or order, allocate coal (1) to any powerplant or major fuel-burning installation to which an order [prohibiting the burning of natural gas or petroleum products as its primary energy source] under subsection (a) has been issued, or (2) to any other person to the extent necessary to carry out the purposes of this Act.

The amendment to the Clean Air Act added by section 3 of ESECA indicates a specific situation wherein FEA shall exercise its authority to allocate coal pursuant to section 2(d) (and petroleum products pursuant to the Emergency Petroleum Allocation Act of 1973 (Pub. L. 93-159) (EPAA)). Thus, in section 119(j) of the Clean Air Act FEA is directed to exercise its section 2(d) (as well as its EPAA) allocation authority to require the exchange of fuel when the Administrator of EPA designates persons with respect to whom fuel exchange requirements should be imposed, unless, after consultation with EPA, FEA finds that the costs or consumption of fuel resulting from an exchange will be excessive.

ESECA, in section 7(a), further directs the FEA to include in any coal allocation regulations, to the maximum extent practicable, "measures to assure that available low sulfur fuel will be distributed on a priority basis to those areas of the United States designated by the Administrator of the Environmental Protection Agency as requiring low sulfur fuel to avoid or minimize adverse impact on public health."

Section 2(f) of ESECA states that authority to issue rules or orders under sections 2 (a) through (d) expires at midnight, June 30, 1975. However, the ESECA Conference Report sets forth the intention of the Congress with respect to FEA's authority to allocate coal subsequent to June 30, 1975:

> It is the conferees' intention to require the FEA Administrator, if he finds it necessary to allocate coal after June 30, 1975, to ensure that the purposes of the bill are carried out, to do so pursuant to general rules which he has promulgated before such date. These rules should establish procedures and criteria for allocating coal after such date as may be necessary for assuring that coal producers or suppliers (or other persons handling coal) will expeditiously comply with any allocation made pursuant to such rules or orders. In addition, any rules or orders issued before July 1, 1975, could be amended as necessary to carry out the purposes of the bill. Thus, a direction after June 30, 1975, to a person to supply coal to a user pursuant to rules issued before that date would not be barred by the June 30, 1975, expiration date for issuing rules or orders. (p. 29).

Furthermore, the prospective requirements imposed upon FEA by section 119(j) of the Clean Air Act and section 7(a) of ESECA to exercise section 2(d) authority upon certain designations made by EPA cannot be satisfied if the authority to direct an allocation of coal, pursuant to a rule adopted prior to June 30, 1975, also expires on that date.

Accordingly, FEA proposes herein to implement its authority to allocate coal by issuance of a general rule prior to June 30, 1975 establishing procedures and criteria for the allocation of coal. On the basis of that regulatory framework, specific supply orders may be issued subsequent to June 30, 1975 as the result of proceedings undertaken upon application or at FEA's initiative, which may be in response to an EPA designation. Those proceedings would enable FEA to respond to the objectives of the Coal Utilization Program and to environmental determinations and designations made by the Administrator of EPA pursuant to the Clean Air Act. FEA believes that this approach to implementing its coal allocation authority is consistent with the limitations set forth in section 2(f) of ESECA and is necessary to further the purposes of ESECA and the express intentions of Congress. FEA invites comments on this approach.

The regulations as proposed do not establish and are not intended to apply as a broad ranged, nationwide allocation program such as is in effect under FEA's

Mandatory Petroleum Allocation Regulations (10 CFR, Part 211). On the contrary, ESECA imposes significant limitations upon FEA's authority to allocate coal and, in addition, practical difficulties provide substantial limitations on FEA's ability to allocate coal.

The proposed regulations reflect FEA's carefully considered conclusion that the issuance of prohibition orders pursuant to sections 2 (a) and (b) of ESECA shall not be based to any degree upon the existence of FEA's regulatory authority to allocate coal. Thus, the eligibility for, or the potential application of the allocation regulations proposed herein, shall not be a relevant factor considered by FEA in making its finding of coal availability precedent to the issuance of prohibition orders.

II. *Part 309—Allocation of Coal.* Part 309 of these proposed regulations implements by rule the coal allocation authority granted to FEA by section 2(d) of ESECA. The regulations also reflect the requirements imposed upon FEA by section 7 of ESECA and the amendment to the Clean Air Act (section 119(j)) added by section 3 of ESECA.

The essential terms relevant to the regulations are in most cases identical to the definitions of such terms as set forth in Part 305—Coal Utilization (§ 305.2). The term "supplier" as used in these regulations identifies a category of persons to whom specific coal allocation orders may be directed and is defined as any person that produces or mines coal (or that owns, leases, operates or controls the means by which such coal is produced or mined) and also includes any person that owns, leases or controls a deposit of coal that is mined for the purpose of selling, exchanging or otherwise providing coal to other persons or to itself. In these regulations, the term "supplier" is followed by the term "(or other person)". The latter term has been included to extend the coverage of the regulations to persons other than suppliers that would have coal supplies available and that could be issued a supply order, *e.g.*, consumers of coal, such as powerplants or major fuel burning installations, that may have stockpiles of coal.

"Supply order" is defined to mean a directive issued by FEA pursuant to these regulations which requires that an authorized purchaser, including a powerplant or major fuel burning installation or other person, by sale or exchange, be provided coal by a designated supplier (or other person) in accordance with stated terms and conditions.

The term "stationary source" has been included to enable FEA to be responsive to the full range of persons that might be affected by EPA's determinations as to fuel exchange requirements and priority treatment of the distribution of low sulfur coal to persons in designated areas. The definition, which tracks the language in section 111(a) of the Clean Air Act as amended by section 119(a)(3) of that Act, is "any building, structure, facility, or installation, including any person who owns, leases, operates, controls or supervises any one or more of the foregoing, which emits or may emit any air pollutant, as such terms are used in the Clean Air Act." The term "stationary source" is incorporated within the definition of person for purposes of Subpart D of Part 303 and Part 309.

The regulations propose procedures, instituted either upon FEA initiative, which may be the result of an EPA designation, or in response to application, by which FEA may direct allocations of coal with respect to three general classes of persons. Such proceedings may result in an allocation of coal by means of the issuance of a supply order to a specified supplier (or other person) requiring that quantities of coal be provided in accordance with stated terms and conditions. Persons with respect to whom supply orders may be issued are: (a) any powerplant or major fuel burning installation that has been issued a prohibition order; (b) any person designated by the Administrator of EPA as one upon whom fuel exchange requirements should be imposed to avoid or minimize the adverse impact on public health and welfare of (1) the conversion by any fuel burning stationary source to the burning of coal as its primary energy source, as described in section 119(c) of the Clean Air Act, (2) an allocation of coal under section 2(d) of ESECA, or (3) an allocation of petroleum products under the authority of the Emergency Petroleum Allocation Act of 1973; or (c) any person located in an area of the United States that is designated by the Administrator of EPA as an area that requires, to the maximum extent practicable, that available low-sulfur fuel be distributed to it on a priority basis to avoid or minimize adverse impact on public health. Such allocations may be effective for any period or periods prior to December 31, 1978.

A. *Powerplants and major fuel burning installations under prohibition order.* In the case of a powerplant or major fuel burning installation that has been issued a prohibition order, a supply order may be issued only if (a) such powerplant or major fuel burning installation has been burning coal for a period not less than two years from the date, as stated in the Notice of Effectiveness issued to it in connection with such prohibition order, on which such powerplant or installation is prohibited from burning natural gas or petroleum products as its primary energy source, (b) an allocation of coal thereto is found by FEA to be feasible and, (c) it is shown that the FEA finding as to availability of coal made in connection with the issuance of the prohibition order, has been substantially affected by significantly changed circumstances, as that term is defined in Subpart D of Part 303.

The requirement that the powerplant or major fuel burning installation under prohibition order be burning coal as its primary energy source pursuant to such order for a period of not less than two years reflects FEA's belief that exercise of its coal allocation authority during that interval would not be necessary because, pursuant to section 119(c)(2)(B) of the Clean Air Act, one of the requirements that must be satisfied before EPA will issue a compliance date extension is the inclusion in the compliance schedule of the date by which the powerplant or major fuel burning installation will enter into a long term contractual obligation for the supply of the appropriate coal to such powerplant or installation.

The regulations also require that FEA must find that compliance with a supply order is feasible. This finding shall be based on an analysis of the type of coal required by the powerplant or major fuel burning installation and the location of available coal, the capability of production facilities of the specified supplier (or other person), the means and availability of transportation, the supplier's (or other person's) existing contractual commitments for coal, and a comparison of the cost of the specified coal with the fuel cost expectations of the powerplant or major fuel burning installation, and with respect to powerplants, the impact of the cost of such coal on electric power rates.

The final requirement that must be satisfied is the showing that the FEA finding as to availability of coal made in connection with the issuance of the prohibition order has been substantially affected by "significantly changed circumstances," as such term is defined in § 303.57 of Subpart D of the procedural regulations. As discussed in section III below, the factors which must be taken into account in finding that "significantly changed circumstances" have occurred, limit those eligible for a coal allocation to powerplants and major fuel burning installations faced with a situation where the discovery of material new facts or laws, or changes in circumstances alters the basis upon which the prohibition order has been issued.

Powerplants or major fuel burning installations that must burn coal to comply with a prohibition order can not expect that FEA will routinely exercise its allocation authority to assist them in obtaining that coal: an allocation of coal will be ordered only in very unusual circumstances, and only if the stated criteria have been satisfied. Furthermore, the interrelationship of the allocation procedures with the procedures in Subpart J of Part 303 for the modification/recission of a prohibition order means that in connection with an application for supply order by a powerplant or major fuel burning installation that has been issued a prohibition order, FEA may decide to modify or rescind the order rather than issue a supply order. This restrictive approach to its allocation authority has been adopted by FEA because (a) in its extensive analysis in connection with the ESECA coal availability finding, FEA has determined that ample coal is or will be available to satisfy the requirements of the powerplants to which prohibition orders will be issued prior to June 30, 1975 and, therefore, there should not be a coal shortage situation that would necessitate the allo-

cation of coal; and (b) in practicable terms, the allocation of coal is a difficult undertaking that should not be routinely ordered.

B. *Persons designated by the EPA as those upon whom fuel exchange requirements should be imposed.* Section 119(j) of the Clean Air Act, as added by section 3 of ESECA, requires that FEA respond within 45 days to the designation by the Administrator of EPA of persons upon whom fuel exchange requirements should be imposed by exercise of FEA's section 2(d) authority unless FEA determines, after consultation with EPA, that the costs or consumption of such fuel resulting from such imposed exchanges will be excessive. A fuel exchange requirement may be imposed by the Administrator of EPA to avoid or minimize the adverse impact on public health and welfare of the conversion by any fuel burning stationary source to the burning of coal as its primary energy source, as described in section 119(j) of the Clean Air Act, or of an allocation of coal or petroleum products. The proposed regulations provide that FEA shall issue supply orders requiring the exchange of coal to persons designated by EPA and specify the criteria that shall be evaluated in each instance in determining whether the costs or consumption of fuel resulting from the fuel exchange will be excessive. The regulations proposed herein require that such evaluation shall include an analysis of the costs to each person upon whom a fuel exchange requirement is imposed that are associated with burning such fuel, including the price of coal, transportation, any new equipment or the modification of existing equipment required to burn such coal, and the disruption of any contractual commitments. The analysis shall include a comparison of such costs both with and without any allocation, and shall include a comparison of the rate of usage of the fuel presently utilized by the person designated, with the coal proposed to be utilized; and the costs to consumers of goods and services that may be affected by a fuel exchange requirement.

C. *Persons located in an area of the United States designated by the Administrator of EPA as an area requiring low sulfur fuel.* Section 7(a) of ESECA directs FEA to provide measures, to the maximum extent practicable, in any allocation program created under section 2(d) of ESECA to assure that available low sulfur fuel will be distributed on a priority basis to those areas of the country designated by the Administrator of EPA as requiring such fuel to avoid or minimize adverse impact on public health. The regulations as proposed will enable FEA to act to allocate coal in response to such designation by EPA, if such allocation is practicable, and specify the criteria that shall be taken into account in determining, in each instance, whether the distribution of coal on a priority basis is practicable. The regulations require that such determination shall include an analysis of the type and availability of the coal necessary to satisfy the needs of persons within the designated area, the capability of suppliers (or other persons) to provide such coal, the means and availability of transportation of such coal, and the adverse impact, if any, such allocation would have on suppliers (or other persons) and on the persons to whom such suppliers currently provide or intend to provide coal. The practicability of directing an allocation in these cases shall also depend upon FEA's finding, after consultation with EPA, that the allocation will substantially further the objective of EPA's designation. In cases where it is determined that such allocation of coal is practicable, the regulations authorize the FEA to issue a supply order directing a specified supplier (or other person) to provide coal in accordance with stated terms and conditions or to require that existing or prospective coal supply contracts between the supplier (or other person) and persons located in that area be given priority over the supplier's (or other person's) other contracts.

D. *Suppliers.* In cases where FEA determines that a supply order shall be issued to a specified supplier (or other person) directing that coal be provided in accordance with stated terms and conditions, the regulations proposed herein require that such order shall specify terms and conditions which shall include, the person to whom the coal is to be provided, the quantity of coal to be provided, duration of supply obligation, type of coal and delivery schedule. The supply order will provide a 30-day period in which the specified supplier (or other person) and the authorized purchaser are to negotiate a fair and reasonable price at which coal is to be provided. FEA firmly believes that the determination of price for coal provided under a supply order is properly a matter left to the parties involved. However, to prevent the possible frustration of a supply order caused by an inability of the parties to agree to a fair and reasonable price, § 309.3(d)(1) proposes to give FEA reserve authority to act in such cases. Where FEA proceeds to determine such price, it shall take into account the average contract and spot prices for the geographic region to which the coal is to be provided, as reported in the "Monthly Fuel Cost and Quality Information" issued by the Federal Power Commission for the most recent month for which such average prices are listed. In addition, FEA shall take into consideration any other relevant factors that will enable it to arrive at a fair and reasonable price reflective of generally prevailing market prices. Section 303.61 of the procedural regulations proposes procedures by which FEA will set a fair and reasonable price at which the coal specified in the supply order is to be provided. In the first instance, this proceeding would be initiated by an application filed either by the supplier (or other person) or the authorized purchaser, or both, within 10 days of the termination of the 30-day negotiating period. If an application for determination of a fair and reasonable price is not filed within that 10-day period, FEA may initiate proceedings to make that determination. The application must contain information regarding the first and last price for coal that was offered during the negotiations, and a statement of the reasons why the last price offered by the applicant was refused. Although the proceedings may be initiated upon the filing of an application by only one party to the negotiations, FEA anticipates that in many instances both parties will file an application.

The result of this proposed proceeding will be an order amending the outstanding supply order to specify the price at which the coal is to be provided. FEA proposes that it will make that decision within 30 days of the receipt by it of all substantive information deemed necessary to process the application. FEA will serve notice of that fact upon all persons who received notice of the proceeding. The regulations propose that the procedures for determination of price by FEA may not be available in cases where supply orders have been issued requiring fuel exchanges in response to EPA designations or, in cases where supply orders have been issued giving priority distributions to areas designated by EPA. While in certain cases price differentials may be necessary to assure equity between those upon whom fuel exchange requirements are imposed, generally, such exchanges will not involve price.

III. *Subpart D of Part 303—Supply Orders.* This proceeding is proposed to satisfy the expression of Congressional intention, contained in the Conference Report to ESECA, that FEA establish, by rule, procedures and criteria for allocating coal as may be necessary to assure that producers or suppliers will expeditiously comply with coal allocations that may be directed by FEA. The regulations propose to implement FEA's substantive coal allocation authority by establishing the procedures for the issuance of supply orders. As previously described, the proceeding for issuance of a supply order would be commenced either by application, which may be in response to an EPA designation, or upon FEA initiative.

The sections in this subpart that describe notice, the criteria to be considered in making the determination regarding the issuance of a supply order, the content of a supply order and the right of appeal are applicable regardless of whether the proceeding was initiated by application or by FEA.

An application for a supply order would be required to contain the information FEA needs to make the analysis that precedes issuance of a supply order and to determine whether an allocation of coal by means of the issuance of a supply order is necessary to further the purposes of ESECA. The accuracy of this information must be certified by the applicant's chief executive officer or his duly authorized representative. Any information or documents provided during a proceeding may be investigated by FEA. Third person submissions regarding an application may be solicited or accepted by FEA, provided the applicant

is afforded an opportunity to respond to all relevant third person submissions.

The criteria for issuance of a supply order are contained in § 303.57(b). The regulations proposed provide that a supply order may be issued in the case of a powerplant or major fuel burning installation that has been issued a prohibition order only if FEA can make a determination (a) that the issuance of a supply order is feasible (as that term is defined in § 309.3 (a) and (b) that "significantly changed circumstances" have occurred which substantially affect FEA's prior finding of coal availability made precedent to the issuance of the prohibition order. The regulations specify that FEA's determination that significantly changed circumstances have occurred may be based upon the discovery of material facts that were not known or could not have been known at the time the prohibition order became effective; upon the discovery of a law, regulation, interpretation, ruling, order or decision on appeal that was in effect and which, had it been made known, would have substantially altered the outcome with regard to the issuance of the prohibition order; or upon the finding that a substantial change in the facts or circumstances concerning coal availability occurred during the interval between the date the powerplant or major fuel burning installation commenced the burning of coal as its primary energy source as a result of a prohibition order and the date of the application for a supply order.

If a supply order is issued, it would include a recitation of the conclusions regarding FEA's findings and a summary of the rationale for each. If FEA has not taken any action on an application for a supply order within 90 days of the application, the applicant may treat it as denied and may file an appeal of such denial in accordance with the provisions of Subpart H of this chapter.

The regulations proposed in § 303.61 established procedures whereby a fair and reasonable price at which the coal to be provided under a supply order may be determined by FEA. If the persons subject to the order cannot arrive at a fair and reasonable price within 30 days from the issuance of the order, either may, within 10 days of the termination of the 30 day negotiation period, file an application for such determination. If no such application is filed, FEA may initiate proceedings for the determination of a fair and reasonable price.

In connection with the final adoption of regulatory amendments implementing FEA authority to allocate coal, certain conforming, technical amendments to Part 303 shall be adopted to take into account the addition of Subpart D and Part 309, to FEA's regulations implementing ESECA. Such amendments shall also amend Subpart Q of Part 303 to include civil and criminal penalties for violations of coal allocation rules or orders as provided by section 12 of ESECA. The new section would provide that it shall be unlawful for any person to offer for sale or distribute in commerce any coal in violation of a coal allocation made under section 2(d). For knowing and willful violations by persons who have been previously subjected to a civil penalty for such violations, in accordance with § 303.202(c), a fine of up to $50,000 or imprisonment for not more than six months or both may be imposed.

The nature of the environmental impact from issuance of a supply order in accordance with these proposed coal allocation regulations is described in FEA's Programmatic Environmental Impact Statement (FES 75-1), dated April 25, 1975. Prior to issuing a supply order, or a group of such orders, FEA will make an analysis to determine if there is likely to be a significant impact on the environment from the issuance of a supply order, or group of such orders.

A public hearing on this proposed rulemaking will be held beginning at 9:30 a.m., on June 24, 1975, in Room 2105, 2000 M Street NW., Washington, D.C., to receive oral presentation of data, views and argument from interested persons. Any person who has in interest in the subject of the hearing, or who is a representative of a group or class of persons which has an interest in the subject of the hearing, may make a written request for an opportunity to make oral presentation. That request should be directed to FEA Executive Communications and must be received before 4:30 p.m., e.s.t., June 18, 1975. The request may be hand-delivered to FEA Executive Communications, Room 3309, Federal Building, 12th and Pennsylvania Avenue NW., Washington, D.C., between the hours of 8 a.m., and 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned; if appropriate, to state why he or she is a proper representative of a group or class of persons which has such an interest; and to give a concise summary of the proposed oral presentation and a phone number where he or she may be contacted through June 20, 1975. Each person selected to be heard will be so notified by the FEA before 5:30 p.m., June 19, 1975, and must submit 100 copies of the statement to Executive Communications, FEA, Room 2214, 2000 M Street NW., Washington, D.C. 20461, before 4:30 p.m., e.s.t., June 23, 1975.

The FEA reserves the right to limit the number of representatives of a particular group or class of persons to be heard at the hearing, to schedule their or other person's presentations, and to establish the procedures governing the conduct of the hearing. The length of time allocated to each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearing. It will not be a judicial or evidentiary-type hearing. Questions may be asked only by those conducting the hearing, and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearing will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he or she so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to the time limitations.

Any interested person may submit questions to be asked of any person making a statement at the hearing to FEA Executive Communications before 4:30 p.m., June 20, 1975. Any person who makes an oral statement or any other person who wishes to ask a question at the hearing may submit the question, in writing, to the presiding officer. The FEA, or the presiding officer if the question is submitted at the hearing, will determine whether the question is relevant, and whether time limitations permit it to be presented for answer.

Any further procedural rules necessary for the proper conduct of the hearing will be announced by the presiding officer.

A transcript of the hearing will be made and the entire record of the hearing, including the transcript, will be retained by the FEA and made available for inspection at the FEA Administrator's Reception Area, Room 3400, Federal Building, 12th and Pennsylvania Avenue NW., Washington, D.C., between the hours of 8 a.m., and 4:30 p.m., Monday through Friday. Anyone may purchase a copy of the transcript from the reporter.

Interested persons are invited to submit data, views, or arguments with respect to the proposed regulations to Executive Communications, Federal Energy Administration, Box DL, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on documents submitted to FEA Executive Communications with the designation "Coal Allocation Regulations." Fifteen copies should be submitted. All comments received by June 23, 1975, and all relevant information, will be considered by FEA.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination.

FEA is currently analyzing the inflationary impact of the proposed ESECA coal allocation regulations. However, in light of the June 30, 1975 expiration of FEA's authority to issue the coal allocation regulations, the necessity to provide the minimum 10-day comment period required by the Federal Energy Administration Act of 1974 (Pub. L. 93-275) and the need for a reasonable period of time in which FEA will analyze any comments from interested persons received during that 10-day period, FEA must issue these proposed regulations prior to completion of consideration of any inflationary impacts that may result from the coal allocation pro-

gram. Its consideration of the inflationary impact, however, will be completed prior to a final decision by FEA with respect to issuance of these proposed regulations.

As required by section 7(c)(2) of the Federal Energy Administration Act of 1974 (Pub. L. 93-275), a copy of this notice has been submitted to the Administrator of EPA for his comments concerning the impact of this proposed rulemaking on the quality of the environment.

The EPA commented as follows:

GENERAL COMMENTS

The preamble to these proposed regulations did not accompany the draft notice of rulemaking which EPA reviewed and therefore our comments must be read in that light. We intend to provide our more detailed comments on these proposed actions following their formal publication in the FEDERAL REGISTER. However, at this time, we wish to indicate a number of general concerns which have been identified in our initial review.

SPECIFIC COMMENTS

1. Section 303.51 provides that a facility subject to a prohibition order under section 2(a) of ESECA may not apply for a supply order during the first two years that the prohibition order is in effect. This limitation on eligibility for coal allocation seems to us to be inconsistent with the purposes of ESECA as set forth in section 1 of the Act and to be inconsistent with the intent of section 2(d) of the Act.

Availability of coal of specified quality is a factor in EPA's determination of eligibility for a compliance date extension under section 119(c)(2)(A)(i) of the Clean Air Act (CAA). In addition, it is a factor in EPA's determination of the earliest date a prohibition order can become effective under section 119(d)(2)(B) of the CAA. Under section 119(d)(2)(B) of the CAA, EPA must determine the earliest date by which the facility can complete the steps necessary (including use of appropriate low sulfur coal) to assure that national primary ambient air quality standards will be met around the plant. Under existing regulations, EPA's determinations on availability of coal must be based primarily on information supplied by the facility. To assure the maximum period of coal use by a facility subject to a prohibition order, we believe that both EPA and FEA must assure that all possible efforts to obtain appropriate coal are made immediately.

It is our understanding that section 2(d) of ESECA is intended to impose upon FEA the responsibility to ensure that coal of appropriate quality will be available throughout the term of the prohibition order—not only after the first two years of effectiveness, but even before the prohibition order is made effective. We believe that if facilities issued prohibition orders are not made immediately eligible for supply orders, there could result a significant reduction in the coal usage which might otherwise be expected. We suggest that unless FEA has some overriding reasno for making these facilities ineligible, facilities issued prohibition orders should be made eligible for supply orders immediately upon issuance of the prohibition order.

2. Section 7(a) of ESECA provides that where the Administrator of EPA designates an area of the United States as requiring low sulfur fuel to avoid or minimize adverse impact on public health, FEA's allocation program must, to the maximum extent practicable, provide for allocation of such fuels. Section 309.3(c)(2) of the proposed regulations suggests that FEA will perform a balancing test of "adverse impacts" versus adverse impacts on health. We assume that the undefined "adverse impacts" referred to in section 309.3(c)(2) are economic impacts and that FEA must consider economics to some extent in determining the extent to which allocations in designated areas are practicable. In this regard we understand that a designation by the EPA Administrator under section 7(a) of ESECA means something more than simply that facilities in the area are eligible for supply orders. Section 7(a) of ESECA does not simply contemplate a balancing of health versus other impact but instead suggests that only where allocations are impracticable should FEA refuse to allocate.

Further, we note that FEA has made no provision for allocation of low sulfur fuels other than coal where the EPA Administrator has made a designation under section 7(a) of ESECA. We urge FEA to implement fully its allocation authority under section 7(a) of ESECA and the Emergency Petroleum Allocation Act of 1973.

3. Even if facilities issued prohibition orders are made ineligible for supply orders until two years after the effective date of the prohibition order, we believe that any such facilities requiring allocations of coal because they are located in areas designated by the EPA Administrator under section 7(a) of ESECA, or because they are necessary parties to fuel exchange orders under section 119(j) of the Clean Air Act, should be eligible to apply for supply orders on those grounds. The proposed regulations should be revised to make such eligibility clear.

4. The proposed regulations should be revised to clarify whether "persons" can apply for supply orders on behalf of other "persons." The present lack of clarity is of concern to us primarily because a facility in an area designated by the EPA Administrator under section 7(a) of ESECA may not obtain a supply order which is necessary to protect public health unless that facility chooses to apply for such an order. In cases where public health cannot be protected without the allocation of low sulfur fuel, EPA, the State or its political subdivision, and concerned citizens should be able to apply for allocations to facilities emitting air pollutants which cause or contribute to the threat to health.

5. Section 309.3(c)(3) of the proposed regulations provides that FEA will determine (inde ciding whether to allocate to facilities in an area designated by the EPA Administrator under section 7(a) of ESECA) whether allocation to a particular applicant "would substantially further the Administrator of EPA's objectives in making such designation". Where such a determination is necessary, EPA can make any necessary findings and determinations which involve an assessment of the EPA Administrator's objectives. Section 7(a) of ESECA does not contemplate such determination by FEA and we suggest that this paragraph be deleted from the final regulations.

6. The proposed definition of "supplier" in § 309.2 does not include owners and operators of new mines which are scheduled to open in the foreseeable future. We suggest that the definition be revised to include these new sources of coal."

(Energy Supply and Environmental Coordination Act of 1974, (Pub. L. 93-319); Federal Energy Administration Act of 1974, (Pub. L. 93-275); E.O. 11790 (39 FR 23185)).

In consideration of the foregoing, it is proposed to amend Chapter II, Title 10 of the Code of Federal Regulations as set forth below.

Issued in Washington, D.C., June 11, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel,
Federal Energy Administration.

1. Chapter II of 10 Code of Federal Regulations is amended to add Subpart D to Part 303, which reads as follows:

Subpart D—Supply Orders

Sec.
303.50 Purpose and scope.
303.51 Who may file.
303.52 What to file.
303.53 Where to file.
303.54 When to file.
303.55 Notice.
303.56 Contents.
303.57 FEA evaluation.
303.58 Decision and order.
303.59 Timeliness.
303.60 Appeal.
303.61 Determination of price at which coal shall be provided.

AUTHORITY: (Energy Supply and Environmental Coordination Act of 1974, (Pub. L. 93-319); Federal Energy Administration Act of 1974, (Pub. L. 93-275); E.O. 11790 (39 FR 23185)).

§ 303.50 Purpose and scope.

(a) This subpart establishes the procedures for the filing of an application for a supply order, and for the determination of the fair and reasonable price at which coal allocated by issuance of a supply order shall be provided to an authorized purchaser.

(b) A proceeding for the issuance of a supply order may be commenced by FEA in response to an application from a powerplant or major fuel burning installation that has been issued a prohibition order; by FEA in response to designation by the Administrator of EPA, in accordance with section 119(j) of the Clean Air Act, of persons upon whom a fuel exchange requirement should be imposed; in response to an application from any person located in an area of the United States that has been designated by the Administrator of EPA, in accordance with section 7(a) of ESECA, as requiring low sulfur fuel to avoid or minimize adverse impact on public health; or by FEA on its initiative. Sections 303.55, 303.57, 303.58, and 303.60 shall be applicable to the proceeding regardless of the manner in which it is initiated. Other sections of this subpart apply only to a proceeding commenced in response to an application, except as otherwise stated in § 303.61.

(c) The procedures for a proceeding for the determination of a fair and reasonable price at which coal allocated by issuance of a supply order shall be provided to an authorized purchaser are separately stated in § 303.61, and the procedures stated in § 303.50(b) and in § 303.51 to and including § 303.60 are not applicable to such proceeding.

§ 303.51 Who may file.

Any powerplant or major fuel burning installation that has been burning coal as its primary energy source in accordance with an effective prohibition order for two or more years and which can

satisfy the criteria stated in § 303.57(b), or any person located in an area of the United States that is designated by the Administrator of EPA as an area that requires, to the maximum extent practicable, that available low-sulfur coal be distributed to it to avoid or minimize an adverse impact on public health, may file an application for a supply order.

§ 303.52 What to file.

(a) A powerplant, major fuel burning installation or other person filing under this subpart shall file an "Application for Supply Order" which should be clearly labeled as such both on the application and on the outside of the envelope in which the application is transmitted, and shall be in writing and signed by the person filing the application. The applicant shall comply with the general filing requirements stated in § 303.9 in addition to the requirements stated in this subpart.

(b) Application may be made, in the case of a powerplant for an allocation of coal to an individual powerplant or for combinations thereof at a single site, and in the case of a major fuel burning installation, for an allocation of coal to an individual fossil-fuel fired boiler, burner or other combuster of fuel, or for combinations thereof at a single site. The application should specify the powerplant (or powerplants) or combuster of fuel (or combinations of combusters) with respect to which application is being made.

(c) If the applicant wishes to claim confidential treatment for any information contained in the application or other documents submitted under this subpart, the procedures set out in § 303.9(f) shall apply.

§ 303.53 Where to file.

All applications for a supply order shall be filed with the FEA National Office at the address provided in § 303.12.

§ 303.54 When to file.

(a) An application for a supply order by a powerplant or major fuel burning installation that has been issued a prohibition order applicable after June 30, 1975 may not be filed prior to expiration of a two-year period that commences on the date, as stated in a Notice of Effectiveness issued in accordance with §§ 303.10(b) and 303.37(b), on which such powerplant or installation is prohibited from burning natural gas or petroleum products as its primary energy source.

(b) An application for a supply order by a powerplant or major fuel burning installation may be filed in conjunction with an application for modification or rescission of a prohibition order in accordance with Subpart J of this part, except that an application for a supply order cannot be filed prior to expiration of the two-year period described in paragraph (a) of this section.

§ 303.55 Notice.

(a) The FEA shall serve notice on any person readily identifiable by the FEA as one who will be aggrieved by the FEA action and may serve notice on any other person that written comments regarding the proceeding for issuance of a supply order will be accepted if filed within 20 days of service of the notice; or may determine that notice of such action should be published in the FEDERAL REGISTER.

(b) Any person submitting written comments to the FEA with respect to an application filed under this subpart shall send a copy of the comments, or a copy from which confidential information has been deleted in accordance with § 303.9 (f), to the applicant. The person shall certify to the FEA that it has complied with the requirements of this paragraph. The FEA may notify other persons participating in the proceeding of such comments and provide an opportunity for such persons to respond.

§ 303.56 Contents.

(a) (1) The application shall contain a full and complete statement of all relevant facts pertaining to the subject of the application and the FEA action sought. Such facts shall include the names and addresses of all affected persons (if reasonably ascertainable) and a full discussion of the pertinent provisions and relevant facts contained in the documents submitted with the application. Copies of all relevant contracts, agreements, leases, instruments, and other documents shall be submitted with the application.

(2) In the case of an application by a powerplant or major fuel burning installation, the application shall fully describe the events, acts or transactions that comprise the significantly changed circumstances, as that term is defined in § 303.57(b) (1) (ii).

(3) In addition to such information, the application, whether filed by a powerplant or major fuel burning installation that has been issued a prohibition order or by a person located in an area designated by the Administrator of EPA as an area that requires, to the maximum extent practicable, that available low-sulfur fuel be distributed to it to avoid or minimize an adverse impact on public health shall include the following information:

(i) Description of powerplant (or powerplants) or, boiler, burner or other combuster of fuel (or combinations of combusters) for which the applicant is seeking an allocation of coal, including, but not limited to, location, firing rate, coal handling and storage facilities and equipment, and transportation facilities.

(ii) Quantity and type of coal (which includes, but is not limited to, rank, Btu's, moisture, volatiles, ash and sulfur content) required, the range of types of coal that can be utilized by the applicant and the duration of the requirement for such coal.

(iii) The price, including transportation costs, the applicant has paid for similar quantities of the type of coal sought, giving terms and conditions under which such coal was provided, or the current market price, giving the source of that information.

(iv) A description of the applicant's efforts to find suppliers (or other persons) to provide the coal, including the identification of all suppliers (or other persons) who have provided coal to the applicant in the two years prior to the date the application is filed.

(v) The identification of suppliers (or other persons) who have the capability to provide the coal of the type, quantity and for the duration required, and the means by which such coal could be transported to the applicant.

(vi) The identification of any previous supply order that has been issued to the applicant or to any person that controls or is controlled by the applicant.

(vii) An estimate of the anticipated effect that denial of the requested supply order would have on the applicant.

(viii) Any other information that the applicant believes would be pertinent to FEA's evaluation of the application.

(ix) A certification by the applicant's chief executive officer or his duly authorized representative of the accuracy of the information stated in the application.

§ 303.57 FEA evaluation.

(a) *Processing.* (1) The FEA may initiate an investigation of any statement in an application or any other document submitted to it and may utilize in its evaluation any relevant facts obtained by such investigation. The FEA may solicit or accept submissions from third persons relevant to any application provided that the applicant is afforded an opportunity to respond to all relevant third person submissions. In evaluating an application or other documents, the FEA may conduct its own investigation and consider any other source of information. The FEA on its initiative may convene a hearing or conference, if, in its discretion, it considers that such hearing or conference will advance its evaluation of the application.

(2) If the FEA determines that there is insufficient information upon which to base a decision and if upon request the necessary additional information is not submitted by the applicant, the FEA may dismiss the application without prejudice. If the failure to supply additional information is repeated or willful, the FEA may dismiss the application with prejudice.

(3) Applications filed by powerplants or major fuel burning installations prior to expiration of the two-year period that commences on the date, as stated in a Notice of Effectiveness issued in accordance with § 303.10(b) or 303.37(b), on which such powerplant or installation is prohibited from burning natural gas or petroleum products as its primary energy source, shall be dismissed automatically.

(b) *Criteria.* (1) (i) Coal may be allocated to any powerplant or major fuel burning installation that has been issued a prohibition order, by issuance of a supply order to a supplier (or other person), only if it is determined—

(A) That significantly changed circumstances have occurred that would

substantially affect the finding of coal availability that FEA must make in accordance with §§ 305.3(b)(3)(i) or 305.4(b)(3)(i) of this chapter, as appropriate; and

(B) The issuance of a supply order is feasible. ("Feasible" is defined in § 309.3(a) of this chapter.)

(ii) For purposes of this subparagraph, "significantly changed circumstances shall mean—

(A) The discovery of material facts that were not known or could not have been known at the time the prohibition order became effective in accordance with § 305.7(b) of this chapter, and upon which the finding is based that FEA must make in accordance with §§ 305.3(b)(3)(i) or 305.4(b)(3)(i) of this chapter;

(B) The discovery of a law, regulation, interpretation, ruling, order or decision on appeal that was in effect at the time of the proceeding upon which the application is based and which, if such had been made known to the FEA, would have been relevant to the proceeding and would have substantially altered the outcome; or

(C) There has been a substantial change in the facts or circumstances upon which said finding was based, which change occurred during the interval between the date the powerplant or major fuel burning installation commenced the burning of coal as its primary energy source as a result of a prohibition order and the date of the application for a supply order.

(2) A supply order shall be issued to any person designated by the Administrator of EPA as one upon whom a fuel exchange requirement should be imposed to avoid or minimize the adverse impact on public health and welfare of the conversion by any fuel burning stationary source to the burning of coal as its primary energy source, as described in section 119(c) of the Clean Air Act, or allocation of coal, or allocation of petroleum products under the authority of the Emergency Petroleum Allocation Act of 1973, unless the FEA determines (after consultation with the Administrator of EPA) that the costs or consumption of fuel resulting from requiring such exchange will be excessive. The decision with respect to whether the cost or consumption of fuel is excessive shall be based upon an evaluation of the criteria stated in § 309.3(b) of this chapter.

(3) A supply order shall be issued, to the maximum extent practicable, to any person located in an area of the United States that has been designated by the Administrator of EPA as an area that requires that available low sulfur fuel be distributed to it on a priority basis to avoid or minimize an adverse impact on public health. The decision with respect to whether the issuance of an order is practicable shall be based upon an evaluation of the criteria stated in § 309.3(c) of this chapter.

§ 303.58 Decision and order.

(a) Upon consideration of an application for a supply order and other relevant information received or obtained during the proceeding, the FEA shall issue either a supply order or an order denying the application.

(b)(1) The order shall include a written statement summarizing the factual and legal basis upon which the order is issued. The order shall provide that any person aggrieved thereby may file an appeal with the FEA Office of Exceptions and Appeals in accordance with Subpart H of this part.

(2) If the order is a supply order, it also shall state the powerplant, major fuel burning installation or other person to whom the coal is to be provided, the quantity and type of coal to be provided, the duration of the obligation to supply such coal and the delivery schedule at which such coal is to be provided. In addition, such order shall provide that the supplier (or other person) and the authorized purchaser shall have 30 days in which to negotiate a price at which such coal is to be provided, and that if they are unable to reach a mutually agreeable price during that period of time, within 10 days after termination of that 30-day period, an application shall be filed with FEA, in accordance with § 303.61, for the determination of a fair and reasonable price at which coal allocated by issuance of such supply order shall be provided to an authorized purchaser.

(3) A supply order issued to a person located in an area of the United States that has been designated by the Administrator of EPA as an area that requires, to the maximum extent practicable, that available low-sulfur coal be distributed to it on a priority basis to avoid or minimize adverse impact on public health, may state that existing or prospective coal supply contracts between a supplier (or other person) and a person located in such area shall be given priority over the supplier's (or other person's) other existing or prospective coal supply contracts.

(c) Prior to issuance of a supply order, the FEA shall provide, in accordance with § 303.55(a), the specified supplier (or other person) reasonable opportunity to comment on the factual basis for the issuance of such proposed order and the impact such order may have upon the proposed supplier (or other person). To the extent a proposed supplier's (or other person's) comments present facts or other information that materially differ from those in the application, the applicant shall be advised and given an opportunity to respond, which response may be verbal or in writing, at FEA's discretion.

(d) The FEA shall serve a copy of the order upon the supplier (or other person) who will be directed to provide the coal, (when the order is a supply order), and upon the applicant and any other person reasonably identifiable by the FEA as one who is aggrieved by said order.

§ 303.59 Timeliness.

If the FEA fails to take action on any application filed under this subpart within 90 days of filing, the applicant may treat the application as having been denied in all respects and may appeal therefrom as provided in this subpart.

§ 303.60 Appeal.

Any person aggrieved by an order issued by the FEA under this subpart may file an appeal with the FEA Office of Exceptions and Appeals in accordance with Subpart H of this part. The appeal shall be filed within 30 days of service of the order from which the appeal is taken or within 30 days of the date on which the applicant may treat the application as being denied in all respects. There has not been an exhaustion of administrative remedies until an appeal has been filed pursuant to Subpart H and the appellate proceeding is completed by the issuance of an order granting or denying the appeal.

§ 303.61 Determination of price at which coal shall be provided.

(a) *Purpose and scope.* (1) This section establishes the procedures by which a supplier (or other person), any person (including a powerplant or major fuel burning installation) whose application for a supply order has been granted by FEA, or any person designated by EPA as a person upon whom a fuel exchange requirement should be imposed may file an application for the determination by FEA of a fair and reasonable price at which coal allocated by issuance of a supply order shall be provided to an authorized purchaser.

(2) The procedures established by this section, in FEA's discretion, may not be available to persons issued supply orders that (i) require that there be a fuel exchange by persons designated by the Administrator of EPA with respect to whom fuel exchange requirements should be imposed to avoid or minimize the adverse impact on public health and welfare of certain specific actions identified in § 309.3 (b) and (c) of this chapter, or (ii) provide that available low sulfur coal will be distributed on a priority basis to such persons in those areas of the United States designated by the Administrator of EPA as requiring low sulfur coal to avoid or minimize adverse impacts on public health.

(3) A proceeding for determination of a fair and reasonable price at which coal allocated by issuance of a supply order shall be provided to an authorized purchaser may be commenced by FEA on its initiative, in accordance with paragraph (d) of this section, or in response to an application. Paragraphs (e), (g), (h), (i) and (j) of this section shall be applicable regardless of the manner in which the proceeding is initiated. Other paragraphs of this section shall apply only to a proceeding commenced in response to an application.

(b) *What to file.* (1) A person filing under this section shall file an "Application for Determination of Price" which should be clearly labeled as such both on the application and on the outside of the envelope in which the application is transmitted, and shall be in

writing and signed by the person filing the application. The applicant shall comply with the general filing requirements stated in § 303.9 in addition to the requirements stated in this subpart.

(2) If the applicant wishes to claim confidential treatment for any information contained in the application or other documents submitted under this section, the procedures set out in § 303.9(f) shall apply.

(c) *Where to file.* All applications for a determination of a fair and reasonable price at which coal allocated by issuance of a supply order shall be provided to an authorized purchaser shall be filed at the FEA National Office at the address provided in § 303.12.

(d) *When to file.* All applications for a determination of a fair and reasonable price at which coal allocated by issuance of a supply order shall be provided to an authorized purchaser shall be filed within 10 days after the expiration of the 30-day period, as provided in the supply order, during which the supplier (or other person) and the authorized purchaser are to negotiate a price at which such coal will be provided. The failure to file an application within such 10-day period may be cause for FEA to commence proceedings on its initiative for the determination of such fair and reasonable price.

(e) *Notice.* (1) The applicant shall send by United States mail a copy of the application and any subsequent amendments or other documents relating to the application, or a copy from which confidential information has been deleted in accordance with § 309(f), to each person who is reasonably ascertainable by the applicant as a person who will be aggrieved by the action sought. The copy of the application shall be accompanied by a statement that the person may submit comments regarding the application to the FEA National Office, at the address provided in § 303.12, within 10 days of service of such application. The application filed with the FEA shall include certification to the FEA that the applicant has complied with the requirements of this subparagraph and shall include the names and addresses of each person to whom a copy of the application was sent.

(2) Notwithstanding the provisions of subparagraph (1) of this section, if an applicant determines that compliance with subparagraph (1) of this section would be impracticable, the applicant shall:

(i) Comply with the requirements of subparagraph (1) of this section with regard to those persons whom it is reasonable and practicable to notify; and

(ii) Include with the application a description of the persons or class or classes of persons to whom notice was not sent.

The FEA may require the applicant to provide additional or alternative notice, or may determine that the notice required by subparagraph (1) of this section is not impracticable, or may determine that notice should be published in the FEDERAL REGISTER.

(3) The FEA shall serve notice on any other person readily identifiable by the FEA as one who will be aggrieved by the FEA action sought and may serve notice on any other person that written comments regarding the application will be accepted if filed within 10 days of service of such notice.

(4) Any person submitting written comments to the FEA with respect to an application filed under this subpart shall send a copy of the comments, or a copy from which confidential information has been deleted in accordance with § 303.9 (f), to the applicant. The person shall certify to the FEA that he has complied with the requirements of this paragraph. The FEA may notify other persons participating in the proceeding of such comments and provide an opportunity for such persons to respond.

(f) *Contents.* (1) The application shall contain a full and complete statement of all relevant facts pertaining to the negotiations regarding the price at which the specified coal is to be provided under the supply order, and a full discussion of the pertinent provisions and relevant facts contained in the documents submitted with the application. Copies of all relevant contracts, agreements, leases, instruments, and other documents shall be submitted with the application. In addition to such information, the application shall include the following:

(i) The first offer regarding the price and other terms and conditions affecting price at which such coal would be sold or purchased, as appropriate, and the final offer of such price and terms and conditions.

(ii) The basis on which there was not acceptance of the final offer of a price and other terms and conditions affecting price at which to sell or purchase, as appropriate, such coal, which basis shall include any financial analysis utilized to justify a rejection of the last offer.

(iii) Copies of all contracts, agreements, leases, instruments or other documents by which the applicant has obtained or provided coal, as appropriate, of a type similar and in a quantity similar to that described in the supply order during the period terminating two years prior to the date of the application; or if such coal has not been obtained or provided in accordance with terms and conditions stated in a document, a statement of the price at which coal of a type similar and in a quantity similar to that described in the supply order has been obtained or provided, as appropriate, during the period terminating two years prior to the date of the application, along with any documents that support the price at which such transactions occurred.

(iv) Copies of the most recent annual report and Securities and Exchange Commission forms 10-K and, if appropriate, U-5-S.

(v) Any other information that the applicant believes would be pertinent to FEA's evaluation of the application.

(vi) A certification by the applicant's chief executive officer or his duly authorized representative of the accuracy of the information stated in the application.

(g) *FEA evaluation.* (1) *Processing.* The FEA may initiate an investigation of any statement in an application or any other document submitted to it and may utilize in its evaluation any relevant facts obtained by such investigation. The FEA may solicit or accept submissions from third persons relevant to any application or other document, provided, that the applicant is afforded an opportunity to respond to all relevant third persons submissions. In evaluating an application or other documents, the FEA may conduct its own investigation and consider any other source of information. The FEA on its initiative may convene a conference, if, in its discretion, it considers that such conference will advance its evaluation of the application.

(2) *Criteria.* The decision with respect to an application and the decision with respect to an FEA-initiated proceeding shall be subject to the criteria stated in § 309.3(d) of this chapter.

(h) *Decision and order.* (1) Upon consideration of the application for a determination of a fair and reasonable price at which coal allocated by issuance of a supply order shall be provided to an authorized purchaser and other relevant information received, the FEA shall issue an order that shall be a modification of the supply order to state the price at which the coal specified therein shall be provided for the duration of the supply order by the specified supplier (or other persons).

(2) The order shall include a written statement setting forth the pertinent facts and the legal basis upon which the order is issued. The order shall provide that any person aggrieved thereby may file an appeal with the FEA Office of Exceptions and Appeals in accordance with Subpart H of this part.

(3) The FEA shall serve a copy of the order upon the applicant, any other person who participated in the proceeding and upon any other person readily identifiable by the FEA as one who is aggrieved by such order.

(i) *Timeliness.* The order shall be issued by FEA within 30 days of receipt of all substantive information deemed necessary to process an application filed under this section, and the FEA shall serve notice of that fact upon the applicant and all other persons who received notice of the proceeding pursuant to § 303.61(e).

(j) *Appeal.* Any person aggrieved by an order issued by the FEA under this section may file an appeal with the FEA Office of Exceptions and Appeals in accordance with Subpart H of this part. The appeal must be filed within 30 days of service of the order from which the appeal is taken. There has not been an exhaustion of administrative remedies until an appeal has been filed pursuant to Subpart H of this part and the appellate proceeding is completed by the is-

suance of an order granting or denying the appeal.

2. Chapter II of 10 Code of Federal Regulations is amended to add Part 309, which reads as follows:

PART 309—ALLOCATION OF COAL

Sec.
309.1 Scope.
309.2 Definitions.
309.3 Method of allocation.
309.4 Modification and rescission of supply orders.
309.5 Procedures.

AUTHORITY: (Energy Supply and Environmental Coordination Act of 1974, (Pub. L. 93-319); Federal Energy Administration Act of 1974, (Pub. L. 93-275); E.O. 11790 (39 FR 23185)).

§ 309.1 Scope.

(a) *Applicability.* This part applies to—(1) any powerplant or major fuel burning installation that has been issued a prohibition order;

(2) any person designated by the Administrator of EPA as one upon whom fuel exchange requirements should be imposed to avoid or minimize the adverse impact on public health and welfare of (i) the conversion by any fuel burning source to the burning of coal as its primary energy source, as described in section 119(c) of the Clean Air Act, (ii) an allocation of coal under section 2(d) of ESECA, or (iii) an allocation of petroleum products under the authority of the Emergency Petroleum Allocation Act of 1973;

(3) any person located in an area of the United States that is designated by the Administrator of EPA as an area that requires that available low-sulfur fuel be distributed to it, to the maximum extent practicable, on a priority basis to avoid or minimize adverse impact on public health; and

(4) any supplier or (other person) that provides or is capable of providing, coal to any person, including itself, whether by sale, exchange or otherwise.

(b) *Purpose.* This part, together with Part 303 of this chapter, establishes the methods and procedures by which FEA will exercise its powers under section 2 (d) of ESECA to allocate coal to certain powerplants and major fuel burning installations and to other persons to the extent necessary to carry out the purposes of ESECA.

§ 309.2 Definitions.

For purposes of this part—

"Action" means a supply order, or modification or rescission of such order, issued by FEA pursuant to section 2(d) of ESECA.

"Air pollution requirement" means any emission limitation, schedule or timetable for compliance, or other requirement, which is prescribed under any Federal, State, or local law or regulation, including the Clean Air Act (except for any requirement prescribed under subsections (c) or (d) of section 119, section 110(a)(2)(F)(v), or section 303 of such Act), and which limits stationary source emissions resulting from combustion of fuels (including a prohibition on, or specification of, the use of any fuel or any type, grade, or pollution characteristic).

"Clean Air Act" means the Clean Air Act, as amended, 42 U.S.C. § 1857 *et seq.* (1970), as amended by Pub. L. 93-319, 88 Stat. 246.

"Coal" includes coal derivatives.

"Compliance date extension" means an extension issued by the Administrator of EPA in accordance with section 119(c) of the Clean Air Act as a result of which a powerplant or major fuel burning installation may not, until January 1, 1979, be prohibited, by reason of the application of any air pollution requirements, from burning coal which is available to such source, except as otherwise provided in section 119(d)(3) of that Act.

"EPA" means the Environmental Protection Agency.

"ESECA" means the Energy Supply and Environmental Coordination Act of 1974 (Pub. L. 93-319).

"FEA" means the Federal Energy Administration, including the Administrator of FEA or his delegate.

"Interested person" includes members of the public, as well as any person with an interest sought to be protected under ESECA.

"Major fuel burning installation" means an installation or unit other than a powerplant that has or is a fossil-fuel fired boiler, burner, or other combuster of fuel or any combination thereof at a single site, and includes any person who owns, leases, operates or controls any such installation or unit.

"Natural gas" includes dry gas and casinghead gas.

"Notice of effectiveness" means both a written statement issued by FEA to a powerplant or major fuel burning installation, subsequent to a certification or notification by EPA pursuant to section 119(d)(1) of the Clean Air Act, advising such powerplant or installation of the date that a prohibition order applicable to it becomes effective; and a written statement issued by FEA to a powerplant in the early planning process advising such powerplant of the date that a construction order applicable to it becomes effective.

"Person" means any association, firm, company, corporation, estate, individual, joint-venture, partnership, or sole proprietorship or any other entity however organized including charitable, educational, or other eleemosynary institutions, and the Federal Government, including corporations, departments, Federal agencies, and other instrumentalities, and State and local governments, and includes any officer, director, owner or duly authorized representative thereof. The FEA may, in regulations and in any forms issued in this part, treat as a person:

(a) A parent and the consolidated and unconsolidated entities (if any) which it directly or indirectly controls,

(b) A parent and its consolidated entities,

(c) An unconsolidated entity, or

(d) Any part of a person.

(The term "person" as used in this part or in Subpart D of Part 303 of this chapter shall include, when appropriate a "stationary source", as such term is defined in this part.)

"Petroleum product" means crude oil, residual fuel oil or any refined petroleum product, as that last term is defined in section 3(5) of the Emergency Petroleum Allocation Act of 1973.

"Powerplant" means a fossil-fuel fired steam electric generating unit that produces electric power for purposes of sale or exchange, and includes any person who owns, leases, operates or controls any such unit.

"Primary energy source" means, with respect to a powerplant or major fuel burning installation that utilizes a fossil-fuel, the fuel that is or will be used for all purposes except for the minimum amounts required for start-up testing, flame stabilization and control; and except for such minimum amounts required to enable such powerplant or major fuel burning installation to comply with applicable primary standard conditions prescribed by EPA in accordance with 40 CFR 55.04: *Provided,* such minimum amounts of fuel may be used only when such primary standard conditions include the utilization of intermittent control systems and only during such temporary periods as use of such minimum amounts is absolutely necessary to meet the terms of the primary standard conditions relating to use of intermittent control systems.

"Proceeding" means the process anl activity, and any part thereof, instituted by the FEA either on its initiative, which may be in response to the designation by the Administrator of EPA of persons upon whom a fuel exchange requirement is to be imposed, or in response to an application submitted by a powerplant or major fuel burning installation that has been issued a prohibition order or by any person located in an area of the United States that has been designated by the Administrator of EPA as an area that requires, to the maximum extent practicable, that available low sulfur fuel be distributed to it on a priority basis to avoid or minimize adverse impact on public health, that may lead to an action by the FEA.

"Proceeding" means the process and issued by FEA pursuant to section 2 (a) and (b) of ESECA that prohibits a powerplant or major fuel burning installation from burning natural gas or petroleum products as its primary energy source.

"Stationary source" means any building, structure, facility, or installation including any person who owns, leases, operates, controls or supervises any one or more of the foregoing, which emits or may emit any air pollutant, as such terms are used in the Clean Air Act.

"Stationary source fuel or emission limitation" means any emission limitation, schedule or timetable of compliance, or other requirement, which is prescribed

under the Clean Air Act (other than sections 119, 111(b), 112 or 303) or contained in an applicable implementation plan (other than a requirement imposed under authority described in section 110(a)(2)(F)(v) of such Act), and which limits, or is designed to limit, stationary source emissions resulting from combustion of fuels, including a prohibition on, or specification of, the use of any fuel of any type, grade, or pollution characteristic.

"Supplier" means any person that produces or mines coal (or that owns, leases, operates or controls the means by which such coal is produced or mined), or any person that owns, leases or controls a deposit of coal that is mined for the purpose of selling, exchanging or otherwise providing coal to other persons or to itself.

"Supply order" means a directive issued by FEA pursuant to a rule promulgated pursuant to section 2(d) of ESECA requiring that an authorized purchaser, including a powerplant, major fuel burning installation or other person, be provided coal by a designated supplier (or other person) in accordance with stated terms and conditions.

"United States," when used in the geographic sense, means the several States, the District of Columbia, Puerto Rico, and the territories and possessions of the United States.

Throughout this part the use of a word or term in the singular shall include the plural and the use of the male gender shall include the female gender.

§ 309.3 Method of Allocation.

(a)(1) Subject to subparagraph (2) of this paragraph, a powerplant or major fuel burning installation that has been issued a prohibition order applicable after June 30, 1975, upon application or at FEA's initiative, may be provided specified quantities of coal during any specified period prior to December 31, 1978 from a specified supplier (or other person) by means of the issuance of a supply order, provided that such allocation of coal is feasible. For purposes of this paragraph the determination whether an allocation of coal by means of the issuance of a supply order is feasible shall include an analysis of—

(i) The type of coal required by the powerplant or major fuel burning installation and the location of such coal; and

(ii) The ability of the specified supplier (or other person) to provide the coal, including, but not limited to, the production facilities and capability, supply of coal, means and availability of transportation, the supplier's (or other person's) existing contractual commitments for coal, a comparison of the cost of such coal with the fuel cost expectations of the powerplant or major fuel burning installation, and with respect to powerplants, the impact of the cost of such coal on electric power rates.

(2) No powerplant or major fuel burning installation that has been issued a prohibition order shall be eligible for an allocation of coal (i) prior to expiration of a two-year period that commences on the date, as stated in a Notice of Effectiveness issued in accordance with § 303.10 and 303.37(b) of this chapter, on which such powerplant or installation is prohibited from burning natural gas or petroleum products as its primary energy source; and (ii) unless such powerplant or major fuel burning installation has demonstrated that the FEA finding that must precede issuance of a prohibition order as to availability of coal, as provided in §§ 305.3(b)(3)(i) and 305.4(b)(3)(i) of this chapter, has been substantially affected by significantly changed circumstances, as such term is defined in § 303.57(b)(1)(ii) of this chapter.

(3) FEA may issue a supply order to a supplier (or other person) to require that coal be provided to a powerplant or to combinations thereof at a single site, or be provided to an individual fossil-fuel fired boiler, burner or other combuster of fuel, or to combinations thereof at a single site.

(b) Any person designated by the Administrator of EPA as one upon whom a fuel exchange requirement should be imposed to avoid or minimize the adverse impact on public health and welfare of the conversion by any fuel burning stationary source to the burning of coal as its primary energy source, as described in section 119(c) of the Clean Air Act, or of an allocation of coal or petroleum products, shall be provided, by exchange, specified quantities of coal during any period prior to December 31, 1978 from a specified supplier (or other person) by means of the issuance of a supply order to such supplier (or other person) unless FEA determines (after consultation with the Administrator of EPA) that the costs or consumption of fuel resulting from requiring such exchange will be excessive. For purposes of this paragraph, the determination whether the costs or consumption of fuel resulting from such fuel exchange will be excessive shall include an analysis, with respect to each person upon whom the fuel exchange requirement is to be imposed of—

(1) The costs associated with burning such fuel, including the price of coal, transportation, any new equipment or the modification of existing equipment required to burn such coal and the disruption of contractual commitments, as compared with the fuel burning costs of each person if no fuel exchange requirement is imposed;

(2) A comparison of the rate of usage of the fuel presently utilized by the person designated with the coal proposed to be utilized; and

(3) The costs to consumers of goods and services that may be affected by the imposition of a fuel exchange requirement.

(c) Any person located in an area of the United States that has been designated by the Administrator of EPA as an area that requires that available low sulfur fuel be distributed to it on a priority basis to avoid or minimize adverse impact on public health, upon application may be provided, to the maximum extent practicable, specified quantities of coal during any period prior to December 31, 1978 from a specified supplier (or other person) by means of the issuance of a supply order. For purposes of this paragraph, the determination whether the distribution of coal on a priority basis within a designated area is practicable shall include an analysis of—

(1) The type of coal that is required to satisfy the needs of persons within the designated area, the availability of such coal and the capability of a supplier (or other person) to meet the demand resulting from the imposition of such requirement, the means and availability of transportation of such coal to persons located within the designated area;

(2) The adverse impact, if any, that the setting of a priority for the providing of such coal to persons located in the designated area would have on a supplier (or other person) and on the persons to whom such supplier (or other person) currently provide or intend to provide coal; and

(3) The extent to which FEA finds, after consulting with the Administrator of EPA, that the providing of such coal to persons located in the designated area would substantially further the Administrator of EPA's objectives in making such designation.

(d)(1)(i) Upon issuance of a supply order, the specified supplier (or other person) shall provide the coal in accordance with the terms and conditions stated in such order. Such terms and conditions shall include, but not be limited to, the person to whom the coal is to be provided, quantity of coal to be provided, duration of supply obligation, type of coal, and delivery schedule.

(ii) The order also shall provide that within 30 days from the issuance of such order, the person to be provided coal and the supplier (or other person) shall agree upon a fair and reasonable negotiated price at which such coal shall be provided for the duration of the supply order or, in the case of a fuel exchange, a fair and reasonable price differential, if appropriate. The order shall state that if the parties are unable to agree, either may, within 10 days after the expiration of the 30-day period, file an application for a determination by FEA of a fair and reasonable price at which the allocated coal shall be provided. Where no agreement as to price is reached, or where no application for FEA determination has been filed within the 10-day period, FEA may, for the purpose of assuring effectuation of the supply order, initiate proceedings for the determination of a fair and reasonable price.

(2) If FEA is required to determine the fair and reasonable price at which coal is to be allocated by issuance a supply order, FEA shall use as guidelines in establishing such price the average contract and spot prices of coal paid by purchasers of coal located in the geographic region to which the allocated coal is to be provided, as reported in the "Monthly Fuel Cost and Quality Information" issued by the Federal Power Commission for the most recent month for which

such average prices, are listed. In establishing such price, FEA shall take into consideration the particular conditions under which the coal will be provided, including the duration of the supply order, the cost of transportation, the type of coal to be provided and any other conditions which, in the discretion of FEA, should be considered in order to preserve an equitable purchaser-supplier relationship between the supplier (or other person) and the authorized purchaser.

(3) A supply order that directs a supplier (or other person) to provide coal to a person located in an area of the United States designated by the Administrator of EPA as an area requiring, to the maximum extent practicable, available low sulfur fuel to avoid or minimize adverse impact on public health may require that existing or prospective coal supply contracts between the supplier (or other person) and a person located in such area be given priority over the supplier's (or other person's) other existing or prospective coal supply contracts.

§ 309.4 Modification and rescission of supply orders.

FEA may modify or rescind any supply order, at any time up to and including December 31, 1978. A modification or rescission of a supply order may be the result of an FEA action taken on its initiative or at the conclusion of proceedings initiated by an application.

§ 309.5 Procedures.

(a) All applications for a supply order or modification or rescission thereof shall be filed with FEA in accordance with Subparts D and K, respectively, of Part 303 of this chapter.

(b) Procedures pertaining to issuance of supply orders, the modification or rescission thereof, or appeal of such orders (*e.g.*, notice, content of order, process of evaluation, appeal) are stated in Subparts D, H, and K, respectively, of Part 303 of this chapter.

[FR Doc.75-15601 Filed 6-12-75;9:49 am]

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[9 CFR Parts 303, 381]

SALES BY EXEMPT RETAIL STORES

Public Hearing

On May 4, 1975, there appeared in the FEDERAL REGISTER (40 FR 21982), a notice that the Animal and Plant Health Inspection Service has scheduled a public hearing for July 9, 1975, at 10 a.m. in the Jefferson Auditorium, USDA South Building, Independence Avenue between 12th and 14th Streets, Washington, D.C. 20250. The purpose of the hearing is to allow all interested parties an opportunity to express comments on the Department's proposal as announced in the April 8, 1975, FEDERAL REGISTER, that would provide amendments to the USDA meat and poultry inspection regulations permitting retail stores exempted from Federal inspection in designated States to sell in intrastate commerce certain prepackaged inspected meat and poultry products in normal retail quantities to nonhousehold consumers without affecting percentage and annual dollars sales limitations provided in § 303.1(d)(2)(iii) of the meat inspection regulations and § 381.10(d)(2)(iii) of the poultry products inspection regulations.

Since the appearance of the May 4 announcement, the number of inquiries on the July 9 hearing indicates it has widespread interest. It appears necessary, therefore, in order to promote an orderly proceeding, that the Department be notified prior to the hearing in writing by those wishing to testify at the hearing. Witnesses will be provided opportunities to testify in the order in which their requests to be heard are received by the Department. It will not be necessary, however, to file a statement prior to the hearing. Any interested person or his attorney who has not filed a request to testify with USDA will nevertheless be permitted to testify on the subject matter, after the preregistered witnesses have been heard.

Requests to testify at the July 9 hearing should be forwarded to the Issuance Coordination Staff, Technical Services, Animal and Plant Health Inspection Service, United States Department of Agriculture, Washington, D.C. 20250.

Done at Washington, D.C., on June 11, 1975.

F. J. MULHERN,
Administrator, Animal and Plant Health Inspection Service.

[FR Doc.75-15660 Filed 6-12-75;12:02 pm]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 231, 239, 241, 249]

[Release Nos. 33-5588, 34-11449, 35-19010; File No. S7-566]

OIL AND GAS RESERVE DISCLOSURE

Definitions and Classifications

The Securities and Exchange Commission today published for comment proposed amendments to Forms S-1 (17 CFR 239.11) and S-7 (17 CFR 239.26) under the Securities Act of 1933 ("Securities Act") and proposed amendments to Forms 10 (17 CFR 249.210) and 10-K (17 CFR 249.310) under the Securities Exchange Act of 1934 ("Exchange Act") to require disclosure of oil and gas reserves and to provide definitions and classifications of the term "reserves." The Commission also published a proposed amendment to Guide 2 of the Guides for Preparation and Filing of Reports and Registration Statements under the Exchange Act to make Guide 2 applicable to reserves disclosed under Form 10-K. In addition, Guide 2 under the Exchange Act and Guide 28 of the Guides for Preparation and Filing of Registration Statements under the Securities Act are proposed to be amended to clarify the existing disclosure requirements re-

lating to market prices of oil and gas.[1]

This release contains a general discussion of the purpose and general effect of the proposals to assist in a better understanding of their provisions. A brief synopsis of each proposal is also included. However, attention is directed to the proposals themselves for a more complete understanding.

BACKGROUND AND GENERAL DESCRIPTION

At the present time, Item 10 of Form S-1 under the Securities Act and Item 3 of Form 10 under the Exchange Act contain identical requirements relating to the description of properties, including an identical Instruction 2 dealing with extractive enterprises. Item 3 of Form 10-K under the Exchange Act contains the same properties item description as in Forms S-1 and 10, but does not have the instruction relating to extractive enterprises. Form S-7 under the Securities Act has no properties item, but in the case of an extractive enterprise requires appropriate disclosure as to development, reserves and production in the description of business, Item 5(a).

In reviewing and commenting on the filings of extractive enterprises on Forms S-1 and S-7 under the Securities Act and Form 10 under the Exchange Act, the Commission's staff has developed disclosure regarding oil and gas reserves which the Commission believes to be meaningful and important to investors. The amendments proposed in this release would make explicit the expected disclosure and would also require such disclosure to be made on an annual basis in a report on Form 10-K. To facilitate an understanding of and compliance with these disclosure requirements, the proposed amendments include definitions and classifications of the term "reserves."

In connection with the proposed amendment to Form 10-K under the Exchange Act, Guide 2 of the Guides for Preparation and Filing of Reports and Registration Statements under the Exchange Act which relates to disclosure of natural gas reserves would be amended to make it applicable to reserves disclosed in a report on Form 10-K. Finally, Guide 2 under the Exchange Act and Guide 28 under the Securities Act would be amended to clarify the existing requirements relating to market prices of oil and gas to reflect the use of "averages."

SYNOPSIS

The proposed amendments are intended to require the same disclosure in Forms S-1 and S-7 under the Securities Act and in Forms 10 and 10-K under the Exchange Act. Accordingly, a detailed synopsis is presented only for the proposed amendments to Form S-1.

[1] The Guides are not rules of the Commission nor are they published as bearing the Commission's official approval; they represent policies and practices followed by the Commission's Division of Corporation Finance in administering the disclosure requirements of the federal securities laws.

FORM S-1

Proposed paragraph (a) This proposed amendment would place the existing requirements of Item 10 under paragraph (a) and, since Instruction 2 to Item 10 refers to reserves, would provide a note which would refer to the disclosure requirements relating to oil and gas reserves specified in proposed paragraph (b).

Proposed paragraph (b) Proposed paragraph (b) would require disclosures where oil and gas operations are material to the registrant's business operations or financial position. The disclosures would include: (1) Net oil and gas production for oil in barrels and gas in MCF for each of the last five years, by continent, country, or other appropriate geographic area; (2) the total gross and net productive wells, expressed separately for oil and for gas, and the total gross and net producing acres; (3) estimates of proved developed and proved undeveloped future net recoverable oil and gas by the same geographic area(s) as used for production; (4) the "availability" (as defined) of oil and gas from the present supply for at least one year; (5) any oil or gas reserve estimates filed with or included in reports to any other federal, state or foreign regulatory authority or agency within the last year (or a statement that there were none) together with the name of the authority or agency and an explanation of the reasons for differences, if any, between such estimates and the estimates included in the registration statement; (6) the amounts of undeveloped acreage, both leases and concessions, if any, expressed in both gross and net acres by state, country, or other appropriate geographic area, together with an indication of acreage concentrations, and, where material, the minimum remaining terms of wells in process of drilling, waterfloods in process of installation, pressure maintenance operations, and other related operations of material importance. For purposes of the requirement relating to the number of wells, one or more completions in the same bore hole would be counted as one well and a footnote would be required to disclose the number of wells with multiple completions.

It should be noted that the proposed requirement to disclose estimates filed with other agencies and to explain any differences contains no de minimis limitation related either to the significance of the estimate filed with the other agency or to the magnitude of the difference. The Commission specifically invites comments as to whether either or both of such limitations would be appropriate. For example, disclosure could be required only where the estimate filed with the other agency represents a certain percentage of the aggregate estimate filed with the Commission and an explanation required only when the difference between the estimate filed with the other agency and the related estimate included in such aggregate exceeds a certain percentage.

The Commission also specifically invites comments on the appropriateness

of the requirement to disclose estimates and to explain differences with respect to filings with foreign jurisdictions.

Proposed instructions to paragraph (b). The proposed instructions would indicate that the required information should be furnished in tabular form whenever practicable and would provide that estimates of future recoverable oil and gas shall be limited to proved developed and proved undeveloped future net recoverable reserves. Specific definitions and subclassifications of the terms "proved reserves," "proved developed reserves" and "proved undeveloped reserves" would be provided. The term "availability" would also be defined.

Another proposed instruction would indicate that the proposed item would not apply to oil and gas drilling or income programs involving the use of a joint venture and/or limited partnership for the acquisition of properties either for drilling and production, or for production of oil, gas, or geothermal steam or water. The Commission's staff is in the process of developing specific requirements relating to such arrangements.

FORM S-7

The proposed amendment to Form S-7 under the Securities Act would be identical to that proposed under Form S-1, except that it would be proposed under Item 5 and would be designated as paragraph (f).

FORM 10

The proposed amendment to Form 10 under the Exchange Act would be identical to that proposed under Form S-1, except that it would be proposed under Item 3 and the note to Instruction 3 would refer to Guide 2 under the Exchange Act.

FORM 10-K

The proposed amendment to Form 10-K under the Exchange Act would be identical to that proposed under Form S-1 except that (1) the proposed note to proposed paragraph (a) would not be included since the instructions to existing Item 3 of Form 10-K do not presently refer to "reserves"; (2) the note to Instruction 3 would refer to Guide 2 under the Exchange Act; and (3) paragraph (b)(5) would refer to "report" rather than "registration statement."

GUIDE 2 UNDER THE EXCHANGE ACT

Guide 2 of the Guides for Preparation and Filing of Reports and Registration Statements under the Exchange Act, "Disclosure of Extractive Reserves and Natural Gas Supplies" relates to disclosure by companies engaged in extractive operations or in the gathering, transmission, or distribution of natural gas. When Guide 2 was adopted (Exchange Act Release No. 10899, July 3, 1974) (39 FR 26720), the release specifically noted:

Although the Commission has not determined that such disclosure [relating to extractive reserves] is required in annual reports on Form 10-K or in other periodic reports under the Exchange Act, any company which voluntarily files extractive reserve information in such reports should comply with Guide 2(a).

Since, as indicated above, Form 10-K would be proposed to be amended to require disclosure of oil and gas reserves, Guide 2 would also be amended to make it applicable to the Form 10-K requirements concerning oil and gas reserves. Accordingly, paragraph (a) of Guide 2 would be amended to provide a specific reference to the requirements concerning oil and gas reserves contained in Item 3(b) of Form 10-K. Since paragraph (b) of Guide 2 already refers to Item 3 of Form 10-K, no amendment is necessary.

Paragraph (a) of Guide 2 would also be amended to include the word "average" with respect to current market prices for oil and gas. The Commission believes that this amendment merely clarifies the requirement since averages necessarily are involved in the calculation of these market prices.

GUIDE 28 UNDER THE SECURITIES ACT

Paragraph (a) of Guide 28 of the Guides for Preparation and Filing of Registration Statements under the Securities Act would be amended to include the word "average" as under Guide 2.

OPERATION OF PROPOSALS

The Commission is mindful of the cost to registrants of its proposals and it recognizes its responsibilities to weigh with care the costs and benefits which result from its rules. Accordingly, the Commission specifically invites comments on the cost to registrants of the proposals published in this release, if adopted.

The Commission hereby proposes for comment amendments to Forms S-1 and S-7 and to Guide 28 pursuant to sections 6, 7, 10 and 19(a) of the Securities Act and proposed amendments to Forms 10 and 10-K and to Guide 2 pursuant to Sections 12, 13, 15(d) and 23(a) of the Exchange Act. All interested persons are invited to submit their views and comments on the foregoing proposals to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549 on or before July 15, 1975. Such communications should refer to File No. S7-566. All such communications will be available for public inspection. The text of the proposed amendments to Forms S-1, S-7, 10 and 10-K and to Guide 28 under the Securities Act and Guide 2 under the Exchange Act is set forth below.

By the Commission.

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

MAY 30, 1975.

Form S-1 is proposed to be amended to read as follows:

* * * * *

§ 239.11 Form S-1, registration statement under the Securities Act of 1933.

* * * * *

Item 10. Description of Property

(a) * * *

NOTE: See paragraph (b) for disclosure requirements relating to oil and gas reserves.

(b) Where oil and gas operations are material to the registrant's business operations or financial position, disclose the following under appropriate captions:

(1) Net oil and gas production for oil in barrels and gas in MCF for each of the last five years, by continent, by country, or other appropriate geographic area.

(2) The total gross and net productive wells, expressed separately for oil and for gas, and the total gross and net producing acres.

(3) Estimates of proved developed and proved undeveloped future net recoverable oil and gas by the same geographic area(s) as used for production in paragraph (b)(1) above.

(4) The availability of oil and gas from the present supply for at least one year.

(5) Any oil or gas reserve estimates filed with or included in reports to any other federal, state or foreign regulatory authority or agency within the last year (or a statement that there were none), together with the name of the authority or agency and an explanation of the reasons for differences, if any, between such estimates and the estimates included in the registration statement.

(6) The amounts of undeveloped acreage, both leases and concessions, if any, expressed in both gross and net acres by state, country, or other appropriate geographic area, together with an indication of acreage concentrations, and, where material, the minimum remaining terms of leases and concessions.

(7) Present activities, such as the number of wells in process of drilling, waterfloods in process on installation, pressure maintenance operations, and other related operations of material importance. For purposes of this requirement, one or more completions in the same bore hole shall be counted as one well. A footnote shall disclose the number of wells with multiple completions.

Instructions. 1. The required information should be furnished in tabular form whenever practicable.

2. Estimates of future recoverable oil and gas shall be limited to proved developed and undeveloped future net recoverable reserves. For purposes of this instruction "proved reserves" are defined to be those quantities of crude oil, natural gas, and natural gas liquids which, upon analysis of geologic and engineering data, appear with reasonable certainty to be recoverable in the future from known oil and gas reservoirs existing economic and operating conditions. Proved reserves are limited to those quantities of oil and gas which can be expected, with little doubt, to be recoverable commercially at current prices and costs, under existing regulatory practices and with existing conventional equipment and operating methods. Depending upon their status of development, such proved reserves shall be subdivided into the following classifications:

(a) *Proved Developed Reserves.* These are proved reserves which can be expected to be recovered through existing wells with existing equipment and operating methods. This classification shall include:

(1) *Proved Developed Producing Reserves.* These are proved developed reserves which are expected to be produced from existing completion interval(s) now open for production in existing wells; and

(2) *Proved Developed Non-Producing Reserves.* These are proved developed reserves which exist behind the casing of existing wells, or at minor depths below the present bottom of such wells, which are expected to be produced through these wells in the predictable future, where the cost of making such oil and gas available for production should be relatively small compared to the cost of a new well.

Additional oil and gas expected to be obtained through the application of fluid injection or other improved recovery technique for supplementing the natural forces and mechanisms of primary recovery should be included as "Proved Developed Reserves" only after testing by a pilot project or after the operation of an installed program has confirmed through production response that increased recovery will be achieved.

(b) *Proved Undeveloped Reserves.* These are proved reserves which are expected to be recovered from new wells on undrilled acreage, or from existing wells where a relatively major expenditure is required for recompletion. Reserves on undrilled acreage shall be limited to those drilling units offsetting productive units, which are virtually certain of production when drilled. Proved reserves for other undrilled units can be claimed only where it can be demonstrated with certainty that there is continuity of production from the existing productive formation.

Under no circumstances should estimates for proved undeveloped reserves be attributable to any acreage for which an application of fluid injection or other improved recovery technique is contemplated, unless such techniques have been proved effective by actual tests in the area and in the same reservoir. If warranted, however, a narrative discussion can be provided to point out those areas where future drilling or other operations may develop oil and gas production which at the time of filing is considered too uncertain to be expressed as numerical estimates for proved reserves.

3. The term "availability" is defined to be an estimate of that quantity of oil and gas which can be produced from current proved developed reserves using presently installed equipment under existing economic and operating conditions in a given future time period, such as a day, a month, or a year. Such estimate shall be based on past performance, and shall represent an estimate of the amount of oil and gas that can be produced for a future time period from existing proved developed reserves under normal operations with current prices and costs. Such estimates of available oil and gas should be stated for a minimum of one year, but for no more than five years.

NOTE: See paragraph (b) of Guide 28 under the Act for the definition of "availability" which is to be used with respect to gas supplies of companies engaged in the gathering, transmission, or distribution of natural gas.

4. This Item 10(b) shall not apply to oil and gas drilling or income programs involving the use of a joint venture and/or limited partnership for the acquisition of properties either for drilling and production, or for production of oil, gas, or geothermal steam or water.

* * * * *

Form S-7 is proposed to be amended to read as follows:

* * * * *

§ 239.26 Form S-7, for registration under the Securities Act of 1933 of securities of certain issuers to be offered for cash.

* * * * *

Item 5. Business

(a) * * *

NOTE: See paragraph (f) for disclosure requirements relating to oil and gas reserves.

* * * * *

(f) [The same paragraph as proposed under Form S-1 is proposed here, but is not

repeated to avoid unnecessary duplication.]

(g) [No change from existing paragraph (f)]

* * * * *

Form 10 is proposed to be amended to read as follows:

* * * * *

§ 249.210 Form 10, general form for registration of securities pursuant to section 12 (b) or (g) of the Securities Exchange Act of 1934.

* * * * *

Item 3. Properties

(a) * * *

NOTE: See paragraph (b) for disclosure requirements relating to oil and gas reserves.

(b) [The same paragraph as proposed under Form S-1 is proposed here, except that in the Note to Instruction 3 the reference would be to Guide 2 under the Exchange Act.]

* * * * *

Form 10-K is proposed to be amended to read as follows:

§ 249.310 Form 10-K, annual report pursuant to section 13 or 15(d) of the Securities Exchange Act of 1934.

* * * * *

Item 3. Properties

(a) * * *

(b) [The same paragraph as proposed under Form S-1 is proposed here, except that in paragraph (b)(5) "registration statement" would be changed to "report" and the Note to Instruction 3 would refer to Guide 2 under the Exchange Act.]

* * * * *

Guide 2 is proposed to be amended to read as follows:

2. Disclosure of Extractive Reserves and Natural Gas Supplies.

(a) Items 1(b) and 3 of Form 10 and Item 3(b) of Form 10-K require that companies engaged in extractive operations include, where appropriate, the quantitative amount of their estimated reserves. If appropriate, the current average market value price per barrel of oil, m.c.f. of gas, or the assay value per ton of ore may also be shown, but it is deemed inappropriate to show a dollar amount equal to the market price multiplied by the number of barrels of oil, m.c.f. of gas, or tons of ore.

* * * * *

Guide 28 is proposed to be amended to read as follows:

28. Disclosure of Extractive Reserves and Natural Gas Supplies.

(a) Instruction 2 to Item 10 of Form S-1 and Item 5(a) of Form S-7 require that registrants engaged in extractive operations include in their prospectus, where appropriate, the quantitative amount of their estimated reserves. If appropriate, the current average market price per barrel of oil, m.c.f. of gas, or the assay value per ton of ore may also be shown, but it is deemed inappropriate to show a dollar amount equal to the market price multiplied by the number of barrels of oil, m.c.f. of gas, or tons of ore.

* * * * *

(Secs. 6, 7, 10, 19(a), 48 Stat. 78, 81, 85; secs. 12, 13, 15(d), 23(a), 48 Stat. 892, 894, 895, 901; secs. 205, 209, 48 Stat. 906, 908; secs. 1, 3, 8, 49 Stat. 1375, 1377, 1379; secs. 8, 202, 68 Stat. 685, 686; secs. 3, 4, 6, 78 Stat. 565-568, 569, 570-574; sec. 1, 79 Stat. 1051; secs. 1, 2, 82 Stat. 454; secs. 1, 2, 28(c), 84 Stat. 1435, 1497; 15 U.S.C. 77f, 77g, 77j, 77s(a), 78l, 78m, 78o(d), 78w(a)).

[FR Doc.75-15602 Filed 6-13-75;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

[CM-5E/1]

ADVISORY COMMITTEE ON TRANSNATIONAL ENTERPRISES

Establishment of Advisory Committee

In accordance with section 9(a)(2) of Pub. L. 92-463 the Department of State has established, with the approval of the Director, Office of Management and Budget, the Advisory Committee on Transnational Enterprises, and obtained the approval for simultaneous announcement of the establishment of the Committee and notice of its first meeting.

It has been determined that it is in the public interest to have a committee comprised of public members to advise as to major issues and problems relating to transnational enterprises, including performance of the following functions:

(a) To provide information and advice on both public and private aspects of current foreign affairs issues involving transnational enterprises;

(b) To provide information and advice on the business and economic implications, as well as the technical feasibility, of various proposals made with respect to codes of conduct covering such matters as restrictive business practices, technology transfer, labor relations, information sharing, political activities, socio-cultural effects and other matters involving transnational enterprises, and to provide advice and assistance in the formulation of United States policy, positions and proposals for multilateral and bilateral negotiations on these subjects; and

(c) In furtherance of the objectives referred to in paragraphs (a) and (b), through working groups and subcommittees, to provide advice and assistance and to carry out special studies and research in particular areas related to transnational enterprises, as the Committee may deem advisable, with a view to the promotion of the best interests of the United States in these fields.

The objective of the Committee is to bring to the Department, and through the Department to other interested agencies and interagency, committees and groups of the United States Government, a source of expertise, knowledge and insight not available within the Department or elsewhere in the government, on issues and problems relating to transnational enterprises.

The Committee will have a Chairman, Vice-Chairman and Executive Secretary, the latter position to be filled by the Assistant Legal Adviser for Economic and Business Affairs of the Department, or his designee. The membership of the Committee will compromise approximately 30 persons from the public, to be drawn from private industry, the academic community, labor, the private bar and other areas, who will be chosen for their expertise in matters relevant to issues relating to transnational enterprises.

Dated: June 9, 1975.

PHILLIP R. TRIMBLE,
Executive Secretary, Committee on Transnational Enterprises.

[FR Doc.75-15525 Filed 6-12-75;8:45 am]

[CM-5/61]

ADVISORY COMMITTEE ON TRANSNATIONAL ENTERPRISES

Meeting

The Advisory Committee on Transnational Enterprises will hold its first meeting on Monday, June 30, at 10 a.m. in Room 1207 of the Department of State, 2201 C St. NW., Washington, D.C. The meeting will be open to the public.

Because of the importance of the function of this Committee, the Office of Management and Budget has approved the simultaneous announcement of the establishment of the Committee and notice of its first meeting.

The purpose of the group's meeting will be to discuss ongoing work in international organizations, such as the United Nations Commission on Transnational Corporations and the International Investment and Multinational Enterprises Committee of the Organization of Economic Cooperation and Development, related to transnational enterprises, including work on a statement of principles relating to the activities of transnational enterprises.

Among the items on the agenda are:

1) Election of officers and organization of the Committee.
2) Organization of work program.
3) Discussion of transnational enterprise issues in international organizations.

Requests for further information on the meeting should be directed to Stephen Bond, Department of State, Office of the Legal Adviser, 2201 C Street, NW., Washington, D.C. 20520. He may be reached by telephone on (area code 202) 632-0349.

Members of the public wishing to attend the meeting must contact Mr. Bond in order to arrange entrance to the State Department building.

The Chairman will, as time permits, entertain oral comments from members of the public attending the meeting.

Dated: June 9, 1975.

PHILLIP R. TRIMBLE,
Executive Secretary, Committee on Transnational Enterprises.

[FR Doc.75-15526 Filed 6-12-75;8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary

DEFENSE SCIENCE BOARD TASK FORCE ON ACCURACY

Advisory Committee Meeting

The Defense Science Board Task Force on Accuracy will meet in closed session on July 16 and 17, 1975 at Aerospace Corporation, El Segundo, California.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on overall research and engineering and to provide long range guidance in these areas to the Department of Defense.

The Task Force will undertake a review of the accuracy of U.S. and Soviet strategic offensive systems to determine the confidence that can be placed in our present estimates of accuracy and it will recommend an R&D program which can lead to improved accuracy.

In accordance with section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Task Force meeting concerns matters listed in section 552(b) of Title 5 of the United States Code, specifically subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

MAURICE W. ROCHE,
Director, Correspondence and Directives OASD (Comptroller).

JUNE 10, 1975.

[FR Doc.75-15485 Filed 6-12-75;8:45 am]

WAGE COMMITTEE

Closed Meetings

Pursuant to the provisions of section 10 of Pub. L. 92-463, the Federal Advisory Committee Act, effective January 5, 1973, notice is hereby given that a meeting of the Department of Defense Wage Committee will be held on Tuesday, July 1, 1975; Tuesday, July 8, 1975; Tuesday, July 15, 1975; Tuesday, July 22, 1975, and Tuesday, July 29, 1975, at 9:45 a.m. in Room 1E-801, The Pentagon, Washington, D.C.

The Committee's primary responsibility is to consider and submit recommendations to the Assistant Secretary of Defense (Manpower and Reserve Affairs) concerning all matters involved in the development and authorization of wage schedules for Federal prevailing rate employees pursuant to Pub. L. 92-392. At this meeting, the Committee will consider wage survey specifications, wage survey data, local wage survey committee reports and recommendations, and wage schedules derived therefrom.

Under the provisions of section 10(d) of Pub. L. 92-463, the Federal Advisory Committee Act, meetings may be closed to the public when they are "concerned with matters listed in section 552(b) of Title 5, United States Code." Two of the matters so listed are those "related solely to the internal personnel rules and practices of an agency," (5 USC 552(b)(2)), and those involving "trade secrets and commercial or financial information obtained from a person and privileged or confidential" (5 USC 552(b)(4)).

Accordingly, the Deputy Assistant Secretary of Defense (Civilian Personnel Policy) hereby determines that this meeting will be closed to the public because the matters considered are related to the internal rules and practices of the Department of Defense, (5 USC 552(b)(2)), and the detailed wage data considered by the Committee during its meetings have been obtained from officials of private establishments with a guarantee that the data will be held in confidence, (5 USC 552(b)(4)).

However, members of the public who may wish to do so, are invited to submit material in writing to the Chairman concerning matters believed to be deserving of the Committee's attention. Additional information concerning this meeting may be obtained by contacting the Chairman, Department of Defense Wage Committee, Room 3D281, The Pentagon, Washington, D.C.

MAURICE W. ROCHE,
Director, Correspondence and Directives OASD(C).

JUNE 10, 1975.

[FR Doc.75-15486 Filed 6-12-75;8:45 am]

DEPARTMENT OF JUSTICE

Law Enforcement Assistance Administration

PRIVATE SECURITY ADVISORY COUNCIL

Cancelled Meeting

Notice is hereby given that the meeting of the Law Enforcement/Private Security Relationship Study Committee of the Private Security Advisory Council to the Law Enforcement Assistance Administration, which had been scheduled to take place Friday, June 13, 1975, at the Marriott at O'Hare International Airport, Chicago, Illinois, has been cancelled. The meeting had been previously announced on page 23481 of the May 30, 1975, issue of the FEDERAL REGISTER.

The meeting will be rescheduled at a later date.

For further information, contact: Mr. Irving Slott, Director, Program Development and Evaluation, Office of National Priority Programs, LEAA, U.S. Department of Justice, 633 Indiana Avenue NW., Washington, D.C. 20531. 202/376-3687.

GERALD YAMADA,
Attorney-Advisor, Office of General Counsel.

[FR Doc.75-15617 Filed 6-12-75;10:11 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM 25714, 25715]

NEW MEXICO

Applications

JUNE 4, 1975.

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), Northwest Pipeline Corporation has applied for a cathodic protection station and two 4½ inch natural gas pipeline rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 27 N., R. 5 W.,
Sec. 24, NE¼NE¼.
T. 29 N., R. 6 W.,
Sec. 31, N½NW¼;
Sec. 33, NE¼NW¼.

The cathodic protection station and the pipelines will be used to convey natural gas across .287 miles of national resource lands is Rio Arriba County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the applications 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, 3550 Pan American Freeway, NE, Albuquerque, NM 87107.

RAUL E. MARTINEZ,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-15466 Filed 6-12-75;8:45 am]

[NM 25713, 25716, 25717, 25750]

NEW MEXICO

Applications

JUNE 4, 1975.

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), El Paso Natural Gas Company has applied for a cathodic protection station and four 4½ inch natural gas pipeline rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 4 S., R. 17 E.,
Sec. 19, SE¼SW¼;
Sec. 30, Lot 1 and NE¼NW¼.
T. 21 S., R. 26 E.,
Sec. 1, Lots 9, 16 and E½SE¼;
Sec. 12, NE¼NE¼.
T. 21 S., R. 27 E.,
Sec. 4, SW¼SE¼;
Sec. 9, W½NE¼.
T. 20 S., R. 32 E.,
Sec. 24, W½NE¼, SE¼NE¼, NE¼NW¼ and E½SE¼.
T. 20 S., R. 32 E.,
Sec. 19, Lot 4;
Sec. 30, Lots 1, 2 and SE¼NW¼.

The cathodic protection station and the pipelines will be used to convey natural gas across 3.512 miles of national resource lands in Eddy, Lea and Lincoln Counties, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the applications 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, NM 88201.

RAUL E. MARTINEZ,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-15467 Filed 6-12-75;8:45 am]

Fish and Wildlife Service

ENDANGERED SPECIES PERMIT

Receipt of Application

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

Applicant.

Utah Cooperative Wildlife Research Unit
Utah State University
Logan, Utah 84322
J. Juan Spillett, Acting Unit Leader

OMB NO. 42-R1020

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)
☐ IMPORT OR EXPORT LICENSE ☒ PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
Trap, sex, weight, tag, dye mark and release immediately up to 400 Utah prairie dogs.
Hold 5 prairie dogs in captivity for feed trials.

3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)
Utah Coop. Wildlife Research Unit
Utah State University UMC 52
Logan, Utah 84322
(801) 752-4100 ext 7938
FTS (801) 753-7938

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING
☐ MR. ☐ MRS. ☐ MISS ☐ MS.
HEIGHT WEIGHT
DATE OF BIRTH COLOR HAIR COLOR EYES
PHONE NUMBER WHERE EMPLOYED SOCIAL SECURITY NUMBER
OCCUPATION
ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION
Federal research (USFW)
NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC. 752-1400 ext. 7938
J. Juan Spillett, Acting Unit Leader
IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
Garfield, Iron, Sevier, Piute Counties, Utah

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT ☒ YES ☐ NO
(If yes, list license or permit number)
Banding Permit 16506

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☐ YES ☐ NO
(If yes, list jurisdiction and type of document)
We have tentative approval subject to approval of federal permit

9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF
$

10. DESIRED EFFECTIVE DATE
3/25/75

11. DURATION NEEDED
8 months

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12(b)) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.
This research is directed towards discovering methods to assist the survival of the Utah Prairie Dog.

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In Ink) J. Juan Spillett
DATE Mar. 18, 1975

3-300 (5/74)

J. Juan Spillett

Date: MARCH 19, 1975.

To: Office of Endangered Species, Attention: Law Enforcement.

From: Acting Leader, Utah Coop. Wildlife Research Unit.

Subject: A temporary permit to capture, mark and release Utah Prairie Dogs (An Endangered Species).

We have been conducting research on the Utah Prairie Dog, an endangered species endemic to south central Utah, during the past 5 years. Presently we are in the final phases on a project concerning prairie dog-livestock relationships. This phase involves capturing, sexing, weighing, marking and releasing approximately 400 prairie dogs.

This is a critical part of the study and needs to begin as soon as possible. Last year we found that a high proportion of adult females disappeared during the whelping seasoning. Therefore, we feel it pertinent that we be able to trap, mark and release upwards of 400 prairie dogs this year to determine the extent of female mortality or migration during this critical period.

We have had considerable experience trapping and handling the Utah Prairie dogs and have had only 2 deaths in over 500 captures. We also wish to hold 5 prairie dogs in captivity for several months on feeding trials. At the end of the trials they will be released back into the colony from which they were originally captured.

In short, we need a temporary permit to conduct the above described activities during the interim while we are awaiting our permit application to be processed. Your consideration and assistance would be greatly appreciated. May we further impose upon you to contact us about the action taken as soon as possible. Our FTS No. is (801) 753-7928.

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

DEAR DR. BAVIN: I trust that the following information, as requested in your letter (FWS/LE PRT 8-188-C), will be enough to complete our Utah prairie dog capture permit.

17.23(a)

(1) Utah prairie dog (*Cynomys parvidens*) Capture and release up to 400 animals (any

sex or age) Hold for feed trials 5 animals (any sex or age)

(2) Not Applicable

(3) One of the main objectives of this study concerns the quantification of food intake by prairie dog colonies. Necessary to this objective is the determination of prairie dog densities and weights, both of which require trapping. The determination of digestion coefficients require that animals be held in captivity. The 5 animals to be held in captivity would be slowly introduced into dog-towns after digestion studies were completed. Please see the attached contract.

(4) Panquitch USFS compound

(5) The wildlife is still in the wild

(6) Not applicable

(7) (i) Usually captives will be held in a 2x3x2.5 foot cage. They will be allowed to exercise within the researcher's quarters. (ii), (iii), (iv) not applicable

Sincerely,

J. JUAN SPILLETT,
Acting Unit Leader.

AWARD FORM 26, JULY 1966
GENERAL SERVICES ADMINISTRATION
PROC. REG. (41CFR) 1-16.101

AWARD/CONTRACT

1 1

CONTRACT (Prov. Inst. Ident.) NO. 14-16-0008-1117

2. EFFECTIVE AUG 9, 1973

3. REQUISITION/PURCHASE REQUEST/PROJECT NO.

CERTIFIED FOR NATIONAL DEFENSE UNDER DOSA REG. 2 AND/OR DMS REG. 1, RATING:

4. ISSUED BY CODE
U.S. Department of the Interior
Bureau of Sport Fisheries & Wildlife
Washington, D.C. 20240

6. ADMINISTERED BY (If other than Blk 4) CODE
Bureau of Sport Fisheries & Wildlife
Dr. Jessop B. Low, Utah Coop. Wildlife Research Unit, Utah State University, Logan, Utah 84321

7. DELIVERY FOB DESTINATION ☐ OTHER (See below) ☒

8. CONTRACTOR NAME AND ADDRESS (Street, city, county, State, and ZIP code) CODE FACILITY CODE
Utah State University
Logan, Utah 84321

9. DISCOUNT FOR PROMPT PAYMENT

10. SUBMIT INVOICES (4 copies unless otherwise specified) TO ADDRESS SHOWN IN BLOCK

11. SHIP TO/MARK FOR CODE
Utah Coop. Wildlife Research Unit
Utah State University
Logan, Utah 84321

12. PAYMENT WILL BE MADE BY CODE
Bureau of Sport Fisheries and Wildlife
Region 6, 10597 West 6th Avenue
Denver, Colorado 80215

13. THIS PROCUREMENT WAS ☐ ADVERTISED, ☒ NEGOTIATED, PURSUANT TO: ☐ 10 U.S.C. 2304 (a)( ) ☒ 41 U.S.C. 252 (c)(5)

14. ACCOUNTING AND APPROPRIATION DATA

15. ITEM NO.	16. SUPPLIES/SERVICES	17. QUANTITY	18. UNIT	19. UNIT PRICE	20. AMOUNT
	The contractor will continue ecological and biological research on the Utah prairie dog (Cynomys parvidens Allen), an endangered species endemic to south-central Utah. The Utah Division of Wildlife Resources, Bureau of Land Management, and the Division of Wildlife Services of the Bureau of Sport Fisheries & Wildlife are assisting with the project. Initial phases of the project included determining (1) the distribution and abundance the species, (2) major ecological factors affecting it, (3) its breeding biology, and (4) methods of protecting colonies and of propagating animals in captivity to insure the survival of the species. This proposed phase of the project is primarily to determine prairie dog-livestock relationships in order that Utah prairie dogs on public and private lands may be better managed. A project outline and a budget breakdown are attached to the contract. This is part of the regular contribution of the BSFW to the Utah Coop. Wildlife Research Unit program. Period of Performance: August 9, 1973 through August 31, 1975.			FY 1974 FY 1975	$6,850.00 6,700.00

OFFICIAL COPY DO NOT REMOVE FROM FILE

21. TOTAL AMOUNT OF CONTRACT $ 13,550.00

CONTRACTING OFFICER WILL COMPLETE BLOCK 22 OR 26 AS APPLICABLE

22. ☒ CONTRACTOR'S NEGOTIATED AGREEMENT (Contractor is required to sign this document and return 1 copy to issuing office.) Contractor agrees to furnish and deliver all items or perform all the services set forth or otherwise identified above and on any continuation sheets for the consideration stated herein. The rights and obligations of the parties to this contract shall be subject to and governed by the following documents: (a) this award/contract, (b) the solicitation, if any, and (c) such provisions, representations, certifications, and specifications, as are attached or incorporated by reference herein. (Attachments are listed herein.)

26. ☐ AWARD (Contractor is not required to sign this document.) Your offer on Solicitation Number ..... including the additions or changes made by you which additions or changes are set forth in full above, is hereby accepted as to the items listed above and on any continuation sheets. This award consummates the contract which consists of the following documents: (a) the Government's solicitation and your offer, and (b) this award/contract. No further contractual document is necessary.

23. NAME OF CONTRACTOR
BY [signature] (Signature of person authorized to sign)

27. UNITED STATES OF AMERICA
BY Leland H. Barrineau (Signature of Contracting Officer)

24. NAME AND TITLE OF SIGNER (Type or print)	25. DATE SIGNED	28. NAME OF CONTRACTING OFFICER (Type or print)	29. DATE SIGNED
M. K. Jeppesen Contracts Officer	8/16/73	Leland H. Barrineau	Aug. 9,1973

30-103

U.S. GOVERNMENT PRINTING OFFICE: 1973 O-484-619

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

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before July 14, 1975 will be considered.

Dated: June 9, 1975.

LOREN K. PARCHER,
Acting Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.75-15504 Filed 6-12-75;8:45 am]

ENDANGERED SPECIES PERMIT

Receipt of Application

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

Applicant.

Donald B. Thurston
U.S. Fish and Wildlife Service
813 D Street
Anchorage, Alaska 99501

OMB NO. 42-R1070

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)
☐ IMPORT OR EXPORT LICENSE ☒ PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
Inventory the aeries and determine nesting success of peregrine falcons.

3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)
Donald B. Thurston
U.S. Fish and Wildlife Service
813 D Street
Anchorage, Alaska 99501

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:
☐ MR. ☐ MRS. ☐ MISS ☐ MS.
HEIGHT 5'10" WEIGHT 160
DATE OF BIRTH November 4, 1934
COLOR HAIR Red COLOR EYES Brown
PHONE NUMBER WHERE EMPLOYED 907-265-4894
SOCIAL SECURITY NUMBER 530-10-1272
OCCUPATION Supervisory Fish & Wildlife Bio.
ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT
U.S. Fish and Wildlife Service

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION
NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.
IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
Inventory in the Susitna River Basin, the upper Sagavanirktok River, and the upper Colville River areas of Alaska.

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT ☒ YES ☐ NO
(If yes, list license or permit number)
US F&WS Permit #PA 7-56-7

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☐ YES ☒ NO
(If yes, list jurisdictions and type of documents)

9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF
$

10. DESIRED EFFECTIVE DATE June 10, 1975

11. DURATION NEEDED July 31, 1975

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12(b)) MUST BE ATTACHED, IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In ink) Donald B. Thurston
DATE 13 May 1975

3-200 (5/74) Donald B. Thurston

RESPONSES TO REPORT REQUIREMENTS PURSUANT TO ZOOLOGICAL, EDUCATIONAL, SCIENTIFIC, OR PROPAGATION PERMITS

(50 CFR 17.23)

(1) Falcon, American peregrine, *Falco peregrinus anatum*; Falcon, Arctic peregrine, *Falco peregrinus tundrius*.
(2) N/A
(3) See project proposal attached.
(4) N/A
(5) N/A
(6) N/A
(7) N/A

Date: APRIL 25, 1975.

To: Director, Fish and Wildlife Service (D) Washington, D.C., Attn: Chief, Law Enforcement.

From: Area Director, Fish and Wildlife Service Anchorage, Alaska.

Subject: Request For An Endangered Species Permit.

This is a request for an Endangered Species Permit to inventory populations of the endangered American peregrine falcon (*Falco peregrinus anatum*), and Arctic peregrine falcon (*Falco peregrinus tundrius*) as part of a proposed study of nesting raptors in the Susitna, Sagavanirktok and Colville River areas.

The inventory will involve helicopter flights to within close enough proximity of active aeries to assure accurate visual identification of birds. This aerial work will be accomplished during June and July, 1975.

An attempt will be made to verify some nest locations from the ground. When evidence of nesting is verified, a biologist will attempt to climb to the nest site to determine nesting success. No handling of the birds is deemed necessary.

Principal impacts anticipated will involve harassment of birds at aeries during the period of fly-by with a helicopter (less than five minutes), and during the period nests are examined from the ground (less than 60 minutes). No permanent damage to the birds physically or behaviorally can be visualized.

The principal investigator in the field will be Dr. Clayton White, a highly respected authority on peregrines. Dr. White is currently associated with the Department of Zoology, Brigham Young University, Provo, Utah. Dr. White has spent several field seasons in Alaska working with Dr. Thomas Cade of Cornell University, also a recognized authority on peregrines. Nothing in Dr. White's background has been identified to indicate that he is other than a highly respected and proven research biologist who will place the welfare of his study subjects above any self interest. Dr. Cade will assist Dr. White on this project. An employee of the Fish and Wildlife Service will be assigned to accompany the investigators.

Since a permit is also required from the State of Alaska, we request that this be obtained for us. Please be informed that a copy of our permit application has been forwarded to:

Mr. James W. Brooks, Commissioner
Alaska Department of Fish and Game
Subport Building
Juneau, Alaska 99801

In the event the subject permit cannot be issued by the project starting date of June 10, 1975, we would request authorization (by letter of permission) to proceed as provided for in LE-20, dated November 18, 1974.

Attached please find our list of responses to major points of concern per 50 CFR 17.23.

H. A. HANSEN.

STUDY OF NESTING RAPTORS IN THE SUSITNA, SAGAVANIRKTOK AND COLVILLE RIVER AREAS

1. *Work to be performed.* This proposal concerns an effort by the U.S. Fish and Wildlife Service (FWS) to inventory raptorial birds and their nesting habitats in (1) the proposed Southcentral Railbelt Hydroelectric power area, encompassing the Susitna River Basin and appurtenant transmission line corridors, (2) the upper reaches of the Sagavanirktok River and, (3) the central and upper portions of the Colville River.

Species of primary concern will be the peregrine falcon, bald eagle, golden eagle, gyrfalcon, rough-legged hawk, and other hawks which may be encountered. An attempt will be made to accomplish an early-June breeding pair and nesting survey, and a July production survey. Raven abundance and distribution will also be determined, since they are potential nest-site competitors. This information will be used by the FWS to prepare an environmental assessment assuring long-term protection for these national interest migratory birds and their habitats.

In the case of the Susitna River studies, findings will be appended to the U.S. Army Corps of Engineers report to be submitted to the Congress on the feasibility of the South Central Railbelt project. Data gained from the Sagavanirktok River inventory will be utilized to formulate recommendations on methods for minimizing disturbance to the birds by activities associated with construction of the Trans-Alaska oil pipeline. Operations on the Colville River will provide baseline information for the protection of raptors and their habitat from excessive encroachment by the increasing level of petroleum and mining activities occurring in this largely primitive location.

Such baseline data in each area are essential for accurate evaluation of long-term impacts of human activities on raptor populations.

Each inventory will be designed to accomplish the following specific objectives:

a. Delineate all currently used and potential raptor nesting habitat for each of the primary species.

b. Determine raptor populations and number of active and inactive nest sites in these areas.

c. Determine species productivity for 1975.

d. Evaluate those raptor sites that would be impacted by human activity.

All active and inactive aeries located will be plotted on topographic maps and placed on file with FWS. A final report will be prepared by August 31, 1975.

2. *Relationship of work to Service programs.* This project is justified pursuant to the Fish and Wildlife Coordination Act and the Habitat Preservation Activity of the FWS in Alaska program advice and operating work plans for FY's 1975–76. This work plan covers development and initiation of studies, including cooperative surveys involving other Federal agencies.

3. *Prior related work.* Initial investigation of raptors in the Susitna River drainage and along the Sagavanirktok River area were begun in FY 1974 and completion is anticipated in FY 1976. Some studies by other agencies and individuals have been conducted along the Colville River in specific areas but information on the overall population of raptors is sparse.

4. *Funding of project.* The total estimated cost of this inventory is $30,000. The Susitna River phase will be financed with $6,000 FY 1975 and $4,000 FY 1976 funds transferred from the Alaska Power Administration for the South Central Railbelt Power study. The Sagavanirktok River phase will be financed with $10,000 FY 1976 funds provided by Alyeska Pipeline Co. for the Trans-Alaska oil pipeline and the Colville River phase will be budgeted in the amount of $10,000 FY 1976 funds from the Habitat Protection Activity, Western Alaska Ecological Services of the FWS.

5. *Project officer.* Donald B. Thurston, Fish and Wildlife Biologist, Western Alaska Ecological Services, U.S. Fish and Wildlife Service, 813 D Street, Anchorage, Alaska 99501.

6. *Period of proposed investigation.* The inventory period will extend from June 10 to July 31, 1975.

7. *Principal investigator.* Dr. Clayton White, Department of Zoology, Brigham Young University, Provo, Utah, is sought as principal investigator. Dr. White is a highly respected, recognized authority on raptorial birds. He has worked on these species along the Yukon, Colville, Sagavanirktok Rivers and elsewhere in Alaska for a number of years. He has participated in studies of the Aleutian Canada Goose (an endangered species) in the Aleutian Islands and has authored or co-authored a number of scientific papers on endangered Alaskan species.

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

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before July 14, 1975 will be considered.

Dated: June 9, 1975.

LOREN K. PARCHER,
Acting Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.75-15505 Filed 6-12-75;8:45 am]

ENDANGERED SPECIES PERMIT

Receipt of Application

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

Applicant:

Christopher Servheen
College of Forest Resources, AR-10
University of Washington
Seattle, Washington 98195

OMB NI

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE
FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one): [ ] IMPORT OR EXPORT LICENSE [X] PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
Trap for banding purposes migrant Falco peregrinus anatum sp., and Falco peregrinus tundrius sp. All birds to be released immediately after being banded with Fish and Wildlife Service bands.

3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)
Christopher Servheen
College of Forest Resources, AR-10
University of Washington
Seattle, Washington 98195
Phone 206-634-0964

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:

[X] MR. [ ] MRS. [ ] MISS [ ] MS.	HEIGHT 5'11"	WEIGHT 150
DATE OF BIRTH 10-15-50	COLOR HAIR Brown	COLOR EYES Brown
PHONE NUMBER WHERE EMPLOYED 206-543-5773	SOCIAL SECURITY NUMBER 164-42-6900	
OCCUPATION Graduate Student		

ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.

IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
State of Washington.

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? [X] YES [ ] NO
(If yes, list license or permit number(s))
Special Permit #1-SP-568
Master-Personal Banding Permit #20597

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? [ ] YES [ ] NO
(If yes, list jurisdictions and type of documents)
Not Required

9. CERTIFIED CHECK OR MONEY ORDER (If applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF $

10. DESIRED EFFECTIVE DATE 8-1-75

11. DURATION NEEDED 3 years

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12(b)) MUST BE ATTACHED, IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.
50 CFR 17.23(a)(3)

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In ink) Christopher Servheen — DATE 5-19-75

3-200 (5/74) Christopher Servheen

§ 17.23(a)(3) This banding and trapping will take place as part of my regular banding activities. It is hoped that these banding activities may provide some knowledge of the origin and wintering areas of the peregrines that are seen in Washington in the winter months. All information on the habitat of the peregrines seen will also be re-

corded in an effort to determine the preferred habitat of these birds in Washington during the winter. All birds will be photographed and the age and condition recorded. All birds will be released immediately after being banded.

I am very interested in the winter ecology, behavior, and movements of raptorial birds. My current research involves the winter ecology of the Bald Eagle on the Skagit River in northwestern Washington. Thru banding returns it may be possible to determine the movements of the Bald Eagles that winter along the coast of northwestern North America. It may also be possible to determine if there is differential migration between the adults and subadults and to determine the movements of the subadults during the nesting season. This information will be accumulated more rapidly through the use of color marked eagles in addition to leg bands.

I am also working on the rehabilitation of injured Bald and Golden Eagles back to the wild. These birds need to be banded in order to determine survival rates and to aid in determining the areas and methods of rehabilitation that will maximize the survival of these eagles. If rehabilitated eagles can be identified through band returns, we can realize the success of our rehabilitation efforts and gain support of the program.

I am also interested in the types of stress encountered by wintering raptors. Through banding returns the success of wintering populations in different habitats could be monitored. Information on differential habitat survival would be useful in the management of raptor populations. Differential habitat selection in relation to winter weather could also be monitored through band returns and the sighting of color marked birds.

The long term status of breeding raptor populations is an effort that is certainly worthwhile. An opportunity exists for such studies in Montana and in certain parts of Washington. I hope to use my knowledge of nesting areas in conjunction with banding results to continue to monitor these populations.

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

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before July 14, 1975, will be considered.

Dated: June 6, 1975.

BERTRAM S. FALBAUM,
Acting Chief, Division of Law Enforcement Fish and Wildlife Service.

[FR Doc.75-15416 Filed 6-12-75;8:45 am]

NUNIVAK NATIONAL WILDLIFE REFUGE

Public Hearing

Notice was given in the FEDERAL REGISTER on May 30, 1975, that it is proposed to amend 50 CFR by the addition of Nunivak National Wildlife Refuge, Alaska, to the list of areas open to hunting of big game (muskox). Public hearings are scheduled, in accordance with this notice of proposed rulemaking, for Fairbanks, Alaska, on July 1, 1975, and Bethel, Alaska, on July 2, 1975.

After further review it has been determined that an additional public hearing will be held in the conference room of the Loussac Library, 427 F Street, Anchorage, Alaska 99501, on June 30, 1975, at 7 p.m.

Persons wishing to make an oral presentation or to submit their views in writing at any of these hearings should deliver a notice to that effect to the Area Director, Alaska Area Office, U.S. Fish and Wildlife Service, 813 "D" Street, Anchorage, Alaska 99501, not less than five working days before the date of the hearing at which the testimony is to be presented. A time limit of 10 minutes per witness is imposed in the case of oral testimony, although additional time may be granted in advance at the discretion of the presiding officer.

LYNN A. GREENWALT,
Director.

[FR Doc.75-15431 Filed 6-12-75;8:45 am]

Office of the Secretary

[INT FES 75-54]

ISSUANCE OF ANNUAL REGULATIONS PERMITTING SPORT HUNTING OF MIGRATORY BIRDS

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, Pub. L. 91-190, the Department of the Interior has prepared a Final Environmental Statement for the Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds.

The proposal recommends that annual regulations be issued which permits the hunting of migratory birds in the families Anatidae (ducks, geese and swans), Gruidae (cranes), Rallidae (rails, gallinules and coots), Scolopacidae (woodcock and common snipe) and Columbidae (pigeons and doves).

Copies of the Final Statement are available for inspection at the following locations:

Alaska Area Office
Area Director
813 "D" Street
Anchorage, Alaska 99501

Regional Director
1500 Plaza Building, Irving Street
PO Box 3737
Portland, Oregon 97208

Regional Director
Box 1306
Albuquerque, New Mexico 87103

Regional Director
Federal Building, Fort Snelling
Twin Cities, Minnesota 55111

Regional Director
17 Executive Park Drive, NE
Atlanta, Georgia 30329

Regional Director
John McCormack PO. and Courthouse
Boston, Massachusetts 02109

Regional Director
10597 West Sixth Avenue
PO. Box 25486
Denver, Colorado 80215

U.S. Fish and Wildlife Service
Office of the Environmental Coordination
Department of the Interior
Room 2352
18th. and C Streets
Washington, D.C. 20240

Single copies may be obtained by writing the Chief, Office of Environmental Coordination, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

Due to delays caused by a massive public response to the draft statement on this subject, and the time required for printing the final environmental statement it has been necessary to follow a somewhat different procedure than normally followed in the immediate distribution of the final statement. This procedure has been approved by the Council on Environmental Quality.

It is estimated that printed copies will be available for general distribution on June 23, 1975. A limited number of Xerox copies will be available for distribution prior to that time. In addition, copies of the statement will be available for public inspection at the above locations.

Dated: June 6, 1975.

ROYSTON C. HUGHES,
Assistant Secretary of the Interior.

[FR Doc.75-15469 Filed 6-12-75;8:45 am]

[INT DES 75-35]

OIL AND GAS DEVELOPMENT, SANTA BARBARA CHANNEL, OUTER CONTINENTAL SHELF, OFFSHORE CALIFORNIA

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental impact statement of potential additional oil and gas development of the Outer Continental Shelf, Santa Babara Channel, off the coast of California. The various potential levels of further development would require additional drilling and production platforms, pipelines, and additional onshore treating and storage facilities or expansion of existing onshore treating and storage facilities.

The draft environmental statement is available for public review in the following U.S. Geological Survey Public Inquiries Offices: Room 7638, Federal Building, 300 North Los Angeles Street, Los Angeles, California 90012; Room 504, Custom House, 555 Battery Street, San Francisco, California 94111; and Room 1012, Federal Building, Denver, Colorado 80202; also the Map Information Office, U.S.G.S., Reston, Virginia 22092, and the U.S.G.S. Library, 345 Middlefield Road, Menlo Park, California 94025.

In addition, the statement will be available at the following California library locations:

Universities. Cal Tech, Pasadena; Cal Polytech, San Luis Obispo; California State University at Domingus Hills, Fullerton, Irvine, La Jolla, Long Beach, and Los Angeles (JFK Memorial); University of California at Los

Angeles, Riverside, Santa Barbara, and The Geology Building Library (L.A.); University of Southern California at Los Angeles (Civic Center Library), and The Main Library in Los Angeles; Stanford University; West Coast University.

Colleges. California Lutheran College, Thousand Oaks; Moorpark College; Santa Barbara City College; Ventura College; and Westmont College, Montecito.

County Libraries. Los Angeles County, Ventura County.

City Libraries. Long Beach City Library; Los Angeles City Library; Santa Barbara City Library; Santa Monica City Library; Ventura City Library.

Miscellaneous. Los Angeles County Museum of Natural History Library; Palos Verdes Library District.

Upon written request individual copies may be obtained from the Area Oil and Gas Supervisor, 7744 Federal Building, 300 North Los Angeles Street, Los Angeles, California 90012.

A public hearing will be held beginning at 9 a.m., p.d.t. on July 14, 1975, at the Lobero Theater, 33 East Canon Perdido, Santa Barbara, California, for the purpose of receiving comments and suggestions on the draft environmental impact statement. The hearing has been scheduled for July 14 and 15 and will extend through July 16, if necessary. The hearing will provide the Department with additional information from both the public and private sectors to help evaluate the potential effects of Santa Barbara Channel OCS oil and gas development on the environment.

The hearing will also provide the Department, under section 102(2)(C) of the National Environmental Policy Act of 1969, with the opportunity to receive additional comments and views of interested State and local agencies.

Interested individuals, representatives of organizations and public officials who wish to testify at the hearing should submit a written request to the Area Oil and Gas Supervisor, U.S. Geological Survey, 7744 Federal Building, 300 North Los Angeles Street, Los Angeles, California 90012, by 4 p.m., P.s.t., July 1, 1975. Written comments from those unable to attend the hearing should be addressed to the Director, U.S. Geological Survey, National Center, Mail Stop 108, Reston, Virginia 22092. Written comments on the draft environmental impact statement will be received until July 31, 1975. This will allow those unable to testify at the hearing to make their views known and will allow those presenting oral testimony to submit supplemental materials. Time constraints make it necessary to limit the length of oral presentations to 10 minutes. Exceptions to this time limitation may be authorized for individuals presenting testimony who represent more than one group or organization. Exceptions may be authorized only when a formal request is presented to the Area Oil and Gas Supervisor prior to 4 p.m., P.s.t., July 1, 1975. An oral statement, however, may be supplemented by a more complete written statement which may be presented to the hearing officer at the time of presentation of the oral statement. Written statements presented in person at the hearing will be included in the hearing record. To the extent that time is available after presentation of prescheduled oral statement, the hearing officer will give others present an opportunity to be heard.

After all testimony and comments have been received and analyzed, a final environmental statement will be prepared.

Dated: June 6, 1975.

STANLEY D. DOREMUS,
Deputy Assistant Secretary of the Interior.

[FR Doc.75-15468 Filed 6-12-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

PROPOSED FLEMING KEY ANIMAL IMPORT CENTER

Extension of Time for Submission of Comments

This notice extends the time period for submitting written comments, data, views and other information with respect to methods and procedures for issuance of import permits for animals to be imported through the proposed Fleming Key Animal Import Center at Fleming Key, Florida, as published in the FEDERAL REGISTER April 30, 1975 (40 FR 18821), from June 1, 1975 to September 1, 1975.

The American National Cattlemen's Association has requested that the comment period be extended an additional 90 days in order to give the cattle industry adequate time to obtain relevant data and information and to develop sound views and comments.

Since the Department is interested in receiving meaningful views and comments, these circumstances are considered ample justification for an extension of the time period originally allotted for submitting views and comments.

Therefore, written comments and other material relating to this matter may be submitted to the Deputy Administrator, Animal and Plant Health Inspection Service, Veterinary Services, U.S. Department of Agriculture, Federal Building, Hyattsville, Maryland 20782, on or before September 1, 1975.

(Section 1, 84 Stat. 202; 21 U.S.C. 135)

Done at Washington, D.C., this 10th day of June, 1975.

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

[FR Doc.75-15491 Filed 6-12-75;8:45 am]

Farmers Home Administration

[Designation Number A168, Amdt. 1]

MISSOURI

Designation of Emergency Area

Notice of an Emergency loan area designation for Missouri dated March 14, 1975, (40 FR 12692) is hereby amended to include drought June 10 through August 15, 1974, in Phelps County. The dates of this disaster were inadvertently omitted from the original notice.

Done at Washington, D.C., this 6th day of June, 1975.

FRANK B. ELLIOTT,
Administrator, Farmers Home Administration.

[FR Doc.75-15348 Filed 6-12-75;8:45 am]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S-447]

STATES STEAMSHIP CO.

Amended Application

Notice is hereby given that the application of States Steamship Company, dated May 10, 1974, as amended, for a twenty-year operating-differential subsidy contract for operations on Trade Route No. 29 (U.S. Pacific ports/Far East) and a portion of Trade Route No. 17 between U.S. Pacific ports and Indonesia, Malaysia and Singapore, has been further amended by the submission of a proposed new description of the three subsidized services for which it is seeking a new long-term contract. Notice of the earlier amended application was published in the FEDERAL REGISTER on April 30, 1975 (40 FR 18827).

States Steamship Company is now proposing a service description which contains no maximum sailing limitation on any of the three services, but only a single aggregate maximum covering all three services. It also contains none of the previous restrictions which limit the total amount of service which the Company may provide to certain areas in the Far East. Another change from the earlier application is the addition of California to Service A.

The entire description proposed by States Steamship Company follows:

SERVICE DESCRIPTION

(1) SERVICE A—FREIGHT SERVICE (TRADE ROUTE NO. 29)

A minimum of 20 sailings with vessels on the berth service designated Service A (Trade Route No. 29) and described as follows:

Required. Between two or more ports in Washington and/or Oregon and/or California and two or more ports in Japan.

Privilege. Ports on the Pacific Coast of Canada, Alaska eastward of longitude 155 west, Midway, Taiwan, China (including Manchuria), U.S.S.R. in Asia, Korea, Indochina, Thailand, Hong Kong, Philippines, Sarawak.

(2) SERVICE B—FREIGHT SERVICE (TRADE ROUTE NO. 29)

A minimum of 20 sailings with vessels on the berth service designated Service B (Trade Route No. 29) and described as follows:

Required. Between ports in Washington and/or Oregon and California and ports in the Philippines or Indochina or Thailand or Singapore or Malaysia or Indonesia or any combination.

Privilege. Ports on the Pacific Coast of Canada, Alaska eastward of longitude 155 degrees west, Midway, Taiwan, China (including Manchuria), U.S.S.R. in Asia, Japan, Korea, and Hong Kong.

(3) SERVICE C—FREIGHT SERVICE (TRADE ROUTE NO. 29)

A minimum of 12 sailings with vessels on the berth service designated Service C (Trade Route No. 29) and described as follows:

Required. Between ports in California and ports in Japan and/or Korea.

Privilege. Hawaii, Midway, Taiwan, China (including Manchuria), U.S.S.R. in Asia, Hong Kong, Philippines, Indochina, Thailand, Singapore, Malaysia, Indonesia.

(4) MAXIMUM SAILINGS

In no event shall total subsidized sailings exceed an aggregate maximum of 95 sailings provided that at least the contract minimum sailing requirements shall be made in each of of the services described above.

Interested parties may inspect this application in the Office of the Secretary, Maritime Subsidy Board, Room 3099B, Department of Commerce Building, 14th and E Streets, NW., Washington, D.C. 20230.

Any person, firm or corporation having an interest in such application who desires to offer views and comments thereon for consideration by the Maritime Subsidy Board should submit them in writing, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C. 20230, by the close of business on June 27, 1975. The Maritime Subsidy Board will consider these views and comments, and take such action with respect thereto as may be deemed appropriate.

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

Dated: June 10, 1975.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.75-15500 Filed 6-12-75;8:45 am]

Social and Economic Statistics Administration

CENSUS ADVISORY COMMITTEE ON THE BLACK POPULATION FOR THE 1980 CENSUS

Public Meeting

The Census Advisory Committee on the Black Population for the 1980 Census will convene on July 18, 1975, at 9 a.m. in Room 2424, Federal Building 3 at the Bureau of the Census in Suitland, Maryland.

The Committee was established in October 1974 to advise the Director, Bureau of the Census, on such 1980 Census planning elements as improving the accuracy of the population count, recommending subject content and tabulations of especial use to the black population, and expanding the dissemination of census results among present and potential users of census data in the black population.

The Committee is composed of 21 members appointed by the Secretary of Commerce.

The agenda for the meeting, which will adjourn at 4:15 p.m., includes the following items: (1) Summary description of developments in census programs since the last meeting, (2) status of the minority statistics programs, (3) participant-observer (ethnographic) techniques for coverage research, (4) statistical system planning process, and (5) coverage of population in the 1970 census and implications for public programs.

The meeting will be open to the public, and a brief period will be set aside for public comment and questions. Extensive questions or statements must be submitted in writing to the Committee Control Officer at least 3 days prior to the meeting.

Persons planning to attend and wishing additional information concerning this meeting should contact the Committee Control Officer, Mr. J. Jack Ingram, Deputy Chief, Demographic Census Staff, Bureau of the Census, Room 3779, Federal Building 3, Suitland, Maryland. (Mailing address: Washington, D.C. 20233). Telephone: (301) 763-5169.

Dated: June 10, 1975.

VINCENT P. BARABBA,
Director, Bureau of the Census.

[FR Doc.75-15440 Filed 6-12-75;8:45 am]

STANDARD STATISTICAL ESTABLISHMENT LIST

Consideration for Surveys

Notice is hereby given that the Bureau of the Census is considering a proposal under the provisions of Title 13, United States Code, sections 181, 224, and 225, to conduct a 1975 Company Organization Survey. It is designed to collect information on the number of employees, payrolls, receipts, geographic location, current status and kind of business for the establishments of multiestablishment companies. The information will be used to update company and establishment changes to the multiestablishment companies in the Standard Statistical Establishment List. The data will have significant application to the needs of the public and to governmental agencies, and are not publicly available from nongovernmental or governmental sources.

The survey, if conducted, shall begin not earlier than December 1, 1975.

Copies of the proposed forms are available on request to the Director, Bureau of the Census, Washington, D.C. 20233.

Any suggestions or recommendations concerning the subject matter of the proposed survey submitted to the Director in writing on or before July 14, 1975, will receive consideration.

Dated: June 10, 1975.

VINCENT P. BARABBA,
Director, Bureau of the Census.

[FR Doc.75-15441 Filed 6-12-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

NATIONAL ADVISORY FOOD AND DRUG COMMITTEE

Meeting Changes

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), the Food and Drug Administration announced in a notice published in the FEDERAL REGISTER of May 19, 1975 (40 FR 21745), public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a)(1) and (2) of the act.

Notice is hereby given that the National Advisory Food and Drug Committee meeting scheduled for June 24 and 25, 1975, is to be open from 9 a.m. to 3 p.m. on June 24, closed June 24 after 3 p.m., and open June 25. The agenda items for the meeting are as follows: Open session on June 24: Consideration of minutes of the meeting held March 27 and 28, 1975; report on the agency; updated issues (zirconium, mammography, fluorocarbons, turtles, hypoallergenics, vitamins, and minerals); agency research programs; antibiotics in animal feeds. Closed session on June 24: Review of research grant applications. Open session on June 25: Poisonous and deleterious substances in foods ("blending" issues); and drug quality assurance program.

Agenda items are subject to change as priorities dictate.

During the open sessions shown above, interested persons may present relevant information or views orally to any committee for its consideration. Information or views submitted to any committee in writing before or during a meeting shall also be considered by the committee.

A list of committee members and summary minutes of meetings may be obtained from the contact person for the committee, William V. Whitehorn, M.D. (HFG-1) 5600 Fishers Lane, Rockville, MD 20852 (301-443-1547), both for meetings open to the public and those meetings closed to the public in accordance with section 10(d) of the Federal Advisory Committee Act.

Most Food and Drug Administration advisory committees are created to advise the Commissioner of Food and Drugs on pending regulatory matters. Recommendations made by the committees on these matters are intended to result in action under the Federal Food, Drug, and Cosmetic Act, and these committees thus necessarily participate with the Commissioner in exercising his law enforcement responsibilities.

The Freedom of Information Act recognized that the premature disclosure of regulatory plans, or indeed internal discussions of alternative regulatory approaches to a specific problem, could have adverse effects upon both public and private interests. Congress recognized that such plans, even when finalized, may not be made fully available in advance of the effective date without damage to such interests, and therefore provided for this type of discussion to remain confidential. Thus, law enforcement activities have long been recognized as a legitimate subject for confidential consideration.

These committees often must consider trade secrets and other confidential information submitted by particular manufacturers which the Food and Drug Administration by law may not disclose, and which Congress has included within the exemptions from the Freedom of Information Act. Such information in-

cludes safety and effectiveness information, product formulation, and manufacturing methods and procedures, all of which are of substantial competitive importance.

In addition, to operate most effectively, the evaluation of specific drug or device products requires that members of committees considering such regulatory matters be free to engage in full and frank discussion. Members of committees have frequently agreed to serve and to provide their most candid advice on the understanding that the discussion would be private in nature. Many experts would be unwilling to engage in candid public discussion advocating regulatory action against a specific product. If the committees were not to engage in the deliberative portions of their work on a confidential basis, the consequent loss of frank and full discussion among committee members would severely hamper the value of these committees.

The Food and Drug Administration is relying heavily on the use of outside experts to assist in regulatory decisions. The Agency's regulatory actions uniquely affect the health and safety of every citizen, and it is imperative that the best advice be made available to it on a continuing basis in order that it may most effectively carry out its mission.

A determination to close part of an advisory committee meeting does not mean that the public should not have ready access to these advisory committees considering regulatory issues. A determination to close the meeting is subject to the following conditions: First, any interested person may submit written data or information to any committee, for its consideration. This information will be accepted and will be considered by the committee. Second, a portion of every committee meeting will be open to the public, so that interested persons may present any relevant information or views orally to the committee. The period for open discussion will be designated in any announcement of a committee meeting. Third, only the deliberative portion of a committee meeting, and the portion dealing with trade secret and confidential information, will be closed to the public. The portion of any meeting during which nonconfidential information is made available to the committee will be open for public participation. Fourth, after the committee makes its recommendations and the Commissioner either accepts or rejects them, the public and the individuals affected by the regulatory decision involved will have an opportunity to express their views on the decision. If the decision results in promulgation of a regulation, for example, the proposed regulation will be published for public comment. Closing a committee meeting for deliberations on regulatory matters will therefore in no way preclude public access to the committee itself or full public comment with respect to the decisions made based upon the committee's recommendation.

The Commissioner has been delegated the authority under section 10(d) of the Federal Advisory Committee Act to issue a determination in writing, containing the reasons therefore, that any advisory committee meeting is concerned with matters listed in 5 U.S.C. 552(b), which contains the exemptions from the public disclosure requirements of the Freedom of Information Act. Pursuant to this authority, the Commissioner hereby determines, for the reasons set out above, that the portions of the advisory committee meetings designated in this notice as closed to the public involve discussion of existing documents falling within one of the exemptions set forth in 5 U.S.C. 552(b), or matters that, if in writing, would fall within 5 U.S.C. 552(b), and that it is essential to close such portions of such meetings to protect the free exchange of internal views and to avoid undue interference with Agency and committee operations. This determination shall apply only to the designated portions of such meetings which relate to trade secrets and confidential information or to committee deliberations.

Dated: June 6, 1975.

SHERWIN GARDNER,
Acting Commissioner of Food and Drugs.

[FR Doc.75-15427 Filed 6-12-75;8:45 am]

National Institutes of Health

NATIONAL COMMISSION ON ARTHRITIS AND RELATED MUSCULOSKELETAL DISEASES

Meeting

Correction

In FR Doc. 75-15113 appearing at page 24548, in the issue of Monday, June 9, 1975 in the first column, seventh line, "Building 1" should be changed to read, "Building 31". In the second column first line the date now reading, "June 9," should be changed to read, "June 26,".

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[Docket No. NFD 280; FDAA-471-DR]

ARKANSAS

Major Disaster and Related Determinations

Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11795 of July 11, 1974, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285; and by virtue of the Act of May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that on June 7, 1975, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of Arkansas resulting from heavy rains and flooding beginning about March 18, 1975, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288. I therefore declare that such a major disaster exists in the State of Arkansas.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11795, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285, I hereby appoint Mr. Joe D. Winkle, HUD Region VI, to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following areas of the State of Arkansas to have been adversely affected by this declared major disaster:

The Counties of:

Independence	Randolph
Izard	Sharp
Monroe	White

The City of:
Blytheville

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

Dated: June 7, 1975.

WILLIAM E. CROCKETT,
Acting Administrator, Federal Disaster Assistance Administration.

[FR Doc.75-15446 Filed 6-12-75;8:45 am]

Office of Interstate Land Sales Registration

[Docket No. N-75-373; OILSR No. 0-0429-09-089 Y596]

DUCK KEY

Hearing

Notice is hereby given that Duck Key, G. D. Kincaid, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90-448) (15 U.S.C., 1701 et seq.), received a Notice of Suspension dated February 3, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2) informing the developer of his failure to comply with the request of the Secretary for documents concerning Duck Key, located in Lexington, Kentucky, was not effective pursuant to the Act, and the regulations contained in 24 CFR Part 1710.

The Respondent filed an Answer received February 20, 1975, in response to the Suspension Order dated February 3, 1975.

In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Suspension.

Therefore, pursuant to the provisions of 15 U.S.C. 1706(e) and 24 CFR 1710.45 (b)(2), It is hereby ordered, That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Suspension will be held before James W. Mast, Administrative Law Judge, in room 7146, Department of HUD Building, 451 7th Street SW., Washington, D.C. on July 2, 1975, at 10 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested

to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C. 20410 on or before June 25, 1975.

The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the suspension of the Statement of Record, herein identified, shall continue until vaacted by order of the Secretary, pursuant to 24 CFR 1710.45.

This Notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1710.45.

Dated: June 5, 1975.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc.75-15457 Filed 6-12-75;8:45 am]

[Docket Nos. N-75-372; Y-825; OILSR No. 0-0-299-02-49]

GOLDEN SAGE RANCHOS

Hearing

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d) notice is hereby given that Golden Valley Land Corporation, Oscar P. Obst, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing issued March 19, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Golden Sage Ranchos, located in Mohave County, Arizona, contain untrue statement of material fact or omit to state material facts required to be stated therein as necessary to make the statements therein not misleading.

The Respondent filed an Answer received April 7, 1975, in response to the Notice of Proceedings and Opportunity for Hearing.

In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160 (d), *It is hereby ordered,* That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, SW., Washington, D.C., on July 3, 1975, at 10:00 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before June 24, 1975.

The respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This notice shall be served upon the respondent forthwith pursuant to 24 CFR 1720.440.

Dated: June 5, 1975.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc.75-15453 Filed 6-12-75;8:45 am]

[Docket Nos. N75-371; 75-7; OILSR No. O-3028-49-317(A)]

SANDY CREEK RANCHES

Hearing

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d) notice is hereby given that Sandy Creek Ranches Company, a Joint Venture in which equal interests are owned by Gene Bilberry, Raymond E. Mitchell and G. D. Sindorf, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing issued February 10, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Sandy Creek Ranches, located in Travis County, Texas, contain untrue statement of material fact or omit to state material facts required to be stated therein as necessary to make the statements therein not misleading.

The Respondent filed an Answer received March 4, 1975, in response to the Notice of Proceedings and Opportunity for Hearing.

In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.-160(d), *it is hereby ordered,* That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, SW., Washington, D.C., on June 17, 1975, at 10 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C. 20410 on or before June 10, 1975.

The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: June 5, 1975.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc.75-15454 Filed 6-12-75;8:45 am]

[Docket No. N75-370; 75-43; OIL SR No. 0-0562-09-116; 0-0920-09-219]

SILVER SPRING SHORES

Hearing

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d) notice is hereby given that Silver Springs Shores, Inc., Howard W. Friedman, President, its officers and agents hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing issued May 8, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Silver Springs Shores, located in Marion County, Florida, contain untrue statement of material fact or omit to state material facts required to be stated therein as necessary to make the statements therein not misleading.

The Respondent filed an Answer received May 23, 1975, in response to the Notice of Proceedings and Opportunity for Hearing.

In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.-160(d), *it is hereby ordered,* That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, SW., Washington, D.C., on July 11, 1975, at 10:00 a.m.

The following time and procedure is applicable to such hearing:

All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C. 20410 on or before July 3, 1975.

The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to

be true, and an order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.-45(b)(1).

This notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: June 5, 1975.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc.75-15455 Filed 6-12-75;8:45 am]

[Docket No. N-75-360; 75-34(b)(3); OILSR No. 0-3044-49-324]

MILE HIGH SUBDIVISION

Hearing

Pursuant to 15 U.S.C. 1706(e) and 24 CFR 1720.165(b) notice is hereby given that: Diamondhead Corporation, William B. Bru, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90-448) (15 U.S.C. 1701 et seq), received a Notice of Suspension dated May 2, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(c) and 24 CFR 1710.45(b)(3) and 1720.131 informing the developer of his failure to comply with the request of the Secretary for documents concerning Mile High Subdivision, located in New Orleans, Louisiana, was not effective pursuant to the Act, and the regulations contained in 24 CFR Part 1710.

The Respondent filed an Answer received May 22, 1975, in response to the Suspension Order.

In said Answer the Respondent requested a hearing on the Suspension Order.

Therefore, pursuant to the provisions of 15 U.S.C. 1706(e) and 24 CFR 1720.165 (b), it is hereby ordered, That a public hearing for the purpose of taking evidence on the propriety of the Suspension Order will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, SW., Washington, D.C., on June 12, 1975, at 10:00 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C. 20410 on or before June 9, 1975.

The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default, and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and the Suspension Order shall be continued in effect.

This notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: June 5, 1975.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc.75-15456 Filed 6-12-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

HIGHWAY SAFETY PROGRAM

Program Approval Policy

The purpose of this notice is to state the policy of the Federal Highway Administration (FHWA) and the National Highway Traffic Safety Administration (NHTSA) concerning approval of highway safety programs in certain States for fiscal year 1976. The programs are authorized pursuant to the Highway Safety Act of 1966, as amended (23 U.S.C. 401 et seq.). The policy will be followed by FHWA and NHTSA Regional Administrators and FHWA Division Engineers in their review of the States' Annual Work Programs and Comprehensive Plans for highway safety.

The States whose programs are subject to the policy are those whose comprehensive plans were not approved beyond June 30, 1975, due to specific deficiencies in their plans. The deficiencies consist of the lack of a motorcycle helmet use law (5 States), the lack of a program for periodic motor vehicle safety inspection (19 States), the lack of a driver's license classified according to the vehicle a driver is qualified to operate (9 States) and the lack of a program for periodic reexamination of drivers (17 States).

The Regional Administrators and Division Engineers are directed to deal with these deficiencies as set forth below:

Category I—States without a complete motorcycle helmet use law. The Comprehensive Plans for these States may not be approved for more than 90 days. Their Annual Work Programs may be approved in an amount which represents not more than 25 percent of the total obligational limitation of section 402 Base Program funding which was made available to them during FY 1975.

Category II—States without a periodic motor vehicle safety inspection program. The Comprehensive Plans for these States may not be approved beyond December 1, 1975. Their Annual Work Programs may, however, be approved for all of FY 1976, subject to the availability of funds.

Category III—States without a classified driver's license or a program for periodic reexamination of drivers. These elements of the Standard have been undergoing extensive reassessment in the last year. It now appears, in the light of programs developed by Virginia, North Carolina, and others, that alternative approaches to compliance with the driver licensing standard may prove satisfactory. The NHTSA and FHWA have determined that greater flexibility in scheduling will afford the States an opportunity to assimilate these alternatives. Accordingly, the Comprehensive Plan for a State in this category may be approved to June 30, 1977, subject to the following conditions: (1) that the State has a driver licensing program that is otherwise satisfactory and (2) that the State has plans for achieving the purposes of the classified license and driver reexamination elements of the driver licensing standard.

A State with deficiencies in more than one category shall be considered to be in the highest applicable category. A State which corrects the deficiency in the highest category applicable to it shall be considered in the next highest applicable category, or, if no other categories apply, shall have its Annual Work Program and Comprehensive Plan approved in accordance with normal program review procedures.

(Pub. L. 89-564, 80 Stat., 23 U.S.C. 401 et seq.; delegations at 49 CFR 1.48 and 49 CFR 1.51)

Issued on June 5, 1975.

JAMES B. GREGORY,
National Highway Traffic Safety Administrator.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.75-15417 Filed 6-12-75;8:45 am]

HIGHWAY SAFETY PROGRAM

Program Approval Policy

CROSS REFERENCE: For a document regarding approval of highway safety programs in certain states for fiscal year 1976, see Department of Transportation, Federal Highway Administration, FR Doc. 75-15417, *supra.*

MOTOR VEHICLE SAFETY STANDARDS

Denial of Petition for Rulemaking

This notice denies a petition for rulemaking to amend 49 CFR § 571.108, Motor Vehicle Safety Standard No. 108, *Lamps, Reflective Devices, and Associated Equipment.*

On April 3, 1975, Mr. V. J. Walter of Wichita, Kansas expressed his views on motor vehicle lighting in a letter to the Department of Transportation, asking that it be treated as a petition for rulemaking. He suggested that all motor vehicles be equipped with yellow running lights on the front and rear, which would be automatically activated when the vehicle is running under its own power. He also suggested a unique design of front and rear parking lamps that would be in addition to the lamps presently required on vehicles, and that would be activated only when the vehicle is parked. In addition he expressed the view that there should be a standardized shape and size to any combination taillamp, stop lamp, and rear turn signal lamp, and that any combination lamp, front or rear, should incorporate distinctive colors of yellow and orange to indicate signal functions.

The Administrator has previously denied a general petition for daytime running lights (39 FR 14210), with the tentative conclusion that it would impair

the effectiveness of required lighting equipment. The petition under consideration presents no new facts in support of such a system.

Steady-burning lamps on the rear of vehicles have historically been red in color. Introduction of a steady-burning lamp on the rear of any color other than red would add an unnecessary possibility of confusion. The requests are subject also to the following objections. They are design restrictive in nature. Tooling and manufacturing costs would be increased significantly. The letter does not submit data indicating that the systems reported would be cost effective in terms of accident prevention or reduction. The letter is vague in that it does not adequately specify the exact coloring scheme, number of lamps, location of lamps, and switching arrangements. Finally, a major educational program would be required before the public would correctly interpret the new signals. For all the above reasons the petition for rulemaking by Mr. V. J. Walter is denied.

(Sec. 106, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1410a); delegation of authority at 49 CFR 1.51)

Issued on June 6, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.75-15412 Filed 6-12-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 25280; Agreement C.A.B. 25158; R-1 through R-5; Order 75-6-44]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Commodity Rates

Issued under delegated authority June 9, 1975.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the Joint Traffic Conferences of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated May 28, 1975, names additional commodity rates, which reflect reductions from the otherwise applicable general cargo rates, under existing commodity descriptions as outlined in the attachment hereto.[1]

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14, it is not found that the subject agreement is adverse to the public interest or in violation of the Act, provided that approval is subject to the conditions hereinafter ordered.

[1] Attachment filed as part of original document.

Accordingly, *it is ordered, That:* Agreement C.A.B. 25158, R-1 through R-5, be and hereby is approved provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publications; provided further that tariff filings shall be marked to become effective on not less than 30 days' notice from the date of filing.

Persons entitled to petition the Board for review of this order, pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

By James L. Deegan, Chief, Passenger and Cargo Rates Division, Bureau of Economics.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-15488 Filed 6-12-75;8:45 am]

[Dockets 25280, 25513, 25661, 26494; Order 75-6-46]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Currency Matters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 10th day of June, 1975.

By Order 74-4-145 (April 26, 1974) the Board conditioned its previous approvals of several currency conversion resolutions adopted by the carrier members of the International Air Transport Association (IATA) to insure that the conversion procedures, which adjust final passenger and cargo selling prices to account for currency fluctuations, reflect actual market conditions as realistically as possible.

Briefly, the IATA resolutions generally require payment of all fares, rates and charges in the local currency of the country of transportation origination. Where payment is made in another currency, conversion was originally required to take place at the local banker's buying rate[1] or the Resolution 021b rate, whichever produced the higher amount. The 021b exchange rates reflect parities between the dollar and other currencies which existed prior to the second devaluation of the dollar, and are completely unrealistic in terms of today's market. The result was that, in cases where the foreign local currency had depreciated relative to the dollar (such as the U.K. and Italy), conversion took place at the higher 021b rate, and the carrier received a windfall representing the excess of dollars received over the actual value of the transportation as expressed in terms of the local currency. For this reason, the Board conditioned its outstanding approvals of Resolutions 021f, 021L and 021LL to stipulate that fares, rates and charges in foreign-originating air transportation, set forth in the local currency of the country of origin, were to be converted into dollars at the local banker's buying rate of exchange.

[1] In the United States, "local banker's buying rate" is defined as the rates published each Tuesday in the *Wall Street Journal* under the heading of "Selling prices for bank transfers in the U.S. for payment abroad." Each rate is applicable from Wednesday of each week through the Tuesday of the following week.

It has come to our attention that some carriers are interpreting the resolutions in a manner which gives the passenger less than he originally paid in cases where refunds and reroutings are involved. Where a refund is made as a result of rerouting or cancellation, the amount of refund is determined by converting from the original currency to the currency of refund at the banker's rate or the 021b rate, whichever produces the lower amount. For example, a New York-London passenger who purchased a peak-season, round-trip normal economy fare at $764 and, once in London, turned in the unused coupon for refund, who not receive the $382 one-way fare he originally paid. Instead, the $382 would be converted into U.K. pounds at the Resolution 021b rate of $2.6057=£1.00 for a total of only £146.60 rather than £163.25 if conversion had taken place at the current market rate of $2.3400=£1.00.[2] In dollar terms this amounts to a difference of $382—$343=$39, or 10.2 percent less than the passenger originally paid.

Similar results occur in cases where an additional collection is made due to rerouting. The additional amount to be collected is now determined by converting from the original currency to the currency of collection at the Resolution 021b or banker's rate, whichever produces the higher amount. For instance, a New York-Frankfurt passenger who purchased a 22/45-day excursion fare at $532, and was compelled to return to the United States after only 7 days in Frankfurt, would be required to pay the difference between the excursion fare and the normal economy fare. However, instead of collecting this $346 difference, the carrier converts the $346 into deutschemarks at the Resolution 021b rate of DM3.25=$1.00 for a total of DM1125, rather than converting at the market rate which would produce a charge of only DM821. This results in the passenger paying a total of $1,006.64, of $128.64 more than if he had originally purchased a New York-Frankfurt normal economy fare at $878. This is in clear violation of the Federal Aviation Act of 1958 and the Board's Economic Regulations, which require

[2] *Wall Street Journal* bank transfer rate for May 6, 1975.

that the carriers charge only fares in effect in their tariffs for the transportation actually used.

Accordingly, the Board will clarify its previous conditions on IATA's conversion resolutions to stipulate that the remaining unused value of any transportation document shall be calculated in terms of the currency of the country of transportation origination and converted to the currency of original payment or other currency of refund at the banker's buying rate at the time of refund, and that where an additional collection is made as a result of rerouting, the total fare collected shall not exceed in value that published in the currency of the country of transportation origination for the transportation actually used. In our view, such refunds or additional collections should be in the currency of original payment if the passenger so desires and government regulations so permit; in any event, our conditions will require that where settlement is in a currency other than that of the country of transportation origination, conversion shall be at current market rates.

Accordingly, *it is ordered*, That: 1. The outstanding approvals of Resolutions 021f (Special Conversion Rates), and 021L (Special Rules for Fares Currency Adjustments), are subject to the following additional conditions:

The remaining unused value of any transportation document for refund or rerouting purposes shall be calculated in terms of the local currency of the country of transportation origination, and such value refunded to the passenger in the same currency or other currencies converted at the banker's buying rate at the time of refund in the country of refund; and

Where an additional collection is made as a result of rerouting the total amount collected (original fare plus additional collection) shall not be greater than the fare published in the currency of the country of transportation origination for the transportation actually used. Where payment is made in another currency, conversion shall take place at the local banker's buying rate at the time and place of rerouting.

2. This order shall become effective 30 days from the date of service hereof.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

[FR Doc.75-15489 Filed 6-12-75;8:45 am]

[Docket 26494, Agreement C.A.B. 25160; Order 75-6-45]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Passenger Fares

Issued under delegated authority June 10, 1975.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreement, which was adopted by mail vote, has been assigned the above designated C.A.B. agreement number.

This agreement provides revised add-ons for French Provincial points to reflect the recent 8.5 percent increase to French domestic fares. We are approving the agreement to the extent that it involves normal first class and economy fares, which are combinable with fares to/from United States points and thus have indirect application in air transportation as defined by the Act.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14, it is not found that the following resolutions which are incorporated in Agreement C.A.B. 25160, are adverse to the public interest or in violation of the Act:

JT123(Mail 753)005zz
200(Mail 244)005zz
JT12(Mail 864)005zz
JT23(Mail 358)005zz

Accordingly, *it is ordered*, That: Agreement C.A.B. 25160 be and hereby is approved.

Persons entitled to petition the Board for review of this order pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

By James L. Deegan, Chief Passenger and Cargo Rates Division Bureau of Economics.

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

[FR Doc.75-15490 Filed 6-12-75;8:45 am]

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST 1975

Proposed Additions

Notice is hereby given pursuant to section 2(a)(2) of Pub. L. 92-28; 85 Stat. 79, of the proposed addition of the following commodities to Procurement List 1975, November 12, 1974 (39 FR 39964).

CLASS 3990

Pallet, Wood
3990-00-935-7960

CLASS 8465

Whistle, Ball, Plastic
8465-00-254-8803

Comments and views regarding these proposed additions may be filed with the Committee on or before July 14, 1975. Communications should be addressed to the Executive Director, Committee for Purchase from the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

This notice is automatically cancelled on or before December 15, 1975.

By the Committee.

C. W. FLETCHER, *Executive Director.*

[FR Doc.75-15465 Filed 6-12-75;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

DEPARTMENT OF THE ARMY

List of Environmental Statements Under Preparation

The following list, filed with the Council by the Department of Defense, Army, pursuant to Council Guideline 40 CFR 1500.6(e), indicates those administrative actions that DOD, Army, has determined will require the preparation of environmental impact statements under NEPA.

(c) Statements under Preparation.

Subject	*Date scheduled*
1. Land Acquisition, Ft Carson, CO	Unscheduled (FEIS).
2. Family Housing Project, Aliamanu Military Reservation, HI	2d Qtr 1975 (FEIS).
3. Family Housing Master Plan, Ft Belvoir, VA	2d Qtr 1975 (DEIS).
4. South Approach, Golden Gate Bridge, Presidio of San Francisco, CA	Unscheduled (FEIS).
5. Family Housing Project, Ft Bragg, NC	Unscheduled (DEIS).
6. Real Estate Acquisition, Ft Hood, TX	3d Qtr 1975 (DEIS).
7. Military Operations and Activities, IV Infantry Div (Mech) and Ft Carson, CO	4th Qtr 1975 (DEIS).
8. Co-use of monument Lands by White Sands Missile Range and National Park Service, US Army Air Defense Center and Ft Bliss, TX	4th Qtr 1975 (DEIS).
9. Military Operations and Mission Change, Ft Polk, LA	3d Qtr 1975 (DEIS).
10. Project Eagle—Expanded:	
Supplement B—Disposal of GB Agent in one (1) Ton Containers, Rocky Mt. Arsenal, CO	2d Qtr 1975 (FEIS).
Supplement C—WETEYE Bombs, Rocky Mt. Arsenal, CO	2d Qtr 1975 (FEIS).
Supplement D—Honest John Warhead, Rocky Mt. Arsenal, CO	3d Qtr 1975 (FEIS).
11. Project Eagle, Phase III, Disposal of Obsolete Phosgene (carbonyl chloride)	Unscheduled (DEIS).

Subject	Date scheduled
12. Demilitarization of Toxic filled Munitions at US Army Installations	3d Qtr 1975 (FEIS).
13. Division Stationing Plan and consolidation of Activities, Ft Ord, CA	4th Qtr 1975 (DEIS).
14. Real Estate Acquisition, Ft Benning, GA	3d Qtr 1975 (DEIS).
15. Off-Post Low Level Helicopter Training, Ft Campbell, KY	4th Qtr 1975 (DEIS).
16. BOLD EAGLE, Training Exercise, Ft Irwin, China Lake, CA	3d Qtr 1975 (DEIS).
17. Chemical Agent/Munition Disposal System (CAMDS)	4th Qtr 1975 (DEIS).
18. M-55 Rocket Residue Disposal, Dugway Proving Ground, UT	4th Qtr 1975 (DEIS).
19. Maintenance Dredging at Military Ocean Terminal, Kings Bay, GA	3d Qtr 1975 (DEIS).
20. Mississippi Army Ammunition Plant, Picayune, MS	4th Qtr 1975 (DEIS).
21. Land Acquisition, WSMR, TX	3d Qtr 1975 (DEIS).
22. High Explosive Field Test Program (DICETHROW), WSMR, TX	3d Qtr 1975 (DEIS).
23. Activities and Training Mission, Ft Sill, OK	Unscheduled (DEIS).

GARY L. WIDMAN,
General Counsel.

[FR Doc.75-15464 Filed 6-12-75;8:45 am]

ENVIRONMENTAL IMPACT STATEMENTS

List of Statements Received

Environmental impact statements received by the Council on Environmental Quality from June 2, through June 6, 1975. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the *minimum* period for public review and comment on draft environmental impact statements in forty-five (45) days from this FEDERAL REGISTER notice of availability. (July 29, 1975.) The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies will also be available at cost from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: David Ward, Acting Coordinator, Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 331-E, Administration Building, Washington, D.C. 20250, 202-447-3853.

FOREST SERVICE

Draft

Freshwater Bay Timber Sale, Alaska, June 5: The statement deals with the proposal to salvage approximately 23 million board feet of blowdown timber from the 1968 Thanksgiving Day storm within the Freshwater Bay Area on Chicago Island, Tongass National Forest. Approximately 797 acres of blowdown and some standing timber would be clearcut in 20 units, utilizing a helicopter yarding system. No roads would be constructed. Dumping, storing, and transporting logs by salt water would result in impacts on benthic marine life and habitat in depths greater than 50 feet, and temporary adverse effects from helicopter operations will result. The initiation of timber managemant would remove 797 acres from an undeveloped category. (ELR Order No. 50823.)

Cascade Planning Unit, Boise N.F., Valley County, Idaho, June 2: The statement concerns the land use plan for the 130,460-acre Cascade Planning Unit of the Boise National Forest. The plan sets forth the allocation of land to various resource uses and activities, establishes objectives, documents management direction, decisions, and necessary coordination between resource uses. Impacts relative to all possible uses or non-use within the unit include effects on vegetation soils, esthetic values, wildlife, water, and recreational values. (ELR Order No. 50806.)

Big Mt. Ski Resort Master Plan, Flathead N.F., Flathead County, Mont., June 2: The statement concerns a Master Plan for a two-phase, ten to fifteen year development program for the Big Mountain Ski Resort that will include expansion of ski lift and related facilities on private land adjacent to national forest land. The resort consists of 1,160 acres within the Flathead National Forest and approximately 440 acres of private land including the base area and lower ski slopes. The clearing of ski runs, building of ski lifts, and construction of roads and buildings would affect the naturalness of the area (37 pages). (ELR Order No. 50786.)

Wallowa Valley Unit Resource Allocation, Wallowa, Baker, and Union Counties, Oreg., June 4: The proposed resource allocation differs from present management of the Wallowa Valley Planning Unit, Wallowa-Whitman National Forest in that while maintaining commodity levels, certain areas are designated for special non-game wildlife needs and recreation value are given special emphasis. Adverse effects include the loss of 21% of timber production and grazing potential, contamination of streams and lakes by cattle and elk, soil disturbances and changes in vegetation due to timber harvesting, and possible adverse impacts on numerous wildlife species. (ELR Order No. 50816.)

Final

Timber Management, Rio Grande N.F., Colorado, June 4: The statement refers to the proposed revision of the 1962 Timber Management Plan for the Rio Grande National Forest. Revision is for the ten years of 1975-1984. Annually, 9,500 acres, or 1.1% of the available commercial forest land will receive various timber management activities. Adverse impact are degradation of air quality, temporary increases in soil movement and stream sedimentation, and erosion of wilderness values on inventoried roadless areas not selected as new study areas. Comments made by: EPA, DOI, State and local agencies, and concerned citizens. (ELR Order No. 50817.)

RURAL ELECTRIFICATION ADMINISTRATION

Draft

Teeland to Reed 230 KV Transmission line, Alaska, June 3: The statement concerns a loan application by the Alaska Power Administration to finance the construction of approximately 20 miles of 230kV transmission line from the existing Teeland Substation to the Reed Substation. The proposed line will generally traverse the head of Knik Arm crossing through approximately 16.2 miles of the Matanuska-Susitna Borough and approximately 4.0 miles of the newly established Eagle River Borough. The project will result in the cutting of timber, soil erosion, negative esthetic effects, minor limitations on land use, and temporary construction effects. (ELR Order No. 50811.)

SOIL CONSERVATION SERVICE

Final

Bayou Plaquemine Brule Watershed, Louisiana, Acadia and St. Landry Counties, La., June 2: The proposed project is intended to provide flood protection for the town of Church Point and watershed protection, flood prevention, and drainage for Acadia and St. Landry Parishes. Project measures will include 229 miles of channel work and seven water control structures. As a result of project construction, 13,000 tons of sediment would be delivered to Bayou des Cannes; 654 acres of open land, 96 acres of wooded channel bank, and 90 acres of forest would be "disturbed" during construction. Some wildlife habitat, including habitat suitable for the alligator, will be lost. Comments made by: DOC, HEW, DOT, EPA, AHP, USCG, DOI, COE, and State agencies. (ELR Order No. 50799.)

Kickapoo Creek Watershed, several counties, Tex., June 2: The statement refers to a proposed watershed protection and flood prevention project for the 52,100 acre drainage area of the Kickapoo Creek Watershed. Project measures would include land treatment on 12,260 acres, and the construction of six floodwater retarding structures. Adverse impact will include the inundation of 148 acres, the clearing of 770 acres, and the commitment of an additional 125 acres to structure sites. Habitat will be lost for quail, dove, song birds, squirrel, deer, and fur-bearing animals. Comments made by: COE, DOI, HEW, DOT, EPA, AHP, and State agencies. (ELR Order No. 50797.)

DEPARTMENT OF DEFENSE
ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attn: DAEN-PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314, 202-693-6891.

Draft

Palo Alto Refuse Disposal, Santa Clara County, Calif., June 2: Proposed is the approval of a permit application by the City of Palo Alto, California for an existing fill of approximately 800,000 cubic yards of refuse over an area of approximately 25 acres and a proposed fill of approximately 1,500,000 cubic yards of refuse over an area of approximately 40 acres at the Palo Alto Municipal Dump. The project would result in the loss of 40 acres of wildlife habitat and associated vegetation, traffic congestion during the operation, and degraded air and groundwater quality (San Francisco. District). (ELR Order No. 50801.)

Mississippi River Between Ohio and Missouri Rivers, Illinois and Missouri, June 2: The project consists of the continuing attainment and operation and maintenance of a 9-foot deep by 300-foot-wide navigation channel contraction dikes, protective bank-

line revetments, and any necessary dredging. Adverse impacts include: eventual loss of side channels as fish and wildlife habitat; narrowing of the river channel and its further corresponding loss in aquatic habitat; disruption of benthic communities by the placement of dredged material along main channel border areas; and increased flood stages due to the combined effects of channel stabilization works, levees, and utilization of the flood plain by man (St. Louis District). (ELR Order No. 50794.)

Flathead Flood Control, Kalispell, Flathead County, Mont., June 2: Proposed is a project for flood control for the Flathead River near Kalispell that includes construction of a setback levee 6.25 miles long and appurtenant structures on the bank of Flathead River, addition of flap gates to two existing culverts, and local flood plain zoning. Adverse impacts include the possible lowering of water quality, loss of agricultural potential, loss of wildlife habitat, increased potential damages to communities should an extremely great flood occur, and possible loss of archeological information (Seattle District). (ELR Order No. 50798.)

Refined Products Terminal, Lakehead Pipe Line Co., Douglas County, Wis., June 4: The proposed project consists of the construction of a tank farm and pumping facilities, the renovation of an existing loading dock and tanker berth, and the construction of pipelines between the tank farm and loading dock. Adverse impacts include the loss of 70 acres of woodland and fields which currently serves as wildlife habitat, the loss of benthic organisms in the dredged area, an increase in turbidity and particulate organic matter in the water, hydrocarbon vapor emissions, treated ballast water discharge, potential oil spills, and temporary construction disruption (St. Paul District). (ELR Order No. 50818.)

Final

Saginaw Bay Confined Disposal Facility, Bay County, Mich., June 4: Proposed is the construction of a contained disposal facility for polluted dredge materials from Saginaw Bay navigation channel. The project will create 285 acres of upland in the bay, replacing two small islands created by former dredging. An irretreivable loss of approximately 200 acres of Saginaw Bay bottomland and open water, with associated aquatic communities, will occur. Also, a stone facing of the dike provides a stable substrate for nuisance growths (Detroit District) (105 pages). Comments made by: FPC, DOT, USCG, HEW, DOI, EPA, and State and local agencies. (ELR Order No. 50812.)

Diked Disposal Area, Site No. 2, Erie Harbor, Pennsylvania, June 4: The statement discusses the construction and operation of a 101 acre diked disposal facility to receive polluted sediments dredged from Erie Harbor, Pa. The diked area will provide for the deposition of 2,050,000 cu. yds. of dredged spoil during a 10 year period. Adverse impacts are the elimination of 101 acres of Lake Erie and its associated biota; elimination of some shoreline vegetation; some construction-related effects including turbidity; and resuspension of bottom sediments (Buffalo District). Comments made by: DOC, HEW, DOI, EPA, and State and local agencies. (ELR Order No. 50815.)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Mr. Sheldon Meyers, Director, Office of Federal Activities, Room 3630 Waterside Mall, Washington, D.C. 20460, 202-755-0940.

Draft

Radiation Protection Requirement, Uranium Fuel Cycle, June 5: The statement concerns proposed standards to limit radiation doses to the general public and quantities of long-lived radioactivity in the general environment attributable to planned releases from the uranium fuel cycle in operations to generate electricity. Specifically limited would be releases of radioactive krypton-85, iodine-129, and alpha-emitting transuranics. Maximum annual radiation doses to individual members of the public resulting from fuel cycle operations would be limited to 25 millirems to the whole body and all other organs except thyroid, which would be limited to 75 millirems (143 pages). (ELR Order No. 50822.)

Redwood Service District, Josephine County, Oreg., June 4: The project as originally proposed by the Redwood Sanitary Sewer Service District would involve construction of a sewerage system to initially serve the eastern half of the service district which has been declared an emergency health hazard area by the Josephine County Health Department. An interceptor would be constructed westerly along the Rogue River to a secondary treatment plant at the west end of the Service District. Effluent would be discharged to the Rogue River. A "no action" alternative and an alternative with a different plant location are included. (ELR Order No. 50821.)

FEDERAL POWER COMMISSION

Contact: Dr. Richard F. Hill, Acting Advisor on Environmental Quality, 441 G. Street NW., Washington, D.C. 20426, 202-386-6084.

Final

St. Clair River Interconnection, Michigan, June 2: Proposed is the construction of an overhead 345 kV transmission line by the Detroit Edison Co. from its St. Clair-Jewel line to the international border on the St. Clair River. Ontario Hydro would construct a similar line from its Lambton Station to the border connection. The Edison line would be 2.0 miles in length; the Ontario line would be 0.8 mile. Impact will include the restriction of land use on 24.8 acres of right-of-way, and possible disruption of shipping traffic on the St. Clair during construction and maintenance operation (two volumes). Comments made by: USDA, COE, DOI, STAT, HEW, EPA, AHP, and State agencies. (ELR Order No. 50795.)

GENERAL SERVICE ADMINISTRATION

Contact: Mr. Andrew E. Kauders, Executive Director of Environmental Affairs, General Services Administration, 18th and F Streets NW., Washington, D.C. 20405, 202-343-4161.

Final

New Construction-Lease Consolidation, Temple, Bell County, Tex., June 2: The proposed action consists of the leasing of a new office to consolidate Federal activities in Temple, Texas, requiring general office space. The proposed facility will result in new construction consisting of 65,000 square feet of net usable office space. Construction disruption will result (97 pages). Comments made by: EPA, HUD, AHP, DOI, USDA, COE, HEW, and (ELR Order No. 50813.)

DEPARTMENT OF HEW

Contact: Mr. Charles Custard, Acting Director, Office of Environmental Affairs, Office of the Assistant Secretary for Administration and Management, Room 3718 HEW-North, Washington, D.C. 20202, 202-963-4456.

FOOD AND DRUG ADMINISTRATION

Draft

Plastic Bottles for Carbonated Beverages and Beer, June 4: This statement covers the proposed use of plastic bottles for carbonated beverages and beer. The adverse impacts resulting from the introduction of plastic bottles into the market are increased littering, a hastened trend toward throwaway containers with consequent depletion of irreplaceable resources (notably fossil fuels), and a further burden on solid waste disposal (86 pages). (ELR Order No. 50820.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Room 7258, 451 7th Street SW., Washington, D.C. 20410, 202-755-6308.

Draft

Wildwood Addition Mortgage Insurance, Decatur, Macon County, Ill., June 2: The statement concerns an application for mortgage insurance on 143.5 acres of agricultural land in the South Shores area of Decatur to be developed into 556 single-family homesites. The $50,000 houses will serve as security for the mortgages. The statement indicates no serious adverse environmental effects. (ELR Order No. 50791.)

"The Woods" Subdivision, Dallas County, Tex., June 6: The statement concerns HUD administrative approval of the construction of a predominantly residential subdivision, "The Woods" by Fox and Jacobs, Inc., as an "FHA" processed housing development. The project will convert 1,800 acres of agricultural land in Southwest Dallas County to a community containing 5,400 dwelling units. The development will sour suburban growth. (ELR Order No. 50825.)

Final

Urban Renewal, Newburyport, Mass., June 6: Proposed is an urban renewal project for 22 acres of downtown historic and commercial area and the adjoining Merrimack River waterfront of Newburyport, Massachusetts. The study area comprises Parcels 2, 22, 3, 3a, 5, 6, and 8. While no development proposals are specified in the plan, the eis records the efforts made to mitigate the effect of new construction through design review. The development of Parcel 8, scheduled for new construction, is under controversy. Comments made by: DOI, EPA, DOT, GSA, HEW, DOC, State and local agencies and concerned citizens. (ELR Order No. 50826.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, 202-343-3891.

BUREAU OF SPORTS FISHERIES AND WILDLIFE

Final

Fish Hatchery, Quinault Indian Reservation, Grays Harbor County, Wash., June 2: Proposed is the completion of a new fish hatchery on Quinault Indian Reservation. The hatchery will be managed for the propagation of chinook, coho, and chum salmon, and steelhead trout. Hatchery effluent is expected to cause organic enrichment of Cook Creek (63 pages). Comments made by: COE, DOC, DOI, EPA, and State agencies. (ELR Order No. 50803.)

NATIONAL PARK SERVICE

Final

Development Plans, Cowpens National Battlefield, Cherokee County, S.C., June 2: Proposed is a development concept plan for the Cowpens National Battlefield. The battlefield would be restored; visitor facilities would be increased; a road system, parking areas, a picnic area, foot trails, a visitor center, and related facilities would be constucted Adverse impact will result from increased visitation (75 pages). Comments made by: AHP, EPA, USDA, COE, DOI, DOT, and State Historic Preservation Officer. (ELR Order No. 50802.)

NATIONAL SCIENCE FOUNDATION

Contact: Dr. Thomas O. Jones, Deputy Assistant to the Director, National and International Programs, Room 703, Washington, D.C. 20550, 202-632-4180.

Draft

International Phase of Ocean Drilling, June 2: Proposed is the support of the International Phase of Ocean Drilling of the Deep Sea Drilling Project, scheduled to begin late fall of 1975 as part of the National Science Foundation's Ocean Sediment Coring Program. The exploratory drilling would be performed in relatively few sites but to substantially greater depths than before. Areas with known reservoirs of hydrocarbons will be avoided. The possible release of major fluxes of natural fluids is the only event which could have a profound negative environmental impact. (ELR Order No. 50793.)

NUCLEAR REGULATORY COMMISSION

Contact: Mr. A. Giambusso, Director of Division of Reactor Licensing, P-722, NRC, Washington, D.C. 20555, 301-492-7373.

Final

Skagit Nuclear Project, Units 1 and 2, Skagit County, Wash., June 4: Proposed is the issuance of construction permits to four power utilities for the joint construction of a two unit plant. Each unit will employ a boiling water nuclear reactor with maximum expected thermal power levels of 4100 MWt. At the initial 3800 MWt power level, the net electrical capacity of each unit will be 1288 MWe. Exhaust steam will be cooled by hyperbolic-natural draft towers, with makeup water drawn from the Skagit River. Approximately 1750 acres of forested and agricultural land will be removed from production; 360 acres of this land will be diverted to industrial use. Comments made by: AHP, USDA, COE, DOC, HEW, HUD, DOI, DOT, EPA, FEA, FPC, State and local agencies and concerned citizens. (ELR Order No. 50814.)

Washington Nuclear Projects 3 and 5, Grays Harbor County, Wash., June 5: The proposed action is the issuance of construction permits to the Washington Public Power Supply System for the construction of Washington Nuclear Projects 3 and 5. The station will employ a pressurized water reactor to produce up to 3800 megawatts thermal (MWt) and a steam turbine generator will use this heat to provide 2480 MWe (net) of electrical power capacity. Water for cooling will be obtained from and discharged to the Chehalis River. Twelve thousand feet of transmission line will also be constructed. The project will require the disturbance of about 300 acres of the 2170-acre forested site. Comments made by: AHP, USDA, FPC, HUD, COE, DOI, EPA, HEW, DOC, and FEA. (ELR Order No. 50824.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, 400 7th Street SW., Washington, D.C. 20590, 202-426-4357.

Draft

U.S. 27, Lansing to Ithaca, Michigan, Clinton and Gratiot Counties, Mich., June 2: Proposed is the construction of a four-lane freeway from I-69 north of Lansing to US 29 south of Ithaca, a distance of 31 miles. The project will require the conversion of several hundred acres of prime agricultural land to road use and the disruption of several residential and commercial properties. The drainage system and water quality in the area will also be adversely affected. (ELR Order No. 50800.)

FEDERAL HIGHWAY ADMINISTRATION

Draft

March Lane Expressway, El Dorado St. to West Lane, San Joaquin County, Calif., June 3: This project proposes the ultimate construction of a full four-land divided expressway which will be an integral part of a tie between I-5 and State Highway 99, with initial construction limited to a 0.9-mile segment between El Dorado Street and West Lane in Stockton. Adverse effects will be an increase in sound levels and an injection of additional air pollutants into the area adjacent to the roadway (62 pages). (ELR Order No. 50809.)

I-676 South of Morgan Blvd. to Atlantic Ave., Camden, Camden County, N.J., June 2: Proposed is the construction of a 1.6 mile, 6-lane segment of I-676 from just south of Morgan Boulevard north to Atlantic Avenue in Camden City. Displacements of families and businesses and increased noise levels will result. (ELR Order No. 50804.)

Route 15 and Route 6 Relocation, Mansfield, Tioga County, Pa., June 3: The proposed highway improvements are intended to provide 4-lane limited access relocations of the portion of Traffic Route 15 from Sebring to Mansfield and Traffic Route 6 from east of Mansfield to west of Mansfield. The project will displace an unspecified number of families and businesses and will contribute to development along the route. (ELR Order No. 50810.)

Mapleton Center Street, Utah, Utah County, Utah, June 2: Proposed is the improvement and extension of Mapleton Center Street from Maple Street to Hobble Creek Canyon Road, a distance of 1.5 miles. Bituminous surface will be two 12-foot lanes and two 8-foot shoulders, for a total width of 40 feet. Adverse impacts include the relocation of 3 families and construction disruption resulting especially from a cut and fill section and structures for Hobbel Creek (96 pages). (ELR Order No. 50792.)

U.S. 187 (Elk Street), Rock Springs, Sweetwater County, Wyo., June 2: Proposed is the improvement of a 1.49-mile segment of Elk Street (U.S. 187) from a two-lane to a four-lane facility. It begins at the intersection of Elk Street and Bridger Avenue (U.S. 30) and extends northerly to the interchange with I-80. Major impacts center around the acquisition of additional right-of-way to contain the improvement in the southern half of the project. The project will displace 11 businesses (75 pages). (ELR Order No. 50807.)

Final

Gage Boulevard, Topeka, Kansas, Shawnee County, Kans., June 2: Proposed is the reconstruction of 4,700 feet of Gage Boulevard, from Drury Lane to Tenth Avenue in Topeka. Additional land will be acquired for right-of-way; some shade trees will be taken; the alternative chosen eliminates the need for the 4(f) statement included in the draft. Comments made by: USDA, COE, EPA, State agencies. (ELR Order No. 50805.)

U.S. 78, Beldon, Miss. to Alabama State Line, Lee and Itawamba Counties, Miss., June 2: The proposed project would consist of relocating U.S. 78 from the end of the existing construction project near Beldon, to the Alabama State Line, a distance of approximately 38 miles. The number of displacements required by the project depends upon which of the three alternatives is chosen. The 4-lane facility would necessarily cross the Natchez Trace Parkway; a 4(f) statement is included. The project will require two channel changes: one at a bridge location and one at a proposed interchange area. Comments made by: DOI, EPA, HUD, USDA, and State agencies. (ELR Order No. 50788.)

Route CC, Ozark Co., Missouri, Ozark County, Mo., June 2: The action proposes the construction of a 3.1 mile segment of 2-lane Route CC from 1.9 miles east of Route 181 to Hammond Camp. The project will require the conversion of 25 acres of forest land to road way use, thus eliminating some wildlife habitat. A bridge will be constructed over North Fork White River. Comments made by: State and regional agencies. (ELR Order No. 50789.)

U.S. 30, Stark County, Ohio, June 2: The project involves construction of a new highway on new right-of-way nine miles in length, known as relocated U.S. 30 in the southern portion of Canton and central Stark County. The project consists of a four, six and eight lane divided highway with elevated and depressed grade sections to connect with a completed section. Adverse impacts are increased noise levels and the displacement of 270 families, 85 individuals, 48 businesses, and 4 churches. Comments made by DOI, EPA, HUD, HEW, USDA, and State agencies. (ELR Order No. 50787.)

URBAN MASS TRANSPORTATION ADMINISTRATION

Draft

Fifth and Sixth Avenues Transit Mall, Portland, Oreg., June 3: This project entails the construction of a transit mall on Fifth and Sixth Avenues from Burnside Street to Madison Street in downtown Portland to provide for predominantly exclusive use of the streets by Tri-Met buses. Permanent adverse impacts include increased nitrogen oxide and noise levels on Fifth and Sixth Avenues, increased auto traffic on streets parallel to the mall, and modified access to many properties. Temporary construction disruption will also occur. (ELR Order No. 50808.)

U.S. COAST GUARD

Draft

Highway Bridge Across Wolf River, Fremont, Waupaca County, Wis., June 4: The project entails construction of a four-lane highway bridge to cross the Wolf River as part of the proposed realignment of US 10 through Fremont, Wisconsin. Adverse impacts include acquisition of 0.7 acre of village park land, relocation of 4 families, relocation of a historical marker, slight noise impact upon the northern tip of the park, and short-term siltation and water pollution. (ELR Order No. 50319.)

GARY L. WIDMAN,
General Counsel.

[FR Doc.75-15434 Filed 6-12-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

MANDATORY OIL IMPORT PROGRAM

Draft Environmental Impact Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969 the Federal Energy Administration (FEA) has prepared a draft environmental impact statement on the Mandatory Oil Import Program.

The document has been prepared to consider the environmental impact of, and alternatives to, regulations implementing Presidential Proclamation No. 3279, as recently amended by Proclamations Nos. 4210, 4341, and 4355, including amendments to FEA's Mandatory Oil Import Regulations, 10 CFR Parts 206 and 213, and the Mandatory Petroleum Allocation and Price Program, 10 CFR Parts 211 and 212. These regulations establish and distribute the burden of increased fees on imports of crude oil and petroleum products.

Single copies of the draft environmental statement may be obtained from the FEA Office of Communications and

Public Affairs, Room 220, Old Post Office Building, 12th and Pennsylvania Avenue, NW., Washington, D.C. 20461, on June 13, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel,
Federal Energy Administration.

JUNE 12, 1975.

[FR Doc.75-15641 Filed 6-12-75;10:56 am]

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt of Report Proposal

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO on June 5, 1975. See 44 U.S.C. 3512 (c) & (d). The purpose of publishing this notice in the FEDERAL REGISTER is to inform the public of such receipt.

The notice includes the title of the request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed N R C form are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed form, comments (in triplicate) must be received on or before July 1, 1975, and should be addressed to Mr. Monte Canfield, Jr., Director, Office of Special Programs, United States General Accounting Office, 425 I Street, NW., Washington, D.C. 20548.

Further information may be obtained from the Regulatory Reports Review Officer, 202-376-5425.

NUCLEAR REGULATORY COMMISSION

Request for clearance of new application, reporting, and recordkeeping requirements contained in 10 CFR 70.57 (b), (c), and (d) of the Commission's regulations pertaining to the measurement control program for special nuclear materials control and accounting.

The frequency of each requirement is on occasion and the amendments would specify criteria for a measurement control program which would be required to be established and maintained by each licensee which is authorized to possess, at any one time and place, more than one effective kilogram of special nuclear material in unsealed form. The respondent burden varies greatly depending on the requirement and is estimated at 172 hours per respondent for the first filing and 157 hours thereafter.

NORMAN F. HEYL,
Regulatory Reports Review Officer.

[FR Doc.75-15483 Filed 6-12-75;8:45 am]

NATIONAL ADVISORY COUNCIL ON ECONOMIC OPPORTUNITY

EIGHTH ANNUAL REPORT TO THE PRESIDENT

Notification of Proposed Meeting

JUNE 10, 1975.

A committee of the National Advisory Council on Economic Opportunity, authorized by section 605 of the Community Services Act of 1974, will hold a Council work session on Monday, June 30, 1975 at its offices at 1016 16th Street, NW. (Room 601), Washington, D.C. The session will begin at 9:30 a.m. and is open to the public.

The committee will meet to discuss and review the final draft of its Eighth Annual Report to the President.

We are printing the above information in the FEDERAL REGISTER as required by section 9 of the Federal Advisory Committee Act of 1972.

Sincerely,

JOSEPH A. DOOLING,
Chairman,
Advisory Council Committee.

[FR Doc.75-15502 Filed 6-12-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. P-499-A]

DEPARTMENT OF WATER AND POWER OF THE CITY OF LOS ANGELES, ET AL.

Notice of Receipt of Partial Application for Construction Permits and for Facility Licenses: Time for Submission of Views on Antitrust Matters

The Department of Water and Power of the City of Los Angeles, the State of California Department of Water Resources, the City of Anaheim, the City of Glendale, the City of Pasadena, the City of Riverside, the Northern California Power Agency, the Pacific Gas and Electric Company and the Southern California Edison Company, pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, have filed one part of an application, which was docketed on May 21, 1975, in connection with plans to construct and operate four generating units of an undetermined type, each with a net electrical output of approximately 1170 megawatts. The proposed facilities, designated as the San Joaquin Nuclear Project, are to be located near Wasco, approximately 33 miles northwest of Bakersfield, in Kern County, California. The portion of the application filed contains the information requested by the Attorney General for the purpose of an antitrust review of the application as set forth in 10 CFR Part 50, Appendix L.

Pursuant to § 2.101 of Part 2, the remaining portion of the application consisting of an Environmental Report is expected to be filed in August 1976, and the Preliminary Safety Analysis Report in December 1976. Upon receipt of the portions of the application dealing with environmental and radiological health and safety matters, separate notices of receipt will be published, by the Nuclear Regulatory Commission (the Commission), including an appropriate notice of hearing.

A copy of the partial application is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C. 20555; the Nuclear Regulatory Commission, Inspection and Enforcement, Region V, 1990 N California Boulevard, Walnut Creek, California 94596; the Federal Records Center, Reading Room, 4747 Eastern Avenue, Bell, California 90201; and the Kern County Library, 1315 Truxtun Avenue, Bakersfield, California 93301. Docket No. P-499-A has been assigned to the application and it should be referenced in any correspondence relating to it.

Any person who wishes to have his views on the antitrust matters of the application presented to the Attorney General for consideration should submit such views to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Chief, Office of Antitrust and Indemnity, Office of Nuclear Reactor Regulation, on or before August 12, 1975.

Dated at Bethesda, Maryland, this 5th day of June 1975.

For the Nuclear Regulatory Commission.

JOHN F. STOLZ,
Chief, Light Water Reactors Project Branch No. 2-1, Division of Reactor Licensing.

[FR Doc.75-15287 Filed 6-12-75;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on June 9, 1975 (44 USC 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529), or from the reviewer listed.

NEW FORMS

U.S. CIVIL SERVICE COMMISSION

Availability Statement for Technical Support Jobs, CHCH 28, on occasion, applicants for technical positions, Caywood, D.P., 395-3443.

Availability Statement for Medical and Dental Support Jobs, CHCH 29, on occasion, applicants for positions, Caywood, D.P., 395-3443.

DEPARTMENT OF AGRICULTURE

Economic Research Service, Study of Economic and Social Needs of Elderly Americans in Powell County, Kentucky, single-time, households with persons 60 yrs. & older, Lowry, R.L., Reese, B.F., 395-3772.

DEPARTMENT OF COMMERCE

Bureau of Domestic Commerce, Crime Related Losses of Supermarkets and Convenience Stores, DIB 931, single-time, retail grocery chains, Hall, George, Caywood, D.P., 395-4697.

Bureau of International Commerce, Trade Promotion Evaluation, DIB-4046P, on occasion, participants or users of Trade Promotion Services, economics & General Government Division, Caywood, D.P., 395-3451.

Bureau of the Census, Geographic Coding: Place/MCO Survey, GEO 44L1 and GEO 45L1, single-time, officers of municipalities in Selected States, Ellett, C.A., 395-6172.

DEPARTMENT OF DEFENSE

Defense Supply Agency, Defense Industrial Facilities Protection Program (DIFPP) Survey Form, DSA 1362, other (see SF-83), industrial facilities, National Security Division, 395-4734.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health, Age at Marriage and Time to First Birth: A Longitudinal Study of Parental Attitudes and Children's Personality, NIH-CH-2, single-time, two-child families, Williamsburg area, Reese, B.F., 395-5630.

Health Resources Administration, The Management of Group Practice Forms of Health Care Delivery, HRABHM 0602, single-time, medical group practices, Dick Eisinger, Lowry, R.L., 395-4716.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary, Used Mobile Home Surveys, FF0702-0057S, single-time, Government agencies, Sunderhauf, M.B., 395-4911.

DEPARTMENT OF LABOR

Labor-Management and Service Administration, U.S. Government Contract Pension Survey, LMSA 55T, single-time, pension plan administrators, Strasser, A., Caywood, D.P., 395-3880.

Bureau of Labor Statistics, Contract Construction Industry Wage Survey Pilot, Study Quality Measurement, 2751A, BLS 2752A, and BLS 2753G, single-time, contract construction establishments, Strasser, A., 395-3880.

DEPARTMENT OF THE INTERIOR

Bureau of Land Management, Off Road Vehicle Survey, single-time, O.R.V. users in Denali area, Planchon, P., 395-3898.

Bureau of Land Management, Recreation Survey (highway), single-time, recreationists in Denali highway area, Lowry, R.L., 395-3772.

Bureau of Land Management, Recreation Survey (campground), single-time, recreationists in Denali highway area, Planchon, P., 395-3898.

National Park Service, Questionnaire for Subscriber's of Park Practice Program Periodical "Trends", single-time, professional park and recreation officials, Planchon, P., 395-3898.

REVISIONS

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service, Regulation—Food Stamp Program (and Disaster Procedures), on occasion, State agencies, Lowry, R. L., 395-3772.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service, Monthly Statistical Report on Medical Care, SRS NCSS, monthly, State Medicaid Title XIX agencies, Dick Eisinger, 395-4716.

EXTENSIONS

SELECTIVE SERVICE SYSTEM

Uncompensated Personnel Action, SSS-400, on occasion, applicants for position, Lowry, R. L., 395-3772.

DEPARTMENT OF TRANSPORTATION

Departmental and other Telephonic Report of Hazardous Materials Incident, on occasion, transporters of hazardous materials, Marsha Traynham, 395-4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-15544 Filed 6-12-75;8:45 am]

POSTAL RATE COMMISSION

[Docket No. N75-1; Order No. 68]

RETAIL ANALYSIS PROGRAM FOR FACILITIES DEPLOYMENT

Prehearing Conference and Designation of Presiding Officer

JUNE 9, 1975.

On April 16, 1975, the Postal Rate Commission issued a Notice stating that the United States Postal Service had filed a Request for an opinion that implementation of its Retail Analysis Program does not constitute a "change in the nature of postal services which will generally affect service on a nationwide or substantially nationwide basis" within the meaning of 39 U.S.C. 3661(b), or, in the alternative, for an advisory opinion on the merits of this program in accordance with 39 U.S.C. 3661 (b), (c). The notice was subsequently published in the FEDERAL REGISTER on April 18, 1975 (40 FR 17352-53).

On May 7, 1975, the Postal Rate Commission issued Order No. 62[1] which stated, in part, that this Commission would designate an Administrative Law Judge to preside at the prehearing conferences and hearings in the above-captioned proceeding. Pursuant to that order and section 19 of the rules of practice and procedure (39 CFR 3001.19) the Commission hereby designates Administrative Law Judge Marvin H. Morse to serve as the Presiding Judge in this proceeding. A prehearing conference will be held at a time to be designated by Judge Morse in the Postal Rate Commission hearing room, Suite 500, 2000 L Street, NW., Washington, D.C. 20268.

The Commission's rules of practice and procedure provide in section 24 (39 CFR 3001.24) that "[i]t is the intent of the Commission to issue its * * * advisory opinion on requests under * * * [section] 3661 of the Act with the utmost practicable expedition." In this regard, the Commission notes that section 24(d) also sets forth the matters which the presiding officer and the participants shall consider and resolve at the prehearing conference. All participants are required and expected to appear at the prehearing conference fully prepared to discuss in detail and resolve these matters. Moreover, in addition to the matters set forth in section 24 of the rules of practice and procedure, Postal Rate Commission Order No. 62 sets forth a series of questions to be considered by the parties to this proceeding including the question of the proper scope of the Commission's jurisdiction under 39 U.S.C. 3661. At the prehearing conference, all parties should also be prepared to address themselves to the questions which we posed in Order No. 62.

Additionally the Commission directs the attention of all parties to the provisions of section 25, 26 and 27 of the rules of practice and procedure (39 CFR 3001.25, 3001.26, 3001.27) establishing the availability of discovery procedures. Each participant should make every effort to complete all necessary discovery as expeditiously as practicable.

At the prehearing conference, the parties should also be prepared to narrow those issues on which they intend to cross-examine or to submit evidence.

The Commission orders. (A) Administrative Law Judge Marvin H. Morse is hereby designated as the presiding officer in the above-captioned proceeding.

(B) A prehearing conference in this proceeding, regarding which a notice of proceeding was published in the FEDERAL REGISTER on April 18, 1975 (40 FR 17352-53), will be held at a time to be designated by Judge Morse in the Postal Rate Commission hearing room, Suite 500, 2000 L Street NW., Washington, D.C. 20268. The conference will be held for the purposes specified in section 24 of the Commission's rules of practice and procedure (39 CFR 3001.24) and in this order, and to afford all participants in this proceeding an opportunity to be heard with respect to the procedures to be followed in expeditiously determining the issues to be resolved in Docket No. N75-1. The conference proceedings shall be recorded by an official reporter, and

[1] On May 30, 1975, the Commission issued Order No. 64 which denied the Motion for Reconsideration and Modification of Order No. 62, filed by the Postal Service on May 9, 1975.

shall be recessed and reconvened at the discretion of the presiding officer.

By the Commission.

[SEAL] JAMES R. LINDSAY, *Secretary.*

[FR Doc.75-15470 Filed 6-12-75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

CANADIAN JAVELIN, LTD.

Suspension of Trading

JUNE 6, 1975.

The common stock of Canadian Javelin, Ltd. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Canadian Javelin, Ltd. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from June 8, 1975 through June 17, 1975.

By the Commission.

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

[FR Doc.75-15474 Filed 6-12-75;8:45 am]

[812-3771]

CONGRESS STREET FUND, INC. ET AL.

Filing of Application for an Order of Exemption

Notice is hereby given that Congress Street Fund, Inc. ("Congress") and Second Congress Street Fund, Inc. ("Second Congress"), 35 Congress Street, Boston, Massachusetts 02109, open-end, diversified, management investment companies registered under the Investment Company Act of 1940 (the "Act"), and Fidelity Management & Research Company ("Fidelity"), the investment adviser to, and a shareholder of, Congress and Second Congress (collectively referred to as "Applicants"), filed an application on February 28, 1975, and amendments thereto on April 21, 1975, and June 2, 1975, pursuant to section 17(b) of the Act, for an order of the Commission exempting from the provisions of section 17(a) of the Act the merger of Second Congress into Congress and, pursuant to section 17(d) of the Act and Rule 17d-1 thereunder, for an order of the Commission permitting Fidelity to participate, as a principal, in the merger of Second Congress into Congress. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Congress was organized under the laws of the Commonwealth of Massachusetts on April 12, 1960 and, as of December 31, 1974, had net assets of $21,379,576. Second Congress was organized under the laws of the Commonwealth of Massachusetts on September 16, 1963 and, as of December 31, 1974, had net assets of $16,888,239.

Congress and Second Congress (the "Funds") were created as "exchange funds" and each Fund, shortly after its organization, commenced and completed a public offering of its shares. Such shares were issued to investors in exchange for securities of other issuers rather than cash. The investment objective of the Funds is long-term capital appreciation and income.

Both Funds employ Fidelity as their investment adviser and the Board of Directors and officers of the Funds are identical. Accordingly, the Funds may be deemed to be under common control. Section 2(a)(3) of the Act, in pertinent part, defines an affiliated person of another person to include any person directly or indirectly owning, controlling or holding with power to vote, 5 percent or more of the outstanding voting securities of such other person, any person 5 percent or more of whose outstanding securities are directly or indirectly owned, controlled or held with power to vote by such other person, any person under common control with such other person, and any investment adviser of an investment company. Fidelity, therefore, is an affiliated person of the Funds, and the Funds may be deemed to be affiliated persons of each other. Alexander Laird McCormick ("McCormick") owns approximately 6 percent of the outstanding voting securities of Second Congress. McCormick and Second Congress, therefore, are affiliated persons of each other and McCormick and Congress may be deemed to be affiliates of affiliates.

Fidelity presently owns 6,052 shares of Congress and 4,581 shares of Second Congress. These securities had a value, as of December 31, 1974, of approximately $139,196 and $120,114 respectively and constituted approximately 0.65 percent and 0.71 percent of the respective outstanding voting securities of Congress and Second Congress.

Congress and Second Congress proposes to enter into an Agreement of Merger pursuant to which Second Congress will be merged into Congress in accordance with Massachusetts law. Congress will be the surviving corporation and the separate corporate existence of Second Congress will cease. The Agreement of Merger and other matters incidental thereto have been approved by the Boards of Directors of Congress and Second Congress and must be further approved by the vote of at least two-thirds of the outstanding voting securities of both Congress and Second Congress.

On or prior to the effective date of the merger, Second Congress will distribute to its shareholders a dividend consisting of substantially all of its net taxable investment income and net taxable short-term capital gains. On the effective date of the merger, the outstanding shares of Second Congress held by each stockholder of record will be converted into that number of full and fractional shares of Congress having an aggregate net asset value equal to the value of such stockholder's pro rata interest in the net assets of Second Congress. The net asset values of the Funds, for purposes of the exchange, will be determined as of the close of business on the effective date of the merger.

As of December 31, 1974, the net unrealized appreciation on securities held by Congress and Second Congress was, respectively, $13,456,947 and $11,394,087. Net unrealized appreciation, as of that date, constituted approximately 63 percent of the net assets of Congress and approximately 67 percent of the net assets of Second Congress. Congress and Second Congress also had, respectively, tax loss carryforwards, as of December 31, 1974, of $450,977 and $66,376. To the extent that Second Congress, between January 1, 1975 and the effective date of the merger, realizes net long-term capital gains that exceed its tax loss carryforward, Second Congress will accrue the Federal tax payable thereon as a liability to be charged against the value of its assets. No adjustments in the net asset values of the Funds will be made to compensate shareholders for any potential Federal income tax impact which may result from the differences between the Funds in the percentage of their unrealized capital gains and tax loss carryforwards to their net assets. Applicants state that an adjustment is not appropriate because the disparity in unrealized appreciation between the Congress portfolio and the Second Congress portfolio is not significant. Applicants assert that Congress delivers portfolio securities as payment to redeeming shareholders and that to the extent that appreciated securities are so distributed, Congress recognizes no gain for Federal income tax purposes. Applicants also assert that the recognition of gains by Congress is further diminished by Congress' historically low rate of portfolio turnover.

Section 17(a). Section 17(a) of the Act, in pertinent part, provides that it shall be unlawful for any affiliated person of a registered investment company, or any affiliated person of such a person, acting as principal, knowingly to sell to or purchase from such registered company any security or other property. Section 17(b) of the Act provides that the Commission, upon application, may exempt a proposed transaction from the provisions of section 17(a) if evidence establishes that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned and that the proposed transaction is consistent with the policy of each registered investment company concerned and with the general

purpose of the Act. Applicants request an order of the Commission exempting from the provisions of Section 17(a) of the Act the proposed merger of Second Congress into Congress and the exchange of shares of Second Congress for shares of Congress by Fidelity and McCormick in connection therewith.

Applicants assert that the terms of the proposed transaction are reasonable and fair and do not involve overreaching on the part of any person concerned. Shares of Congress will be issued to Second Congress shareholders on the basis of the respective net asset values of Congress and Second Congress determined at the same point in time. Applicants assert that McCormick and Fidelity will be treated no differently than all other shareholders of Second Congress and that McCormick and Fidelity did not participate in the negotiation of or the preliminary activity with respect to the proposed merger, although certain of Fidelity's officers and employees in their capacity as officers of Congress and Second Congress did so participate. Applicants believe that consummation of the proposed merger will provide greater flexibility with respect to redemption procedures and will result in certain economies of operation through the reduction of certain expenses, such as auditing fees, filing fees, custodial fees and the expenses of preparation of proxy statements and shareholder reports. The aggregate expenses of consummating the merger of Congress and Second Congress are estimated to be $39,600. Congress will bear $20,200 of such expenses and Second Congress will bear $19,400 of such expenses.

Applicants assert that Congress has no present intention of selling any of the portfolio securities to be acquired from Second Congress. If the merger had been effected on May 15, 1975, the resulting portfolio would not have satisfied the diversification requirements for management companies set forth in section 5(b) of the Act. Section 13(a)(1) of the Act prohibits a registered investment company from changing its classification from a diversified company to a non-diversified company unless authorized by the vote of a majority of its outstanding voting securities. Therefore, Congress will submit to its shareholders, together with the merger proposal, a proposal to change the classification of Congress from a diversified company, as defined by section 5(b) of the Act, to a non-diversified company, but only to the extent necessary to permit the acquisition of portfolio securities held by Second Congress. The merger will be conditioned on approval of the latter proposal. Under the proposal, Congress would continue to comply with the diversification requirements of section 5(b) of the Act in connection with any other acquisitions of securities. Applicants submit, therefore, that the proposed merger, so conditioned, will be consistent with the policies of both Congress and Second Congress and the general purposes of the Act. Applicants state that the investment policies and restrictions of Congress and Second Congress are substantially identical and that the investment objectives of both Funds are similar.

Section 17(d) and Rule 17d-1. Rule 17d-1, adopted by the Commission pursuant to section 17(d) of the Act, provides, in pertinent part, that no affiliated person of any registered investment company and no affiliated person of such a person, acting as principal, shall participate in, or effect any transaction in connection with, any joint enterprise or other joint arrangement in which such registered company is a participant unless an application regarding such joint enterprise or arrangement has been filed with the Commission and has been granted by an order. A joint enterprise or other joint arrangement as used in this rule is any written or oral plan, contract, arrangement, or any practice or understanding concerning an enterprise or undertaking whereby a registered investment company and any affiliated person of such registered investment company, or any affiliated person of such a person, have a joint or a joint and several participation, or share in the profits of such enterprise or undertaking. In passing upon such application, the Commission will consider whether the participation of such registered company in such joint enterprise or joint arrangement on the basis proposed is consistent with the provisions, policies and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

Fidelity, through its receipt of shares of Congress in exchange for shares of Second Congress pursuant to the proposed merger which its officers and employees in their capacity as officers of the Funds developed and proposed to the directors of Congress and Second Congress and on which Fidelity will have voted, might be deemed to be a participant in a joint enterprise with Congress or Second Congress, and thus, subject to the provisions of section 17(d) of the Act and Rule 17d-1 thereunder.

Applicants assert that the proposed merger is consistent with the provisions, policies and purposes of the Act. Applicants state that the participation of Fidelity as a shareholder of Second Congress in the proposed merger will be on the same basis, i.e., net asset value, as all other shareholders of Second Congress.

Notice is further given that any interested person may, not later than July 1, 1975 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Applicants at the address stated above. Proof of such service (by affidavit, or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following July 1, 1975 unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulations.

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

[FR Doc.75-15475 Filed 6-12-75;8:45 am]

[File No. 500-1]

CONTINENTAL VENDING MACHINE CORP.

Suspension of Trading

JUNE 6, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Vending Machine Corporation 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 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from June 9, 1975 through June 18, 1975.

By the Commission.

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

[FR Doc.75-15476 Filed 6-12-75;8:45 am]

[812-3767]

DIVIDEND SHARES, INC.

Filing of Application for Order Exempting Sale by Open-End Company of Its Securities at Other Than Public Offering Price

Notice is hereby given that Dividend Shares, Inc. ("Applicant"), One Wall Street, New York, New York 10005, a Maryland corporation registered under the Investment Company Act of 1940 ("Act") as a diversified, open-end management investment company, filed an application on February 27, 1975, and an amendment thereto on June 2, 1975, pursuant to section 6(c) of the Act requesting an exemption from the provisions of section 22(d) of the Act so as to permit Applicant to acquire the assets of Baton Coal Company ("Baton") in exchange for shares of Applicant without a sales load. All interested persons are referred to the application on file with the Commission for a statement of the

representations contained therein, which are summarized below.

Applicant represents that Baton was incorporated in Pennsylvania. All the outstanding stock of Baton is owned of record and beneficially by 16 persons and Applicant asserts that Baton is excepted from the definition of an investment company by reason of section 3(c)(1) of the Act.

On February 19, 1975, Applicant and Baton entered into an Agreement and Plan of Reorganization ("Agreement") whereby substantially all of the cash and securities owned by Baton, with a value of approximately $1,132,216 as of May 23, 1975, are to be transferred to Applicant in exchange for shares of Applicant's capital stock which have been registered under the Securities Act of 1933. Pursuant to the Agreement the number of shares of Applicant to be issued to Baton is to be determined by dividing the aggregate market value of the assets of Baton to be transferred to Applicant by the net asset value per share of Applicant, both to be determined as of the valuation time as defined in the Agreement. If the valuation had taken place on May 23, 1975, Baton would have received 392,721 shares of Applicant's stock.

Applicant presently intends to sell after acquisition thereof, securities of Baton having a market value on May 23, 1975, equal to $417,109, or 36.8% of the total market value, including cash items, of Baton's assets on that date. The market value of the securities to be retained, as of such date, is $742,526.

When received by Baton, the shares of Applicant are to be distributed to Baton's stockholders. Since the exchange is expected to be tax-free for Baton and its stockholders, Applicant's cost basis for tax purposes for the assets acquired from Baton will be the same as Baton's cost basis. Applicant has been advised that the stockholders of Baton have no present intention of redeeming, or otherwise transferring, Applicant's shares following the proposed transaction.

No adjustment in respect of unrealized appreciation in the portfolio securities of Baton has been provided for in the Agreement since, according to the application, on May 23, 1975, Applicant rather than Baton would have derived the net tax benefit from the transaction, if consummated on that date.

Applicant represents that no affiliation exists between Baton or its officers, directors, or stockholders and Applicant or its officers or directors, and that the Agreement was negotiated at arms-length by the two companies.

Section 22(d) of the Act, in pertinent part, prohibits a registered investment company from selling any redeemable security issued by it to any person except either to or through a principal underwriter for distribution at a current public offering price as described in the prospectus. The offering price described in Applicant's prospectus includes a sales charge.

Section 6(c) of the Act permits the Commission, upon application, to exempt a transaction if it finds that such an exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than July 1, 1975 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

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

[FR Doc.75-15477 Filed 6-12-75;8:45 am]

[811-661]

EQUITY PROGRESS FUND, INC.

Filing of Application for an Order Declaring That Company Has Ceased To Be an Investment Company

Notice is hereby given that Equity Progress Fund, Inc. ("Applicant"), 2777 Allen Parkway, Houston, Texas 77019, a Delaware corporation, registered under the Investment Company Act of 1940 (the "Act") as an open-end diversified management investment company, has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that it has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

At the annual meeting of shareholders held on July 25, 1974, a majority of the outstanding voting securities of Applicant were voted in favor of an Agreement and Articles of Merger (Agreement) dated May 23, 1974 pursuant to which Applicant was to be merged into Maryland Progress. Under the agreement, all of the assets of Applicant were to be transferred to Maryland Progress, and shareholders of Applicant were to receive one share of Maryland Progress for each outstanding share of common stock of Applicant owned by them. The merger was consummated on December 26, 1974, in accordance with the terms of the Agreement, and the separate corporate existence of Applicant, accordingly, ceased on that date.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and, upon the effectiveness of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than June 30, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following June 30, 1975, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

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

[FR Doc.75-15478 Filed 6-12-75;8:45 am]

[70-5691]

KENTUCKY POWER CO.

Proposed Issue and Sale of Short-Term Notes to Banks

Notice is hereby given that Kentucky Power Company ("Kentucky"), 15th Street and Carter Avenue, Ashland, Kentucky 41101, an electric utility subsidiary company of American Electric Power Company, Inc. ("AEP"), a registered holding company, has filed an application and amendments thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act")

and Rule 50(a)(2) promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application, as amended, which is summarized below, for a complete statement of the proposed transaction.

Kentucky requests that, from the date of the granting of this application to June 30, 1976, the exemption from the provisions of section 6(a) of the Act afforded to it by the first sentence of section 6(b), relating to the issue of short-term notes, be increased to the extent necessary to cover the issuance and sale of notes to banks, provided that the aggregate principal amount of such notes outstanding at any one time shall not exceed $20,000,000. None of such notes shall mature later than December 31, 1976.

Each note payable to a bank will mature not more than 270 days after the date of issuance or renewal thereof, will bear interest at an annual rate of interest not greater than the prime rate of commercial banks in effect at the time of issuance or in effect from time to time and will be prepayable at any time without premium or penalty. Kentucky has established lines of credit with two commercial banks with the aggregate lines of credit of each bank being as follows:

Manufacturers Hanover Trust Co., New York, N.Y.	$10,000,000
Irving Trust Co., New York, N.Y.	10,000,000
Total	20,000,000

Sufficient bank balances to meet operating and financial needs are kept at these banks to satisfy any compensating balance requirements of these banks in connection with the borrowings. If the average of such bank balances were maintained solely in order to fulfill the prevailing compensating balance requirements of such banks, generally between 15 percent and 20 percent, the effective interest cost to Kentucky, based on a prime commercial rate of 7 percent, would be approximately 8¾ percent per annum.

The proceeds from the issue and sale of the notes will be used by Kentucky to reimburse its treasury for past expenditures made in connection with its construction program, to pay part of the cost of its future construction program, and for other corporate purposes. Such construction expenditures for the years 1975 and 1976 are estimated at approximately $20,000,000 and $25,000,000, respectively.

The application states that expenses of approximately $2,500 are to be incurred in connection with the proposed transaction. It is further stated that no state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than June 30, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as amended or as it may be further amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

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

[FR Doc.75-15479 Filed 6-12-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

[License No. 02/06-0069]

APCO CAPITAL CORP.

Filing of Application for Transfer of Control of Licensed Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to § 107.701 of the regulations governing small business investment companies (13 CFR 107.701 (1975)) to transfer control of APCO Capital Corporation (APCO), a Georgia corporation, with principal offices at 100 Crossways Park West, Woodbury, New York, a Federal Licensee under the Small Business Investment Act of 1958, as amended (Act).

APCO was licensed on March 15, 1962, and is presently controlled by The American Plan Corporation, a publicly held corporation, which is the record and beneficial owner of all of the 829,998 issued and outstanding shares of Common Stock, $1 par value, of APCO. The transfer of control will be to three individuals through the purchase by each of 33⅓ percent of the 829,998 issued and outstanding shares of APCO's Common Stock, $1 par value. The names of the three individuals proposing to purchase these shares, their places of residence, and their proposed relationship to APCO upon consummation of the transfer of control, are as follows:

Sidney Hoffman, 184 Rosemere Avenue, Fairfield, Conn. Chairman of the Board, Director.

S. David Leibowitt, Two Fanton Hill, Weston, Conn. President, General Manager, Director.

Victor Levinson, Nine Valley Circle, Fairfield, Conn. Vice President, Secretary, Treasurer, and Director.

The geographical area in which the business of APCO is proposed to be principally carried on is in the State of Connecticut, and the principle office of APCO will initially be 125 Strawberry Hill Avenue, Stamford, Connecticut 06902.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed new owners, and the probability of a successful operation of APCO under their control and management in accordance with the Act and Regulations.

Notice is further given that any person may submit comments on the proposed transfer of control to the Associate Administrator for Finance and Investment, Small Business Administration, 1441 "L" Street, NW, Washington, D.C. on or before June 23, 1975.

A similar notice shall be published by APCO Capital Corporation in a newspaper of general circulation in Woodbury, New York, and in Stamford, Connecticut.

Dated: June 6, 1975.

JAMES THOMAS PHELAN, *Deputy Associate Administrator for Investment.*

[FR Doc.75-15471 Filed 6-12-75;8:45 am]

[Proposed License No. 01/01-0277]

MARCON CAPITAL CORP.

Application for a License as a Small Business Investment Company

Notice is hereby given that an Application for a License to operate as a Small Business Investment Company under the provisions of the Small Business Investment Act of 1958, as amended (Act) (15 U.S.C. 661 et seq.), has been filed by Marcon Capital Corporation (the Applicant) with the Small Business Administration (SBA) pursuant to 13 CFR 107.102 (1975).

The Applicant was incorporated under the Stock Corporation Act of the State of Connecticut. Its authorized capitalization is 100,000 shares of $1.00 par value common stock of which 30,500 shares have been issued and fully paid. It will commence operations with initial private capital of $300,000.

The entire 30,500 shares of common stock issued are held by the Applicant's parent company, Marcon Communications, Inc., a publicly held corporation which has acquired the shares for investment and not with a view to resale to others.

The proposed officers of the Applicant currently serve as officers of Marcon Communications, Inc., and their proposed relationship to the Applicant is as follows:

Name, residence and title

Martin Aaron Cohen, 30 Lisbon Drive, Fairfield, Connecticut. President and Chairman of the Board of Directors.

John Joseph Alogna, 2609 1st Avenue, East Meadow, New York. Vice President, Secretary and Director.

John Francis Phillips, 9 Evans Court, Huntington Station, N.Y. Vice President, Treasurer, and Director.

Martin A. Cohen, President of Marcon Communications, Inc., and his wife, Annette A. Cohen, are the only stockholders of that company owning ten or more percent of its stock. In their individual capacities and as trustees for their children, they own or control fifty-five percent of the outstanding stock of Marcon Communications, Inc.

The Applicant's office will be located at 1188 Post Road, Fairfield, Connecticut 06430, and it will conduct operations principally in the State of Connecticut. It proposes to follow a diversified investment policy with no concentration in any particular industry or type of business. During the first years of operation the Applicant intends to invest a majority of its funds through long-term loans: subsequently, it is hoped the Applicant will have grown to a size where it can emphasize equity-type investments in companies with growth potential.

Matters involved in SBA's consideration of the Applicant include the general business reputation and character of the proposed owners and management, and the probability of successful operation of the Applicant under their management, including adequate profitability and financial soundness in accordance with the Act and SBA Rules and Regulations.

Notice is hereby given that any person may on or before June 30, 1975, submit written comments on the Applicant to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

A similar notice shall be published by the Applicant in a newspaper of general circulation in Fairfield, Connecticut.

Dated: June 9, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.75-15472 Filed 6-12-75;8:45 am]

DEPARTMENT OF LABOR

Labor-Management Services Administration

EMPLOYEE BENEFIT PLANS

Extension of Interim Exemption From Prohibitions on Securities Transactions With Certain Broker-Dealers, Reporting Dealers and Banks Until October 1, 1975

Correction

In FR Doc. 75-15120 appearing at page 24578 in the issue of Monday, June 9, 1975, in the first column third paragraph, the sixth line now reading, "terim exemption was proposed in order" should read, "terim exemption until September 30, 1975. The extension of the interim exemption was proposed in order".

Manpower Administration

EMPLOYMENT TRANSFER AND BUSINESS COMPETITION DETERMINATIONS

Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 USC 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75, published January 29, 1975 (40 FR 4393). In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.
2. Employment trends in the same industry in the local area.
3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.
4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).
5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice to: Deputy Assistant Secretary for Manpower, 601 D Street, NW, Washington, D.C. 20213.

Signed at Washington, D.C. this 9th day of June, 1975.

BEN BURDETSKY,
Deputy Assistant Secretary for Manpower.

APPLICATIONS RECEIVED DURING THE WEEK ENDING JUNE 6, 1975

Name of applicant	Location of enterprise	Principal product or activity
Stranway Corp	Whately, Mass	Manufacture of building panels.
Magnaland Industries	Sussex County, N.J	Retail sale of farm products.
Brownville Paper Co	Brownville Village, N.Y.	Manufacture of paper products.
Packer Products, Inc	South Fairmont, W. Va.	Motel.
Virginia Precast Corp	Ashland, Va	Manufacture of precast concrete products.
Springboro Associated Industries, Inc	Springboro, Pa	Cutting, curing, and canning of sauerkraut.
Meridian Plastics, Inc	Shelby, N.C	Molded plastic products.
S&G Lumber Co., Inc	Tchula, Miss	Lumber products.
B.M.R. Fabricators, Inc	Toccoa, Ga	Manufacture of mini firetrucks.
Industrial Development Board for the city of Ozark.	Ozark, Ala	Peanut storage.
Sloane Foods, Inc	Westby, Wis	Dairy products.
B&L Plastics, Inc. (tenant of village of Edmore).	Edmore, Mich	Plastic furniture components.
Beneficiary Hi-Plastics, Inc. (tenant of city of Tomahawk).	Tomahawk, Wis	Manufacture of fiber glass boats.
Valmont Industries, Inc. (tenant of city of El Reno).	El Reno, Okla	Manufacture of farm equipment.
Krebeon Corp	DeRidder, La	Restaurant.
Oceanic Butler, Inc	Morgan City, La	Warehouse facilities.
Winco, Inc	Fargo, N. Dak	Horsemanship training.
Hess Pumice Products	Malad, Idaho	Milling and warehousing of fine graded pumice.
James E. Tobin	Ketchum, Idaho	Ski equipment.

[FR Doc.75-15418 Filed 6-12-75;8:45 am]

Occupational Safety and Health Administration

[V-75-8]

STAUFFER CHEMICAL CO.

Application for Variance and Interim Order; Grant of Interim Order

I. *Notice of application.* Notice is hereby given that Stauffer Chemical Company, Westport, Connecticut 06880 has made application pursuant to section 6(b)(6)(A) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1594; (29 U.S.C. 655)) and 29 CFR 1905.10 for a variance and interim order pending a decision on the application for a variance, from the standards prescribed in 29 CFR 1910.1017 (g)(6)(ii) (formerly § 1910.93q; see 40 FR 23072, May 28, 1975) concerning the installation of a continuous monitoring system in areas containing vinyl chloride

and in 29 CFR 1910.1017(m) (2) and (n) (3) insofar as these require the use of a continuous monitoring system.

The address of the place of employment that will be affected by the application is as follows:

Stauffer Chemical Company
Eastern Research Center
Polymers Pilot Plant
Dobbs Ferry, New York 10522

The applicant certifies that employees who would be affected by the variance have been notified of the application by giving a copy of it to their authorized employee representative, and by posting a copy at all places where notices to employees are normally posted. Employees have also been informed of their right to petition the Assistant Secretary for a hearing.

Regarding the merits of the application, the applicant contends that it is unable to comply with the requirements of § 1910.1017(g) (6) (ii) by the effective date of the standard due to the unavailability of materials and equipment needed to comply with the standard.

The applicant states that it began the process of selecting a continuous monitoring system and contacting vendors for bids on the system in October of 1974. A detailed engineering study of the specific equipment needed for the facility was made after the vendor was selected. The equipment was ordered March 13, 1975 with delivery scheduled for June 6, 1975. The equipment is expected to be installed and operational by July 14, 1975.

Employees working in regulated areas will be protected against exposures to 100 ppm through the use of respirators meeting the requirements of § 1910.1017 bids on the system in October of 1974. A vapor analyzer has been installed to measure hydrocarbons, including vinyl chloride, in the atmosphere. When the total hydrocarbon level reaches 100 ppm an alarm will sound and all employees will evacuate the area. In addition, weekly monitoring of the area will be conducted using hand-held equipment and records will be maintained.

A copy of the application will be made available for inspection and copying upon request at the Office of Compliance Programming, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-3603, Washington, D.C. 20210, and at the following Regional and Area Offices:

REGIONAL OFFICES

U.S. Department of Labor
Occupational Safety and Health Administration
18 Oliver Street
Boston, Mass. 02110

U.S. Department of Labor
Occupational Safety and Health Administration
1515 Broadway (1 Astor Plaza)
Room 3445
New York, New York 10036

AREA OFFICES

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 617B
450 Main Street
Hartford, Conn. 06103

U.S. Department of Labor
Occupational Safety and Health Administration
90 Church Street—Room 1405
New York, New York 10007

All interested persons, including employers and employees, who believe they would be affected by the grant or denial of the application for a variance are invited to submit written data, views and arguments relating to the pertinent application no later than July 14, 1975. In addition, employers and employees who believe they would be affected by a grant or denial of the variance may request a hearing on the application no later than July 14, 1975, in conformity with the requirements of 29 CFR 1905.15. Submission of written comments and requests for a hearing should be in quadruplicate, and must be addressed to the Office of Compliance Programming at the above address.

II. *Interim Order.* It appears from the application for a variance and interim order that an interim order is necessary to prevent undue hardship to the applicant and its employees pending a decision on the variance. Therefore it is ordered, pursuant to authority in section 6(b) (6) (A) of the Williams-Steiger Occupational Safety & Health Act of 1970, and 29 CFR 1905.10(c) that Stauffer Chemical Company be, and it is hereby, authorized to operate its named plant without the continuous monitoring and alarm system required by 29 CFR 1910.1017(g) (6) (ii) until it is installed and operational on or about July 14, 1975, with the following provisions:

1. All employees working in regulated areas where exposure may exceed the permissible limits shall be provided with respirators meeting the requirements of § 1910.1017(g) (4) (i) or (iv).
2. A century organic vapor analyzer shall be used to measure hydrocarbons in the atmosphere. Employees shall be evacuated when hydrocarbon levels reach 100 ppm.
3. Weekly monitoring of the work environment shall be performed using hand held equipment.
4. The reporting and recordkeeping requirements of § 1910.1017(m) (2) and (n) (3) shall be complied with to the extent possible using the presently available equipment.

Stauffer Chemical Company shall give notice of this interim order to employees affected thereby, by the same means required to be used to inform them of the application for a variance.

Effective date. This interim order shall be effective as of June 13, 1975, and shall remain in effect until a decision is rendered on the application for variance.

Signed at Washington, D.C., this 9th day of June, 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75-15461 Filed 6-12-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 54]

TEMPORARY AUTHORITY TERMINATION

The temporary authorities granted in the dockets listed below have expired as a result of final action either granting or denying the issuance of a Certificate or Permit in a corresponding application for permanent authority, on the date indicated below:

Temporary authority application	Final action or certificate or permit	Date of action
Gra-Bell Truck Line, Inc., MC-113434 Sub-69	MC-113434 Sub-59	Aug. 5, 1974
Curtis, Inc., MC-113678 Sub-505	MC-113678 Sub-510	Aug. 27, 1974
Dart Transit Co., MC-114457 Sub-101, Sub-170	MC-114457 Sub-144	Aug. 23, 1974
D.b.a. Omnibus Flecha Roja, MC-114554 Sub-3	MC-114554 Sub-2	Aug. 5, 1974
Poole Truck Line, Inc., MC-115162 Sub-237	MC-115162 Sub-236	Aug. 29, 1974
New Truck Lines, Inc., MC-115215 Sub-21	MC-115215 Sub-20	Aug. 1, 1974
Chemical Salt Service, Inc., MC-115221 Sub-5	MC-115221 Sub-6	Aug. 5, 1974
Nance and Collums, Inc., MC-116300 Sub-11	MC-116300 Sub-12	Aug. 8, 1974
Altruk Freight Systems, Inc., MC-116544 Sub-142	MC-116544 Sub-146	Aug. 1, 1974
Hahn Truck Lines, Inc., MC-117765 Sub-157	MC-117765 Sub-161	Aug. 8, 1974
Umthun Trucking, MC-118468 Sub-34	MC-118468 Sub-33	Aug. 27, 1974
Tempco Transportation, Inc., MC-119569 Sub-37	MC-119569 Sub-33	Aug. 23, 1974
Eagle Trucking Co., MC-119774 Sub-71	MC-119774 Sub-72	Aug. 5, 1974
Shupe & Yost, Inc., MC-123075 Sub-23	MC-123075 Sub-23	Aug. 21, 1974
J. B. Montgomery, Inc., MC-123639 Sub-152	MC-123639 Sub-151	Aug. 27, 1974
Brink's Inc., MC-124323 Sub-54	MC-124323 Sub-55	Aug. 8, 1974
C. R. England & Sons, Inc., MC-124679 Sub-56	MC-124679 Sub-17	Aug. 21, 1974
W. Paul Henry, MC-125016 Sub-6	MC-125016 Sub-7	Aug. 22, 1974
Hagen, Inc., MC-127042 Sub-121	MC-127042 Sub-116	Aug. 27, 1974
Dixon Bros., Inc., MC-128035 Sub-16	MC-128035 Sub-17	Aug. 30, 1974
Erdner Bros., Inc., MC-128028 Sub-6	MC-128028 Sub-7	Aug. 28, 1974
Reefer Transit Line, Inc., MC-133775 Sub-15	MC-133775 Sub-16	Aug. 21, 1974
DBA All-Star Transportation, MC-134182 Sub-12, 15	MC-134182 Sub-11	Aug. 29, 1974
Norman C. Emerson, MC-134194 Sub-2, 5	MC-134194 Sub-3	Aug. 5, 1974

[SEAL]

JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-15410 Filed 6-12-75;8:45 am]

[Notice No. 788]

ASSIGNMENT OF HEARINGS

JUNE 10, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of

the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 140217, Sub 1, Clyde Hunsaker, DBA Hunsaker Trucking, now being assigned September 9, 1975 (1 day) at Chicago, Illinois; in a hearing room to be designated later.

MC 121060, Sub 19, Arrow Truck Lines, Inc., now being assigned September 10, 1975 (3 days) at Chicago, Illinois; in a hearing room to be designated later.

MC 128383, Sub 61, Pinto Trucking Service, Inc., now being assigned September 15, 1975 (2 days) at Chicago, Illinois; in a hearing room to be designated later.

MC 125777, Sub 148, Jack Gray Transport, Inc., now being assigned September 17, 1975 (3 days) at Chicago, Illinois; in a hearing room to be designated later.

MC 14751, Sub 4, Nelson Transfer & Storage Company, now being assigned July 29, 1975 (4 days) at Charleston, W. Va.; in a hearing room to be designated later.

MC 112288, Sub 11, Yarbrough Transfer Company, now being assigned September 10, 1975 (3 days), at Greensboro, North Carolina; in a hearing room to be designated later.

MC 140254, Appomattox Tours, Inc. dba Appomattox Tours, now being assigned September 15, 1975 (1 week), at Petersburg, Virginia; in a hearing room to be designated later.

MC-C-8594, Alexander Truck Lines, Inc.—Investigation and Revocation of Certificate, now assigned July 22, 1975 at Dallas, Texas is postponed indefinitely.

MC 120761, Sub 3, Newman Bros. Trucking Company, now being assigned July 22, 1975 (1 day) at Dallas, Texas in Room 5A15-17, New Federal Building, 1100 Commerce Street.

MC-C 8619, Transport of New Jersey; Asbury Park-New York Transit Corporation; Decamp Bus Lines; Hudson Bus Transportation Company, Inc.; Hudson Transit Lines, Inc.; Lakeland Bus Lines, Inc.; Lincoln Transit Company; Manhattan Transit Company; Maplewood Equipment Company; New York-Keansburg-Long Branch Bus Company, Inc.; North Boulevard Transportation Company; Somerset Bus Company, Inc.; Suburban Transit Corporation; and Port Authority of New York and New Jersey—Investigation of Operations and Practices, now assigned July 21, 1975, at New Cork, New York is postponed Indefinitely.

MC 117557 Sub 19, Matson, Inc. now being assigned September 9, 1975 (1 day), at Chicago, Ill.; in a hearing room to be later designated.

MC 114569 Sub 113, Shaffer Trucking, Inc., now being assigned September 10, 1975, (1 day), at Chicago, Ill.; in a hearing room to be later designated.

MC 116325 Sub 68, Jennings Bond, DBA Bond Enterprises, now being assigned September 11, 1975, (1 day) at Chicago, Ill.; in a hearing room to be later designated.

MC 116519 Sub 25, Frederick Transport Limited, now being assigned September 12, 1975, (1 day) at Chicago, Ill.; in a hearing room to be later designated.

MC 140344, Unizicker Trucking, Inc., now being assigned September 15, 1975, (2 days), at Chicago, Ill.; in a hearing room, to be later designated.

MC 21455 Sub 35, Gene Mitchell Co., now being assigned September 17, 1975, (3 days), at Chicago, Ill.; in a hearing room to be later designated.

MC 114818 Sub 17, Motor Cargo, now being assigned September 15, 1975 (2 weeks) at Carson City, Nevada; in a hearing room to be designated later.

MC-F-12332, Great Coastal Express, Inc.—Purchase—Shippers Express, Inc., and MC 4491 Sub 14, Great Coastal Express, Inc., now assigned July 14, 1975 at New York, New York; will be held in Room B-2231, 26 Federal Plaza.

MC 4491, Sub 15, Great Coastal Express, Incorporated, now being assigned July 14, 1975 (2 days) at New York, New York; in Room B-2231, 26 Federal Plaza.

MC 139539, Sub 4, Afro-Urban Transportation, Inc., now assigned July 16, 1975 at New York, New York; will be held in Room B-2231, 26 Federal Plaza.

MC 98742, Sub 12, The Rocket Freight Lines Company, now being assigned September 15, 1975, at Oklahoma City, Oklahoma; in a hearing room to be designated later.

MC 128383, Sub 54, Pinto Trucking Service, Inc., now assigned July 8, 1975, at Bangor, Maine is postponed to July 22, 1975 (2 days), at Bangor, Maine; in a hearing room to be designated later.

[SEAL] RICHARD W. KYLE,
Acting Secretary.

[FR Doc.75-15496 Filed 6-12-75;8:45 am]

[AB 43 (Sub-No. 4)]

ILLINOIS CENTRAL GULF RAILROAD CO.

Abandonment Between Silver Creek, Lawrence County, and Mendenhall, Simpson County, Mississippi

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in newspapers of general circulation in Lawrence and Simpson Counties, Miss., on or before June 20, 1975 and certify to the Commission that this has been accomplished.

And *it is further ordered,* That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 30th day of May, 1975

By the Commission, Commissioner Tuggle.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

ILLINOIS CENTRAL GULF RAILROAD COMPANY ABANDONMENT BETWEEN SILVER CREEK, LAWRENCE COUNTY, AND MENDENHALL, SIMPSON COUNTY, MISSISSIPPI

The Interstate Commerce Commission hereby gives notice that by order dated May 30, 1975, it has been determined that the proposed abandonment by the Illinois Central Gulf Railroad Company (ICG) of its line of railroad between Silver Creek and Mendenhall, Miss., a distance of 27.74 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. § 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental impacts of the proposed action are considered insignificant because (1) the volume of freight movements and resultant diversion of rail traffic would be low, (2) degradation of the local environment would be minimal, and (3) there are no conflicting official development plans for the area.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-2086.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before July 7, 1975.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[FR Doc.75-15497 Filed 6-12-75;8:45 am]

[Notice No. 7]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JUNE 13, 1975.

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 July 3, 1975. 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-75847. By order of June 2, 1975 the Motor Carrier Board approved the transfer to Allen's Transfer & Storage, a corporation, 20 Willow St., Augusta, Me. 04330, of the operating rights in Certificate No. MC-95730 issued June 4, 1975 to Ervine B. Allen, doing business as Allen's Transfer & Storage, 20 Willow St., Augusta, Me., 04330, authorizing the transportation of household goods between Brunswick, Me., and points in Kennebec, Lincoln and Sagadahoc Counties, Me., on the one hand, and, on the other, points in New Hampshire, Massachusetts, Vermont, Rhode Island, Connecticut, and New York.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-15494 Filed 6-12-75;8:45 am]

[Notice No. 65]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 8, 1975.

The following are notices of filing of application, 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, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

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 field office to which protests are to be transmitted.

No. MC 11207 (Sub-No. 357TA), filed May 30, 1975. Applicant: DEATON, INC., 317 Avenue W., P.O. Box 938, Birmingham, Ala. 35201. Applicant's representative: Kim D. Mann, 702 World Center Bldg., 918 Sixteenth St., NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pulp mill and paper mill products* (except commodities in bulk and except commodities which because of size or weight requires the use of special equipment), from the plantsite of Potlatch Corporation, located in Desha County, Ark., to points in the states of Oklahoma, Texas, Louisiana, Mississippi, Alabama, Florida, Georgia, Tennessee, Kentucky, South Carolina, North Carolina, and Virginia; (2) *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), from points in the states of Oklahoma, Texas, Louisiana, Mississippi, Alabama, Florida, Georgia, Tennessee, Kentucky, South Carolina, North Carolina, and Virginia to the plantsite of Potlatch Corporation, located in Desha County, Ark., for 180 days. Supporting shipper: Potlatch Corporation, P.O. Box 1016, Lewiston, Idaho 83501. Send protests to: Clifford W. White, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Building, Birmingham, Ala. 35203.

NOTE.—Applicant intends to interline with other carriers at Atlanta, Ga., and Birmingham, Ala.

No. MC 21455 (Sub-No. 37TA), filed May 30, 1975. Applicant: GENE MITCHELL CO., West Liberty, Iowa 52776. Applicant's representative: Kenneth F. Dudley, P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soy flour and soy protein*, except in bulk, from points in Decatur, Ill., to points in Dothan, Fort Payne, Huntsville, and Montgomery, Ala.; Alton, Ill.; Indianapolis and Muncie, Ind.; Louisville, Owensboro, and Paducah, Ky.; Gulfport and Jackson, Miss.; St. Louis, Mo.; Cincinnati, Ohio; Jackson, Johnson City, and Memphis, Tenn.; and Roanoke, Va., for 180 days. Supporting shipper: Campbell Taggart, Inc., P.O. Box 2640, Dallas, Tex. 75221. Send protests to: Hebert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 60271 (Sub-No. 7TA), filed May 30, 1975. Applicant: HARPER TRUCK LINE, INC., P.O. Box 288, Monroe, La. 71201. Applicant's representative: W. C. Littleton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood sawdust, chips and shavings* (wood residuals), from points in Winnfield, La., to points in Crossett, Ark., for 180 days. Supporting shipper: Olinkraft, Inc., P.O. Box 488, West Monroe, La. 71291. Send protests to: William H. Land, Jr., District Supervisor, 2519 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 69405 (Sub-No. 1TA), filed June 2, 1975. Applicant: JIM CORBETT, RFD #9, Topeka, Kans. 66604. Applicant's representative: Eugene W. Hiatt, 308 Casson Bldg., 603 Topeka Blvd., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed*, both in bulk and in bags, between points in St. Joseph, Missouri and Kansas City, Mo., on the one hand, and, all points and places in Brown County, Kans., Doniphan County, Kans., Douglas County, Kans., Jackson County, Kans., Jefferson County, Kans., Johnson County, Kans., Leavenworth County, Kans., Nemaha County, Kans., Osage County, Kans., Pottawatomie County, Kans., Shawnee County, Kans., Wabaunsee County, Kan., and Wyandotte County, Kans., on the other, for 180 days. Supporting shippers: There are approximately 25 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Thomas P. O'Hara, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 234 Federal Bldg., Topeka, Kans. 66603.

No. MC 94201 (Sub-No. 133TA), filed June 2, 1975. Applicant: BOWMAN TRANSPORTATION, INC., P.O. Box 17744, Atlanta, Ga. 30316. Applicant's representative Maurice F. Bishop, 601-09 Frank Nelson Bldg., Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail and chain grocery and food business houses (except in bulk or frozen), from the plantsite, warehouse and storage facilities of The Clorox Company, at or near Atlanta, Ga., to points in Alabama, Tennessee, Florida, Mississippi and Kentucky, for 180 days. Supporting shipper: The Clorox Company, 7901 Oakport St., Oakland, Calif. 94621. Send protests to: William L. Scroggs, District Supervisor, 1252 W. Peachtree St. NW., Room 546, Atlanta, Ga. 30309.

No. MC 104675 (Sub-No. 36TA), filed June 4, 1975. Applicant: FRONTIER DELIVERY, INC., 620 Elk Street, Buffalo, N.Y. 14210. Applicant's representative: E. Russell Whiteman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soda ash*, in bulk, in tank or hopper type vehicles, from points in Solvay (Syracuse), N.Y., to points in Covington, Va.; returned or rejected shipments of the same commodity in the reverse direction, for 180 days. Supporting shipper: Westvaco Corp., Covington, Va. 24426. Send protests to: George M. Parker, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 612 Federal Bldg., 111 West Huron St., Buffalo, N.Y. 14202.

No. MC 106398 (Sub-No. 729TA), filed June 3, 1975. Applicant: NATIONAL TRAILER CONVOY, INC., 525 South Main, Tulsa, Okla. 74103. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buildings*, complete, knocked down, or in sections; (2) *Building sections and building panels;* (3) *Parts and accessories* used in the installation and completion of commodities in (1) and (2) above; and (4) *Metal prefabricated structural components and panels and accessories* used in the installation and completion thereof, from

the plantsite and storage facilities of Armco Steel Corp., Gregg County, Tex., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Armco Steel Corporation, Michael E. Burney, Assistant Manager, Transportation Southwestern Area, 1455 West Loop Sough, Houston, Tex. 77027. Send protests to: Marie Spillars, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, Room 240 Old P.O. Bldg., 215 N.W. Third, Oklahoma City, Okla. 73102.

No. MC 115524 (Sub-No. 31TA), filed June 2, 1975. Applicant: BURSCH TRUCKING, INC., doing business as ROADRUNNER TRUCKING, INC., P.O. Box 26748, 415 Rakin Road, NE., Albuquerque, N. Mex. 87125. Applicant's representative: D. F. Jones (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Roofing, roofing products, supplies and equipment*, from points in Stroud, Okla., to points in Arizona, Colorado, and New Mexico, for 180 days. Supporting shipper: Sagebrush Sales Company, P.O. Box 25606, Albuquerque, N. Mex. 87125. Send protests to: John H. Kirkemo, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1106 Federal Office Bldg., 517 Gold Ave., SW., Albuquerque, N. Mex. 87101.

No. MC 116877 (Sub-No. 6TA), filed June 2, 1975. Applicant: GARMENT CARRIERS, INC., 2645 Nevin Ave., Los Angeles, Calif. 90011. Applicant's representative: Daniel W. Baker, 100 Pine St., San Francisco, Calif. 94111. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Hanging or cartoned clothing and wearing apparel and component parts used in the manufacture thereof*, as defined in 61 M.C.C. 288 and 289 (except natural furs and natural fur or fur-trimmed garments), *handbags and costume jewelry*, between points in Sacramento, Calif., on the one hand, and Reno and Sparks, Nev., on the other, serving as off-route points all points in Washoe County, Nev., located south of Nixon, Nev., over the following route: from Sacramento, Calif., along Interstate Highway 80 to Sparks, Nev., and return over the same route, as an alternate route, for operating convenience only and serving no intermediate points, from San Bernardino, Calif., to Reno, Nev., along U.S. Highway 395, and return over the same route. Tack and interline: (1) The proposed authority will be joined to Docket No. MC-116877 (Sub-No. 5), certificate of Garment Carriers, Inc., at Sacramento, Calif.; (2) The purpose authority will provide for interline service at the common point of Sacramento, Calif.; with: (a) A & B Garment Delivery of San Francisco, a commonly owned and controlled motor common carrier which holds and operates under Docket No. MC-99339; and (b) Great Western Unifreight System, which is commonly controlled with applicant and A & B Garment Delivery of San Francisco by Nelson Resource Corp., under a temporary control order of the Commission, service date January 21, 1974, in Docket No. MC-F-12068. That carrier holds and operates under Docket No. MC-120700. (3) The proposed service will provide for interline service with E. T. Molitor, d.b.a. Standard Truck Line, Docket No. MC-98874 through the common point of Los Angeles, Calif., for 180 days. Supporting shippers: There are 33 supporting shippers, names and addresses of which will be furnished upon request by the Los Angeles, Calif., field office (213) 688-4008. Send protests to: Walter W. Strakosch, District Supervisor, Interstate Commerce Commission, Room 1312 Federal Bldg., 300 N. Los Angeles, Street, Los Angeles, Calif. 90012.

No. MC 117119 (Sub-No. 541TA), filed June 3, 1975. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemical products*, viz.: *coal tar dyes, chemicals, N.O.I.; cryolite; dye intermediates; iron oxide; liquid latex; plastic materials; resins; rubber, compounds & crude; titanium dioxide; zinc oxide*, from points in Union, Hudson, Middlesex Counties, N.J., and Wetzel County, W. Va., to points in California, restricted against the transportation of commodities in bulk and to vehicles equipped with mechanical refrigeration, for 180 days. Supporting shipper: Verona Dyestuff Div., Mobay Chemical Corp., Metropolitan Park, P.O. Box 385, Union, N.J. 07083. Send protests to: William H. Land, Jr., District Supervisor, 2519 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 118089 (Sub-No. 20TA), filed June 2, 1975. Applicant: ROBERT HEATH TRUCKING, INC., 2909 Avenue C, Lubbock, Tex. 79408. Applicant's representative: Charles J. Kimball, 1612 Court Place, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Arkansas, Arizona, California, Colorado, Idaho, Louisiana, Montana, New Mexico, Oklahoma, Texas, Utah, Oregon, Nevada, Washington, and Wyoming, for 180 days. Supporting shipper: Iowa Beef Processors, Inc., P.O. Box 515, Dakota City, Nebr. 68731. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Box H-4395 Herring Plaza, Amarillo, Tex. 79101.

No. MC 119988 (Sub-No. 81TA), filed May 29, 1975. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75901. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper mill products, pulp mill products, and materials, equipment and supplies used in the manufacture and/or distribution thereof* (except commodities in bulk), between the plantsite and storage facilities of Potlatch Corporation in Desha County, Ark., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Potlatch Corporation, P.O. Box 1016, Lewiston, Idaho 83501. Send protests to: John F. Minsing, Interstate Commerce Commission, 8610 Federal Bldg., 515 Rusk, Houston, Tex. 77002.

No. MC 124078 (Sub-No. 653TA), filed May 30, 1975. Applicant: SCHWERMAN TRUCKING COMPANY, 611 South 28 St., Milwaukee, Wis. 53215. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, from points in Northampton, Pa., to points in Hooksett, N.H., for 180 days. Supporting shipper: United States Steel Corporation, 600 Grant St., Pittsburgh, Pa. 15230. Send protests to: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 125777 (Sub-No. 158TA), filed May 29, 1975. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: Allan C. Zuckerman, 39 South LaSalle St., Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pig iron*, in bulk, in dump vehicles, from points in Dubuque, Iowa, to points in Minnesota, Wisconsin, Illinois, Iowa, Michigan, Missouri, Arkansas, Nebraska, Kansas, Oklahoma, Texas, Colorado, Arizona, New Mexico, Utah, Wyoming, Montana, Idaho, Washington, Oregon, Nevada, California, North Dakota, and South Dakota, restricted to traffic having a prior movement by water in foreign commerce; from Kansas City, Mo., to points in Nebraska, Iowa, North Dakota, South Dakota, Minnesota, Wisconsin, Illinois, Missouri, Arizona, Oklahoma, Texas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Nevada, California, Oregon, and Washington, restricted to traffic having a prior movement by water and foreign commerce; from Houston, Tex., to points in Oklahoma, Texas, New Mexico, Arizona, California, Arkansas, Louisiana, Mississippi, Alabama, and Tennessee, restricted to traffic having a prior movement by water and foreign commerce for 180 days. Supporting shipper: Miller and Company, 55 East Monroe St., Chicago, Ill. 60603. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bu-

reau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 128527 (Sub-No. 55TA), filed June 2, 1975. Applicant: MAY TRUCKING COMPANY, P.O. Box 398, Payette, Idaho 83661. Applicant's representative: C. Marvin May (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metals*, from Boise, Nampa, Meridian and Caldwell, Idaho to points in Kent, Chehalis and Tacoma, Wash., for 180 days. Supporting shipper: Pacific Scrap Metals, P.O. Box 849, Nampa, Idaho. Auto Disposal Service, 8820 Goddard Place, Boise, Idaho. Northern Iron & Metals, 308 S. 25th, Boise, Idaho. United Iron & Metals, 3rd & Railroad, Caldwell, Idaho. ABC Auto Salvage, Route 1, Box 135, Caldwell, Idaho. Send protests to: C. W. Campbell, District Supervisor, Interstate Commerce Commission, 550 West Fort, Box 7, Boise, Idaho 83724.

No. MC 128988 (Sub-No. 62 TA), filed June 2, 1975. Applicant: JO/KEL, INC., 159 South Seventh Avenue, P.O. Box 1249, City of Industry, Calif. 91749 Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (a) *Upholstery and carpet tacking rims and strips, nails, adhesives cement, mechanic hand tools, and advertising materials, racks, and stands therefor*, from Conveys, Ga., to City of Industry, Calif., and points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas and (b) *Materials, equipment, and supplies* used in the manufacture and distribution of the commodities described above, from points in the above-named destination states to Conyers, Ga. Restriction: Restricted against the transportation of commodities in bulk, further restricted to a transportation service to be performed under a continuing contract or contracts with Taylor Industries Division, Consolidated Foods Corporation, for 180 days. Supporting shipper: Taylor Industries Division, Consolidated Foods Corporation, 13300 East Nelson Avenue, City of Industry, Calif. 91749. Send protests to: District Supervisor Walter W. Strakosch, Bureau of Operations, Interstate Commerce Commission, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 129830 (Sub-No. 9TA), filed June 2, 1975. Applicant: JACOBSMA TRANSPORTATION COMPANY, 108 South Virginia, Sioux City, Iowa 51101. Applicant's representative: Michael J. Ogborn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed and scrapped vehicles, implements and machinery*, from the facilities of Sioux City Compressed Steel at Sioux City, Iowa, to points in Milwaukee, Wis., for 180 days. Supporting shipper: Sioux City Compressed Steel, Norman Bernstein, President, 214 Court St., Sioux City, Iowa 51101. Send protests to: Carroll Russell, District Supervisor, Suite 620, Union Pacific Plaza, 110 North 14th St., Omaha, Nebr. 68102.

No. MC 134599 (Sub-No. 126TA), filed June 4, 1975. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 748, Salt Lake City, Utah 84110. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rubber compound, molded rubber products, carpet cushion*, and *materials and supplies* used in the manufacture of the foregoing items (except commodities in bulk or which because of size or weight require special handling or special equipment), between Dyersburg, Tenn., and Kingstree, S.C., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the District of Columbia, under a continuing contract or contracts with Dayco Corporation of Dayton, Ohio, for 180 days. Supporting shipper: Dayco Corporation, 333 West First Street, Dayton, Ohio (E. R. Knobel, Director, Traffic and Transportation). Send protests to: District Supervisor, Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Building, 125 South State Street, Salt Lake City, Utah 84138.

No. MC 134783 (Sub-No. 32TA), filed June 2, 1975. Applicant: DIRECT SERVICE, INC., P.O. Box 786, Plainview, Tex. 79072. Applicant's representative: Charles J. Kimball, 1612 Court Place, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the Report in *Descriptions of Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Illinois, Indiana and Iowa, for 180 days. Supporting shipper: Iowa Beef Processors, Inc., P.O. Box 515, Dakota City, Nebr. 68731. Send protests to: Haskell E. Ballard, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box H-4395, Herring Plaza, Amarillo, Tex. 79101.

No. MC 134922 (Sub-No. 131TA), filed May 30, 1975. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Don Garrison (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Earthenware* from points in Roseville, Ohio to points in Los Angeles and the Los Angeles Commercial Zone, for 180 days. Supporting shipper: The Nelson McCoy Pottery Co., Gordon St., Roseville, Ohio 43777. Send protests to: William H. Land, Jr., District Supervisor, 2519 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 136285 (Sub-No. 14TA), filed June 2, 1975. Applicant: SOUTHERN INTERMODAL LOGISTICS, INC., 413 Garden Ave., P.O. Box 143, Thomasville, Ga. 31792. Applicant's representative: William P. Jackson, Jr., 919 18th St., NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* in containers or in trailers (except commodities in bulk, cement, and automobiles), between points in the Jacksonville, Fla., commercial zone, including Jacksonville, Fla. Restriction: Restricted to the transportation of shipments having a prior or subsequent movement by water, and further restricted against interlining, for 180 days. Supporting shipper: United States Lines, Inc., 1 Broadway, New York, N.Y. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 35008, 400 West Bay St., Jacksonville, Fla. 32202.

No. MC 136285 (Sub-No. 15TA), filed June 2, 1975. Applicant: SOUTHERN INTERMODAL LOGISTICS, INC., 413 Garden Ave., P.O. Box 143, Thomasville, Ga. 31792. Applicant's representative: William P. Jackson, Jr., 919 18th St., NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in containers or in trailers (except commodities in bulk), cement and automobiles), between points in the Charleston, S.C. commercial zone, including Charleston, S.C. Restriction: restricted to the transportation of shipments having a prior or subsequent movement by water, and further restricted against interlining, for 180 days. Supporting shipper: United States Lines, Inc., 1 Broadway, New York, N.Y. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 35008, 400 West Bay St., Jacksonville, Fla. 32202.

No. MC 136285 (Sub-No. 16TA), filed June 2, 1975. Applicant: SOUTHERN INTERMODAL LOGISTICS, INC., 413 Garden Avenue, P.O. Box 143, Thomasville, Ga. 31792. Applicant's representative: William P. Jackson, Jr., 919 18th St., NW., Washington, D.C. 20006. Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: *General commodities*, in containers or in trailers (except commodities in bulk, cement, and automobiles), between points in the Savannah, Ga., commercial zone, including Savannah, Ga. Restriction: Restricted to the transportation of shipments having a prior or subsequent movement by water, and further restricted against interlining, for 180 days. Supporting shipper: United States Lines, Inc., 1 Broadway, New York, N.Y. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 35008, 400 West Bay St., Jacksonville, Fla. 32202.

No. MC 136307 (Sub-No. 8TA), filed June 2, 1975. Applicant: BURKEWITZ TRANSPORT, INC., P.O. Box 47, Coventry, Vt. 05825. Applicant's representative: Frederick T. O'Sullivan, P.O. Box 2184, 622 Lowell Street, Peabody, Mass. 01960. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Granite*, from points in Derby, Vt., to points in New York, New Jersey, and Pennsylvania, for 180 days. Supporting shipper: Derby Granite, Quarry Road, Derby, Vt. 05829. Send protests to: Paul D. Collins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 87 State St., P.O. Box 548, Montpelier, Vt. 05602.

No. MC 136647 (Sub-No. 20TA), filed June 2, 1975. Applicant: GREEN MOUNTAIN CARRIERS, INC., P.O. Box 1319, Albany, N.Y. 12201. Applicant's representative: Gordon Sands, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Books, printed matter, paper printing, Book paper covers, book covers, stereo plates, and cotton book cover cloth*, between points in Brattleboro, Vt., and Chicago, Ill., and from points in Brattleboro, Vt., to points in Indianapolis, Ind., for 180 days. Supporting shipper: The Book Press, Putney Road, Brattleboro, Vt. 05301. Send protests to: Robert A. Radler, District Supervisor, 518 Federal Bldg., Albany, N.Y. 12207.

No. MC 138270 (Sub-No. 3TA), filed May 30, 1975. Applicant: MARTIN FLEET EQUIPMENT, INC., doing business as N. J. ARABIE TRUCKING SERVICE, 2970 Blanchette Street, Beaumont, Tex. 77701. Applicant's representative: John M. Martin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand and gravel* (in bulk), from the plantsite of Anacoco Sand & Gravel, Inc., near Merryville, La., to points in Angelina, Chambers, Hardin, Jasper, Jefferson, Liberty, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, Shelby, Tyler Counties, Tex., for 180 days. Supporting shipper: Anacoco Sand and Gravel, Inc., P.O. Box 1927, Beaumont, Tex. 77704. Send protests to: John F. Mensing, District Supervisor, Interstate Commerce Commission, Room 8610 Federal Bldg., 515 Rusk, Houston, Tex. 77002.

No. MC 140146 (Sub-No. 2TA), filed June 3, 1975. Applicant: JEFFREY P. JENKS, doing business as JENKS CARTAGE COMPANY, 9944 Old Johnnycake Ridge Rd., Mentor, Ohio 44060. Applicant's representative: Jeffrey P. Jenks (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Racks, pallet* storage or warehouse iron and/or steel on flat and low boy type trailers only, from 1361 Chardon Road, Cleveland, Ohio, on the one hand, and, on the other, points in Alabama, Connecticut, Florida, Georgia, Illinois, Indiana, Kentucky, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, Wisconsin, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Nebraska, New Hampshire, New Jersey, New York, Rhode Island, Vermont, Washington, D.C., Delaware, for 180 days. Supporting shipper: The Rriax Company, 1361 Chardon Road, Cleveland, Ohio 44117. Send protests to: James Johnson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 181 Federal Office Bldg., 1240 East Ninth St., Cleveland, Ohio 44199.

No. 140257 (Sub-No. 4TA), filed May 30, 1975. Applicant: BENNETT & SON TRANSPORT, LTD. 234 11th Ave., East, P.O. Box 681, Regina, Saskatchewan, Canada S4P 3A3. Applicant's representative: Richard P. Anderson, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flattened vehicles and scrap metal for remelting and recycling*, from points in North Dakota, South Dakota, Wyoming, Colorado, Montana and Minnesota, to the ports of entry at or near Portal, N. Dak., Raymond and Sweetgrass, Mont., on the Canada-U.S. International Boundary line, for delivery to the destination point of Regina, Saskatchewan, Canada, for 180 days. Supporting shipper: Inter-Provincial Steel & Pipe Corp., Ltd., Box 1670, Regina, Saskatchewan, Canada S4P 3A3. Send protests to: J. H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak. 58102.

APPLICATION OF PASSENGERS

No. MC 138297 (Sub-No. 3TA), filed June 2, 1975. Applicant: CENTRAL FLORIDA COACH LINES, INC., P.O. Box 3844, Cocoa, Fla. 32922. Applicant's representative: Kenneth R. Davis, 121 S. Main St., Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Passengers and their baggage*, in the same vehicle with passengers, in special and charter operations, beginning and ending at Hazleton Airport, Hazleton, Pa., and White Haven, Pa., and extending to Cocoa Beach, Fla. Restriction: The authority under (1) above is restricted to the transportation of passengers having an immediate prior movement in a passenger automobile tendered to carrier for transportation on separate automobile transporters pursuant to the authority set forth in part (2) hereof; (2) *Passenger's automobiles* in secondary movements in truckaway service, between the points set forth in (1) above. Restriction: The authority granted under (2) above is restricted to the transportation of automobiles tendered to carrier by those passengers moving pursuant to the authority set out in part (1) above, for 180 days. Supporting shipper: Martini Travel Agency, N. Wyoming St., Hazleton, Pa. 18201. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay St., Jacksonville, Fla. 32202.

By the Commission.

[SEAL] RICHARD W. KYLE, *Acting Secretary.*

[FR Doc.75-15495 Filed 6-12-75;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

JUNE 10, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination* Rules (49 CFR 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before June 23, 1975. 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 29886 (Sub-No. E89), filed May 23, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample St., South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Contractor's machinery*, the transportation of which, because of size or weight, requires the use of special equipment or special handling, (1) between points in Wisconsin, on the one hand, and, on the other, points in New Jersey and the District of Columbia (those points in that part of Michigan on and south of a line beginning at Lake Michigan extending along the northern boundaries of Allegan, Barry, and Eaton Counties to junction Business Route Interstate Highway 96 to Lansing, thence along U.S. Highway 127 to Jackson, thence along unnumbered highway

(formerly portion of U.S. Highway 127) to junction U.S. Highway 12, thence along U.S. Highway 12 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line, and Centre County, Pa.*); (2) between those points in that part of Indiana on and north of a line beginning at the Indiana-Ohio State line in and north of Adams, Wells, Grant, Howard, Carroll, Tippecanoe, and Warren Counties, on the one hand, and, on the other, points in the District of Columbia (Toledo, Ohio, and Centre County, Pa.*);

(3) Between points in Missouri (except Ripley, Butler, Stoddard, Scott, Dunklin, Mississippi, New Madrid, and Pemiscot Counties), on the one hand, and, on the other, points in Pennsylvania (those points in Michigan on and south of a line beginning at Lake Michigan extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to junction Business Route Interstate Highway 96 to Lansing, thence along U.S. Highway 127 to Jackson, Mich., thence along unnumbered highway (formerly portion U.S. Highway 127) to junction U.S. Highway 12, thence along U.S. Highway 12 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line, and Toledo, Ohio*); and (4) between points in Missouri, on the one hand, and, on the other, points in New Jersey and between points in Missouri (except Oregon, Carter, Ripley, Wayne, Butler, Madison, Perry, Bollinger, Cape Girardeau, Scott, Stoddard, Mississippi, New Madrid, Dunkin, and Pemiscot Counties), on the one hand, and, on the other, the District of Columbia (those points in Michigan on and south of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, to junction Business Route Interstate Highway 96 to Lansing, thence along U.S. Highway 127 to Jackson, thence along unnumbered highway (formerly portion of U.S. Highway 127) to junction U.S. Highway 12, thence along U.S. Highway 12 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line, Toledo, Ohio, and Centre County, Pa.*). The purpose of this filing is to eliminate the gateways indicated by the asterisks above.

No. MC 29886 (Sub-No. E90), filed May 16, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 W. Sample St., South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Contractor's machinery*, the transportation of which because of size or weight require the use of special equipment or special handling, (1) between points in Michigan, on the one hand, and, on the other, those points in Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line extending along Pennsylvania Highway 287 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 64, thence along Pennsylvania Highway 64 to junction Pennsylvania Highway 445, thence along Pennsylvania Highway 445 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Pennsylvania Highway 74, thence along Pennsylvania Highway 74 to junction U.S. Highway 11, thence along U.S. Highway 11 to the Pennsylvania-Maryland State line, and between those points in Michigan on and west of a line beginning at Bay City, Mich., extending along Interstate Highway 75 to junction Michigan Highway 78, thence along Michigan Highway 78 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line, on the one hand, and, on the other, points in Pennsylvania (those points in Michigan on and south of a line extending along the northern boundaries of Allegan, Barry, and Eaton Counties to junction Business Route Interstate Highway 96 to Lansing, thence along U.S. Highway 127 to Jackson, thence along unnumbered highway (formerly portion U.S. Highway 127) to junction U.S. Highway 12, thence along U.S. Highway 12 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line, and Toledo, Ohio*), and

(2) Between points in Michigan (except those east and south of a line beginning at the Michigan-Ohio State line extending along Michigan Highway 52 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Interstate Highway 94, thence along Interstate Highway 94 to the United States-Canada International Boundary line), on the one hand, and, on the other, the District of Columbia (those points in Michigan on and south of a line extending along the northern boundaries of Allegan, Barry, and Eaton Counties to junction Business Route Interstate Highway 96 to Lansing, thence along U.S. Highway 127 to Jackson, thence along unnumbered highway (formerly portion U.S. Highway 127) to junction U.S. Highway 12, thence along U.S. Highway 12 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line, and Centre County, Pa.*). The purpose of this filing is to eliminate the gateways indicated by the asterisks above.

No. MC 29886 (Sub-No. E91), filed May 23, 1975. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 W. Sample St., South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Heavy machinery*, the transportation of which by reason of size or weight requires the use of special equipment or special handling, between those points in Ohio on and north of a line beginning at the Indiana-Ohio State line extending along U.S. Highway 30 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction Ohio Highway 12, thence along Ohio Highway 12 to junction U.S. Highway 6, thence along U.S. Highway 6 to Lake Erie, on the one hand, and, on the other, points in New Jersey, and between points in Ohio on and north of a line beginning at the Indiana-Ohio State line extending along U.S. Highway 30 to junction U.S. Highway 75, thence along U.S. Highway 75 to the Ohio-Michigan State line, on the one hand, and, on the other, the District of Columbia. The purpose of this filing is to eliminate the gateway of Toledo, Ohio, and Centre County, Pa.

No. MC 33093 (Sub-No. E20), filed May 16, 1974. Applicant: GRAY VAN LINES, INC., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert Gallagher, 1776 Broadway, New York, N.Y. 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 Illinois on and west of U.S. Highway 66, on the one hand, and, on the other, points in Calcasieu, Cameron, Jefferson Davis, Acadia, and Vermilion Counties, La. The purpose of this filing is to eliminate the gateways of points in Columbia County, Ark., and points in Atoka, Choctaw, Haskell, Le Flore, Latimer, McCurtain, McIntosh, Pittsburg, and Pushmataha Counties, Okla.

No. MC 35358 (Sub-No. E14), filed June 14, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First Nat'l Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated store fixtures and furnishings*, from points in Illinois on and north of U.S. Highway 36 which are on and south of U.S. Highway 30, to points in Washington, Oregon, Idaho, Montana, North Dakota, points in South Dakota on and north of a line beginning at the South Dakota-Wyoming State line and extending along U.S. Highway 18 to junction South Dakota Highway 44, thence along South Dakota Highway 44 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction U.S. Highway 90, thence along U.S. Highway 90 to the South Dakota-Minnesota State line, points in Wyoming on and north of a line beginning at the Wyoming-South Dakota State line and extending along U.S. Highway 18 to junction U.S. Highway 25, thence along U.S. Highway 25 to junction South Dakota Highway 220, thence along South Dakota Highway 220 to junction South Dakota Highway 287, thence along South Dakota Highway 287 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Wyoming-Utah State line, points in Utah on and west of U.S. Highway 80 and 15, points in Nevada on and north of U.S. Highway 15, and points in California on and north of U.S. Highway 15 and 10. The purpose

of this filing is to eliminate the gateway of Albert Lea, Minn.

No. MC 35358 (Sub-No. E15), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive, NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First Nat'l Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated store fixtures and furnishings*, from points in Illinois south of U.S. Highway 36 to points in Washington, Oregon, Idaho, Montana, North Dakota, points in South Dakota on and north of a line beginning at the South Dakota-Wyoming State line and extending along U.S. Highway 18 to junction South Dakota Highway 44, thence along South Dakota Highway 44 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction U.S. Highway 90, thence along U.S. Highway 90 to the South Dakota-Minnesota State line, points in Wyoming on and north of a line beginning at the South Dakota-Wyoming State line and extending along U.S. Highway 18 to junction U.S. Highway 25, thence along U.S. Highway 25 to junction Wyoming Highway 220, thence along Wyoming Highway 220 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Wyoming-Utah State line, points in Utah on and north of U.S. Highway 80, points in Nevada on and north of U.S. Highway 40, and points in California on and north of U.S. Highway 80. The purpose of this filing is to eliminate the gateway of Albert Lea, Minn.

No. MC-35358 (Sub-No. E17), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive, NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First Nat'l Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in New York east of a line beginning at the New York-Pennsylvania State line and extending along U.S. Highway 57 to Lake Ontario, to points in Washington, Oregon, California, Nevada, Arizona, Utah, Idaho, Montana, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, Nebraska, points in Wisconsin on and west of a line beginning at Lake Superior and extending along Wisconsin Highway 13 to junction Wisconsin Highway 80, thence along Wisconsin Highway 80 to junction Wisconsin Highway 21, thence along Wisconsin Highway 21 to junction U.S. Highway 16, thence along U.S. Highway 16 to the Wisconsin-Minnesota State line, points in Iowa on and west of a line beginning at the Iowa-Wisconsin State line and extending along Iowa Highway 13 to junction U.S. Highway 151, thence along U.S. Highway 151 to junction U.S. Highway 218, thence along U.S. Highway 218 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction U.S. Highway 35, thence along U.S. Highway 35 to the Missouri-Iowa State line, points in Kansas on, north, and west of U.S. Highway 35, points in Missouri on, west, and north of U.S. Highway 35, points in Oklahoma on, west, and north of a line beginning at the Kansas-Oklahoma State line and extending along U.S. Highway 35 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Texas-Oklahoma State line, points in Texas on and west of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 40 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction Texas Highway 49, thence along Texas Highway 49 to junction U.S. Highway 90, thence along U.S. Highway 90 to junction U.S. Highway 277, thence along U.S. Highway 277 to the United States-Mexico International Boundary line. The purpose of this filing is to eliminate the gateway of Albert Lea, Minn.

No. MC 35358 (Sub-No. E21), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive, NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First Nat'l Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, uncrated, *furnishings*, and *uncrated fixtures*, from points in Wisconsin west of U.S. Highway 53 which are south of U.S. Highway 8, to points in Wisconsin west of U.S. Highway 53 which are south of U.S. Highway 8, to points in Washington, Oregon, Idaho, California, Nevada, Utah, Arizona, Wyoming, Colorado, New Mexico, Texas, Oklahoma, Kansas, Nebraska, Arkansas, Louisiana, Mississippi, Alabama, Florida, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, points in New York on and east of a line beginning at the United States-Canada International Boundary line and extending along U.S. Highway 82 to junction U.S. Highway 90, thence along U.S. Highway 90 to junction New York Highway 8, thence along New York Highway 8 to the Pennsylvania-New York State line, points in Pennsylvania east of a line beginning at the New York-Pennsylvania State line and extending along U.S. Highway 81 to junction U.S. Highway 83, thence along U.S. Highway 83 to the Pennsylvania-Maryland State line, points in Maryland on and east of a line beginning at the Pennsylvania-Maryland State line and extending along U.S. Highway 83 to junction U.S. Highway 95, thence along U.S. Highway 95 to the Washington, D.C.-Maryland State line, points in Virginia on and east of U.S. Highway 95, points in Georgia south of a line beginning at the Atlantic Ocean and extending along U.S. Highway 16 to junction U.S. Highway 75, thence along U.S. Highway 75 to the Georgia-Tennessee State line, points in Iowa south and west of a line beginning at the Missouri-Iowa State line and extending along U.S. Highway 35 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction U.S. Highway 29, thence along U.S. Highway 29 to the Iowa-South Dakota State line, points in South Dakota south and west of a line beginning at the South Dakota-Iowa State line and extending along U.S. Highway 29 to junction U.S. Highway 90, thence along U.S. Highway 90 to junction U.S. Highway 14, thence along U.S. Highway 14 to the Wyoming-South Dakota State line, points in Montana on and south of a line beginning at the Wyoming-Montana State line and extending along U.S. Highway 212 to junction U.S. Highway 90, thence along U.S. Highway 90 to the Idaho-Montana State line, and Memphis, Tenn., Springfield and Kansas City, Mo. The purpose of this filing is to eliminate the gateway of Albert Lea, Minn.

No. MC-35358 (Sub-No. E22), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive, NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First Nat'l Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: New furniture, uncrated furnishings and uncrated fixtures, from points in Wisconsin east of U.S. Highway 53 which are south of Wisconsin Highway 29, to points in Washington; Oregon; California; Nevada; Idaho; Montana; Wyoming; Utah; Colorado; Arizona; New Mexico; Sioux City, Iowa; points in Nebraska on and west of a line beginning at the Iowa-Nebraska State line and extending along Nebraska Highway 35 to junction Nebraska Highway 15, thence along Nebraska Highway 15 to the Kansas-Nebraska State line, points in Kansas on and west of a line beginning at the Kansas-Nebraska State line and extending along U.S. Highway 81 to junction Kansas Highway 18, thence along Kansas Highway 18 to junction Kansas Highway 281, thence along Kansas Highway 281 to the Oklahoma-Kansas State line, points in Oklahoma on and west of a line beginning at the Kansas-Oklahoma State line and extending along U.S. Highway 35 to junction U.S. Highway 277, thence along U.S. Highway 277 to the Texas-Oklahoma State line, points in Texas on and west of U.S. Highway 277, and points in South Dakota and North Dakota on and west of U.S. Highway 281. The purpose of this filing is to eliminate the gateway of Albert Lea, Minn.

No. MC-35358 (Sub-No. E25), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive, NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated new furniture*, between Chicago, Ill., on

the one hand, and, on the other, points in Kansas, Nebraska, points in South Dakota on and west of a line beginning at the Iowa-South Dakota State line extending along U.S. Highway 29 to junction South Dakota Highway 50, thence along South Dakota Highway 50 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction South Dakota Highway 63, thence along South Dakota Highway 63 to the South Dakota-North Dakota State line, and points in North Dakota on and west of a line beginning at the North Dakota-South Dakota State line extending along North Dakota Highway 6 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Canada International Boundary line. The purpose of this filing is to eliminate the gateway of Audubon, Iowa.

No. MC-35358 (Sub-No. E27), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive, NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated new furniture, uncrated store fixtures and furnishings*, from points in Iowa on and east of U.S. Highway 63 to points in Washington, Oregon, California, Nevada, Idaho, Montana, North Dakota, points in South Dakota on and north of U.S. Highway 90, points in Wyoming on, north and west of a line beginning at the Wyoming-South Dakota State line extending along U.S. Highway 90 to junction U.S. Highway 25, thence along U.S. Highway 25 to junction Wyoming Highway 220, thence along Wyoming Highway 220 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Utah-Wyoming State line, points in Utah on and west of a line beginning at the Utah-Wyoming State line extending along U.S. Highway 80 to junction U.S. Highway 89, thence along U.S. Highway 89 to the Arizona-Utah State line, points in Arizona on and west of a line beginning at the Utah-Arizona State line extending along U.S. Highway 89 to junction U.S. Highway 17, thence along U.S. Highway 17 to junction U.S. Highway 10, thence along U.S. Highway 10 to the California-Arizona State line, and Superior, Wis. The purpose of this filing is to eliminate the gateway of Albert Lea, Minn.

No. MC 35358 (Sub-No. E28), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive, NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated new furniture, uncrated store fixtures and furnishings*, from Kansas City, Kans., to points in Washington, Oregon, points in Wisconsin on and north of a line beginning at Lake Michigan extending along U.S. Highway 94 to junction U.S. Highway 90, thence along U.S. Highway 90 to the Wisconsin-Minnesota State line, points in North Dakota on and north of U.S. Highway 94, points in Montana on and north of a line beginning at the Montana-North Dakota State line extending along U.S. Highway 94 to junction U.S. Highway 15, thence along U.S. Highway 15 to the Idaho-Montana State line, points in Idaho on and west of a line beginning at the Montana-Idaho State line extending along U.S. Highway 15 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Nevada-Utah State line, points in Nevada on and north of a line beginning at the Idaho-Nevada State line extending along U.S. Highway 93 to junction U.S. Highway 40, thence along U.S. Highway 40 to the California-Nevada State line, and points in California on and north of U.S. Highway 80. The purpose of this filing is to eliminate the gateway of Albert Lea, Minn.

No. MC 35358 (Sub-No. E41), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive, NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First Nat'l Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Caskets*, from points in Wisconsin on and south of U.S. Highway 90 to points in Montana, North Dakota, and points in South Dakota on and north of a line beginning at the South Dakota-Minnesota State line and extending along U.S. Highway 14 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 16, thence along U.S Highway 16 to junction U.S. Highway 83, thence along U.S. Highway 83 to the South Dakota-Nebraska State line. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 35358 (Sub-No. E42), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First Nat'l Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New industrial, institutional, technical and laboratory furniture*, uncrated, from Rochester, Minn., to points in Illinois on and south of a line beginning at the Iowa-Illinois State line and extending along U.S. Highway 156 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 57, thence along U.S. Highway 57 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction Illinois Highway 114, thence along Illinois Highway 114 to the Indiana-Illinois State line, points in Michigan on and south of Michigan Highway 55, points in Ohio, West Virginia, Pennsylvania, Maryland, Delaware, New Jersey, New York, Vermont, New Hampshire, Maine, Massachusetts, Connecticut, Rhode Island, Indiana, and Missouri. The purpose of this filing is to eliminate the gateway of Albert Lea, Minn.

No. MC 35358 (Sub-No. E43), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First Nat'l Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated furniture and fixtures*, from points in Nebraska south of Nebraska Highway 91 and west of U.S. Highway 281 to points in Wisconsin on and north of U.S. Highway 18 and points in the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of LaCrescent, Minn.

No. MC 35358 (Sub-No. E44), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive, NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First Nat'l Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Minneapolis, Minn., on the one hand, and, on the other, points in Massachusetts, New York, Pennsylvania, West Virginia, Ohio, Kentucky, Indiana, points in Michigan on and south of Michigan Highway 55, and points in Illinois on and east of a line beginning at the Kentucky-Illinois State line and extending along U.S. Highway 51 to junction U.S. Highway 55, thence along U.S. Highway 55 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Wisconsin-Illinois State line. The purpose of this filing is to eliminate the gateways of Cook and Lake Counties, Ill.

No. MC 35358 (Sub-No. E45), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive, NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First Nat'l Bank Bldg., Minneapolis, Minn. 55402. 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 Cook and Lake Counties, Ill., on the one hand, and, on the other, points in North Dakota and points in South Dakota on and north of a line beginning at the South Dakota-Minnesota State line and extending along U.S. Highway 90 to junction South Dakota Highway 79, thence along South Dakota Highway 79 to junction U.S. Highway 18, thence along U.S. Highway 18 to the Wyoming-South Dakota State line. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 35358 (Sub-No. E47), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive, NE., Minneapolis,

Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First Nat'l Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, restricted to *uncrated household furniture, uncrated household furnishings* and *appliances*, and *uncrated household kitchen equipment*, between points in Nebraska, on the one hand, and, on the other, points in Massachusetts, New York, Pennsylvania, West Virginia, Ohio, points in Kentucky on and east of a line beginning at the Indiana-Kentucky State line and extending along U.S. Highway 64 to junction U.S. Highway 75, thence along U.S. Highway 75 to the Kentucky-Tennessee State line, points in Indiana on and east of a line beginning at the Kentucky-Indiana State line and extending along U.S. Highway 65 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Illinois-Indiana State line, points in the Lower Peninsula of Michigan and points in Illinois north and east of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 30 to junction Illinois Highway 31, thence along Illinois Highway 31 to the Wisconsin-Illinois State line. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 35358 (Sub-No. E48), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive, NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First Nat'l Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, restricted to *uncrated household furniture, uncrated household furnishings*, and *appliances*, and *uncreated kitchen equipment*, from points in Iowa to points in Massachusetts, New York, Pennsylvania, West Virginia, Ohio, Lower Peninsula of Michigan, points in Indiana on and east of U.S. Highway 64, and points in Kentucky on and east of a line beginning at the Tennessee-Kentucky State line and extending along U.S. Highway 75 to junction U.S. Highway 64, thence along U.S. Highway 64 to the Indiana-Kentucky State line. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 35358 (Sub-No. E49), filed June 4, 1974. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 MacAlaster Drive, NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First Nat'l Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, restricted to *uncrated household furniture, uncrated household furnishings*, and *appliances*, and *uncrated household kitchen equipment*, between points in South Dakota, on the one hand, and, on the other, points in Massachusetts, New York, Pennsylvania, West Virginia, Ohio, Lower Peninsula of Michigan, Indiana, points in Kentucky on and east of a line beginning at the Kentucky-Tennessee State line and extending along U.S. Highway 75 to junction U.S. Highway 64, thence along U.S. Highway 64 to the Indiana-Kentucky State line, points in Illinois on and east of a line beginning at the Indiana-Illinois border and extending along U.S. Highway 30 to junction Illinois Highway 31, thence along Illinois Highway 31 to the Wisconsin-Illinois State line. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 50069 (Sub-No. E15), filed May 15, 1974. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: Jack A. Gollan (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum and petroleum products*, in bulk, in tank vehicles, from Bryan, Ohio and points within 2 miles thereof, to points in Illinois; (2) *petroleum and petroleum products*, in bulk, in tank vehicles, from Bryan, Ohio and points within 2 miles thereof, to points in Missouri within 135 miles of East St. Louis, Ill.; and (3) *petroleum chemicals*, except acetone, ethyl acetate, alcohol, vodka, gin, proprietary antifreeze preparations, and choline chloride, in bulk, in tank vehicles, from Bryan, Ohio and points within 2 miles thereof, to points in Iowa. The purpose of this filing is to eliminate the gateways of (1) Huntington County, Ind., (2) Huntington County, Ind., and East St. Louis, Ill., and (3) Huntington County, Ind., and Peoria, Ill.

No. MC 50069 (Sub-No. E21), filed May 15, 1974. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: Jack A. Gollan (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paints, stains, varnishes, paint materials and plastics*, in bulk, in tank vehicles, from Circleville, Ohio to points in Iowa; and (2) *paints, stains, varnishes, paint materials and plastics*, in bulk, in tank vehicles, from Circleville, Ohio to points in Missouri. The purpose of this filing is to eliminate the gateways of (1) Peoria, Ill., and (2) Terre Haute, Ind.

No. MC 50069 (Sub-No. E23), filed May 15, 1974. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: Jack A. Gollan (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum and petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Mosherville, Mich., and points within 5 miles thereof to points in Pennsylvania north and west of a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 22 to Blairsville, Pa., thence along to the Pennsylvania-New York State line; (2) *petroleum and petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Mosherville, Mich., and points within 5 miles thereof to points in West Virginia on and west of a line beginning at Sisterville, W. Va., and extending along West Virginia Highway 18 to Troy, W. Va., thence along West Virginia Highway 47 to Linn, W. Va., thence along U.S. Highway 119 to Glennville, W. Va., thence along West Virginia Highway 5 to Napier, W. Va., thence along U.S. Highway 19 to Summersville, W. Va., thence along West Virginia Highway 41 to junction U.S. Highway 19, thence along U.S. Highway 19 to Bluefield, W. Va., thence along to the West Virginia-Virginia State line; and (3) *petroleum and petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, except petroleum chemicals, in bulk, in tank vehicles, from Mosherville, Mich., and points within 5 miles thereof, to points in New Jersey and New York. The purpose of this filing is to eliminate the gateways of (1) Toledo, Ohio, (2) Ironton, Ohio, and (3) Toledo, Ohio and Petrolia, Pa.

No. MC 50069 (Sub-No. E34), filed May 15, 1974. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: Jack A. Gollan (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Princeton, Ind., and points within 10 miles thereof to points in Illinois on and north of a line extending along U.S. Highway 54 from the Mississippi River to Springfield, Ill., thence along U.S. Highway 66 to junction U.S. Highway 24 to Chenoa, Ill., thence along U.S. Highway 24 to the Indiana-Illinois State line (Lawrenceville, Ill., and New Goshen, Ind.)*; (2) *Petroleum* and *petroleum products*, in bulk, in tank vehicles, (a) from Princeton, Ind., and points within 10 miles thereof to points in Missouri within 135 miles of East St. Louis, Ill. (East St. Louis, Ill.)*, (b) points in Ohio (Lawrenceville, Ill., and Seymour, Ind.)*, (c) points in Pennsylvania north and west of a line beginning at the Ohio-Pennsylvania State line extending along U.S. Highway 22 to Blairsville, Pa., thence to the Pennsylvania-New York State line (Lawrenceville, Ill., Indianapolis, Ind., and Springfield, Ohio)*, and (d) points in West Virginia west of a line beginning at Sisterville, W. Va., extending along West Virginia Highway 18 to Troy, W. Va., thence along West Virginia Highway 47 to Linn, W. Va., thence along U.S. Highway 119 to Gleenville, W. Va., thence along West Virginia Highway 5 to Napier, W. Va., thence along U.S. Highway 10 to Summersville, W. Va., thence

along West Virginia Highway 51 to junction U.S. Highway 19, thence along U.S. Highway 19 to the West Virginia-Virginia State line (Lawrenceville, Ill., Seymour, Ind., and Ironton, Ohio)*; (3) *Petroleum products* (except petrochemicals), in bulk, in tank vehicles, from Princeton, Ind., and points within 10 miles thereof to points in Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont (Lawrenceville, Ill., Indianapolis, Ind., Midland, Pa., Springfield, Ohio, and Congo, W. Va.); (4) *Petroleum* and *petroleum products* as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except petrochemicals as described in Appendix XV of the same report in the Descriptions case), in bulk, in tank vehicles, from Princeton, Ind., and points within 10 miles thereof to points in New Jersey and New York (Lawrenceville, Ill., Indianapolis, Ind., Springfield, Ohio, and Petrolia, Pa.)*; and (5) *Petroleum chemicals* (except acetone, ethyl acetate, alcohol, vodka, gin, proprietary anti-freeze preparations and choline chloride), in bulk, in tank vehicles, from Princeton, Ind., and points within 10 miles thereof to points in Iowa, Michigan, Minnesota, and Wisconsin (Lawrenceville, Ill., and Terre Haute, Ind.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 73165 (Sub-No. E102) (Correction), filed October 8, 1974, published in the FEDERAL REGISTER, May 29, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oilfield equipment and supplies*, the transportation of which because of size or weight requires the use of special equipment (except pipe, pipeline material, machinery, equipment, and supplies incidental to and used in connection with the construction, dismantling, and repair of pipelines), (1) between points in Texas, on the one hand, and on the other, points in Tennessee and Kentucky, (2) between points in Louisiana on and west of a line extending from the Arkansas-Louisiana State line along U.S. Highways 71 and 171 to Lake Charles and points in Calcasieu and Cameron Parishes, La., on the one hand, and, on the other, points in Kentucky and Tennessee. The purpose of this filing is to eliminate the gateways of Texas within 200 miles and Arkansas within 150 miles of Texarkana, Tex. The purpose of this correction is to correct the sub-no.

No. MC 75138 (Sub-No. E1), filed May 28, 1974. Applicant: OGDEN TRANSFER & STORAGE COMPANY, 2105 Wall Avenue, Ogden, Utah 84401. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Household goods;* (a) between points in Montana on and west of U.S. Highway 93, on the one hand, and, on the other, points in that part of California on and south of a line beginning at Morrow Bay, Calif., and extending east along California Highway 41 to the Kern-Kings County line, thence along the Kern-Kings County line to the Tulare County line, thence along the Tulare-Kern County line to the Inyo County line, thence along the Inyo-Kern County line to junction U.S. Highway 395, thence along U.S. Highway 395 to the Inyo-Mono County line, thence along the Inyo-Mono County line to the California-Nevada State line; (b) between points in California located in and south of Santa Cruz, San Benito, Fresno, and Inyo Counties, on the one hand, and, on the other, points in that part of Montana located within an area bounded by a line beginning at the Montana-Idaho State line and extending along U.S. Highway 91 to junction U.S. Highway 10, thence along U.S. Highway 10 to Garrison, Mont., thence along U.S. Highway 12 to the western boundary of Lewis and Clark County, thence along the western boundary of Lewis and Clark County to Teton County, thence along the western boundary of Teton County to Pondera County, thence along the western boundary of Pondera County to Glacier County, thence along the western boundary of Glacier County to the United States-Canada International Boundary line, thence along the United States-Canada International Boundary line to junction U.S. Highway 93, thence along U.S. Highway 93 to the Montana-Idaho State line, thence along the Montana-Idaho State line to junction U.S. Highway 91, including points located on the designated portions of the highways specified.

(c) Between points in Montana located on the boundaries of and within an area beginning at the United States-Canada International Boundary line and extending along Montana Highway 233 to Havre, Mont., thence along U.S. Highway 87 to Great Falls, Mont., thence along U.S. Highway 89 to White Sulphur Springs, Mont., thence along U.S. Highway 12 to Townsend, Mont., thence along U.S. Highway 287 to junction Montana Highway 87, thence along Montana Highway 87 to the Montana-Idaho State line, thence along the Montana-Idaho State line to junction U.S. Highway 91, thence along U.S. Highway 91 to junction U.S. Highway 10, thence along U.S. Highway 10 to Garrison, Mont., thence along U.S. Highway 12 to the western boundary of Lewis and Clark County, Mont., thence along the western boundary of Lewis and Clark County to Teton County, Mont., thence along the western boundary of Teton County to Pondera County, thence along the western boundary of Pondera County to Glacier County, Mont., thence along the western boundary of Glacier County to the United States-Canada International Boundary line, thence along the United States-Canada International Boundary line to U.S. Highway 233, on the one hand, and, on the other, points in that part of California on and south of a line extending from the California-Nevada State line along U.S. Highway 50 to Sacramento, thence along Interstate Highway 80 to junction California Highway 128, thence along California Highway 128 to Sonoma County, thence north and west along the Sonoma County line to the Pacific Ocean.

(d) Between points in that part of Montana located on and east of a line beginning at the United States-Canada International Boundary line and extending along Montana Highway 233 to Havre, Mont., thence along U.S. Highway 87 to Great Falls, Mont., thence along U.S. Highway 89 to White Sulphur Springs, Mont., thence along U.S. Highway 12 to Townsend, Mont., thence along U.S. Highway 287 to junction Montana Highway 87, thence along Montana Highway 87 to the Montana-Idaho State line (except points in Montana located in and east of Big Horn, Yellowstone, Treasure, Rosebud, Garfield, Prairie, Dawson, and Richland Counties), on the one hand, and, on the other, points in California located in and south of Mendocino, Glenn, Colusa, Sutter, Yuba, and Sierra Counties, and points in Butte County located on and south of a line beginning at the Butte-Glenn County line and extending along California Highway 32 to junction California Highway 99, thence along California Highway 99 to junction California Highway 149, thence along California Highway 149 to junction California Highway 70, thence along California Highway 70 to the Butte-Plumas County line; (e) between points in California, on the one hand, and, on the other, points in that part of Montana located in and east of Big Horn, Yellowstone, Treasure, Rosebud, Garfield, Prairie, Dawson, and Richland Counties; (f) from Helena and Browning, Mont., and points in Montana in and west of Flathead, Powell, Deer Lodge, Silver Bow, and Beaverhead Counties, and points in Jefferson County located north and west of Interstate Highway 15, on the one hand, and, on the other, Boulder, Colo., and points in Colorado located in and east of Las Animas, Huerfano, Custer, Fremont, Park, Clear Creek, and Gilpin Counties, and in and south of Kit Carson, Lincoln, Elbert, Arapahoe, Adams, and Jefferson Counties; (g) between points in Colorado in and west of Costilla, Alamosa, Saguache, Chaffe, Lake, Eagle, and Routt Counties, on the one hand, and, on the other, points in Montana in and west of Hill, Liberty, Toole, Pondera, Teton, Cascade, Lewis and Clark, Broadwater, and Gallatin Counties.

(h) Between Broadus, Mont., on the one hand, and, on the other, points in Idaho located on and south of a line beginning at the Idaho-Oregon State line and extending along Interstate Highway 80N to junction Idaho Highway 44, thence along Idaho Highway 44 to Boise, thence along U.S. Highway 26 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 30S, thence along U.S. Highway 30S to the Idaho-Utah State line; (i) between

points in Montana located within an area bounded by a line beginning at the Wyoming-Montana State line and extending along U.S. Highway 191 to Bozeman, thence along U.S. Highway 10 to the Montana-North Dakota State line, thence along the Montana-North Dakota State line to the South Dakota-Montana State line, thence along the South Dakota-Montana State line to the Wyoming-Montana State line, thence along the Wyoming-Montana State line to U.S. Highway 191, including points on the indicated portions of the highways specified (except Broadus, Mont., on the one hand, and, on the other, points in Josephine and Jackson Counties, and points in Klamath County, Oreg., located on and south of Oregon Highway 140; (j) between Broadus, Mont., on the one hand, and, on the other, points in Oregon on and south of a line beginning at Newport, Oreg., and extending along U.S. Highway 20 to junction Oregon Highway 126, thence along Oregon Highway 126 to Prineville, thence along U.S. Highway 26 to the Oregon-Idaho State line; (l) between points in Wyoming located on, south, and east of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 30 to junction Wyoming Highway 130, including the points of Laramie, Pine Bluff, and Cheyenne, Wyo., and Warren Air Force Base, Wyo., thence along Wyoming Highway 130 to junction Wyoming Highway 230, thence along Wyoming Highway 230 to the Wyoming-Colorado State line, on the one hand, and, on the other, points in Montana on and west of U.S. Highway 93;

(m) Between Kemmerer, Wyo., on the one hand, and, on the other, Lewistown and Great Falls, Mont., points in Montana in and west of Ravalli, Granite, Missoula, Flathead, Teton, Pondera, Liberty, and Hill Counties, and Malstrom Air Force Base, Mont.; (n) between points in Wyoming located on and south of a line beginning at the Utah-Wyoming State line and extending along U.S. Highway 30S to junction U.S. Highway 30, thence along U.S. Highway 30 to Rock Springs, and on and west of Wyoming Highway 430, including Rock Springs, on the one hand, and, on the other, points in and west of Ravalli, Deer Lodge, Silver Bow, Powell, Lewis and Clark, Cascade, Teton, Pondera, Liberty, and Hill Counties, Mont.; (o) between points in Wyoming located within an area bounded by a line beginning at the Wyoming-Colorado State line and extending along Wyoming Highway 430 to Rock Springs, thence along U.S. Highway 30 to junction Wyoming Highway 130 near Walcott, thence along Wyoming Highway 130 through Saratoga, to junction Wyoming Highway 230, thence along Wyoming Highway 230 through Riverside to the Wyoming-Colorado State line, thence along the Wyoming-Colorado State line to point of beginning, including points located on the specified portion of the highways designated, and including Rawlins, Sinclair, and Walcott, Wyo., on the one hand, and, on the other, points in and west of Ravalli, Deer Lodge, Silver Bow, Powell, Flathead, and Glacier Counties, Mont., points in Beaverhead County, Mont., located on and west of Interstate Highway 15, and Helena, Mont.

(p) Between points in Daggett, Summit, Uintah, Duchesne, and Grand Counties, Utah, on the one hand, and, on the other, points in Montana located on and west of a line beginning at the Montana-Wyoming State line and extending along U.S. Highway 89 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction U.S. Highway 191, thence along U.S. Highway 191 to the Missouri River, thence along the Missouri River to the Valley-Roosevelt County line, thence along the Valley-Roosevelt County line to the Daniels County line, thence along the Daniels-Valley County line to the United States-Canada International Boundary line; (q) between points in Utah located in Cache County, that part of Box Elder County located on and east of a line beginning at the Idaho-Utah State line and extending along U.S. Highway 191 to junction U.S. Highway 30S, thence along U.S. Highway 30S to the Cache-Weber County line, Tremonton, Bothwell, Tatcher, Penrose, Bear River City, and Corinne, Utah, on the one hand, and, on the other, points in Montana located on and north of a line beginning at the Idaho-Montana State line and extending along U.S. Highway 12 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction U.S. Highway 87, thence along U.S. Highway 87 to the Montana-Wyoming State line; (r) between points in Utah (except points in Daggett, Summit, Uintah, Duchesne, Grand, Box Elder, Cache, and Rich Counties), on the one hand, and, on the other, points in Montana. The purpose of this filing is to eliminate the gateway of points within 25 miles of Ogden, Utah, located within Box Elder, Cache, and Rich Counties, Utah.

(2) *Household goods;* (a) between Salt Lake City, Utah, points in Weber, Davis, Toole, Millard, Sevier, Piute, Beaver, Iron, and Washington Counties, Utah, points in Juab County, Utah, west of U.S. Highway 6 and south of Utah Highway 36, and points in Kane and Garfield Counties located on and west of U.S. Highway 89, on the one hand, and, on the other, points in Wyoming located within an area bounded by a line beginning at the Idaho-Wyoming State line and extending along U.S. Highway 30N to the Lincoln-Sweetwater County line, thence along the Lincoln-Sweetwater County line to the Sublette County line, thence along the Sweetwater-Sublette County line to the Sweetwater-Fremont County line, thence along the Sweetwater-Fremont County line to the Carbon County line, thence along the Carbon County line to Wyoming Highway 789, thence along Wyoming Highway 789 to Rawlins, thence along U.S. Highway 30 to the Wyoming-Utah State line, thence along the Wyoming-Utah State line to the Idaho-Utah State line, thence along the Idaho-Utah State line to junction U.S. Highway 30N, including points on the indicated portions of the highways specified.

(b) Between points in that part of Wyoming within an area bounded by a line beginning at the Idaho-Wyoming State line and extending along U.S. Highway 30N to the Lincoln-Sweetwater County line, thence along the Lincoln-Sweetwater County line to the Sublette County line, thence along the Sublette-Sweetwater line to the Sweetwater-Fremont County line, thence along the Fremont-Sweetwater County line to the Carbon County line, thence along the Sublette-Carbon County line to Wyoming Highway 789, thence along Wyoming Highway 789 to Riverton, Wyo., thence along U.S. Highway 320 to Shoshoni, thence along U.S. Highway 20 to junction U.S. Highway 310, and thence along U.S. Highway 310 to the Wyoming-Montana State line, thence along the Montana-Wyoming State line to the Wyoming-Idaho State line, thence along the Wyoming-Idaho State line to the Idaho-Wyoming State line to U.S. Highway 30N, including points on the indicated portions of the highways specified, on the one hand, and, on the other, points in Utah located within an area bounded by a line beginning at the Nevada-Utah State line and extending along the Box Elder-Tooele County line to the Weber County line, thence along the Weber-Box Elder County line to the Weber-Cache County line, thence along the Weber-Cache County line to the Weber-Rich County line, thence along the Weber-Rich County line to the Weber-Morgan County line, thence along the Weber-Morgan County line to the Weber-Davis County line, thence along the Weber-Davis County line to U.S. Highway 89, thence along U.S. Highway 89 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Utah Highway 10, thence along U.S. Highway 10 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Utah Highway 72, thence along Utah Highway 72 to junction Utah Highway 24, thence along Utah Highway 24 to junction Utah Highway 12, thence along Utah Highway 12 to junction U.S. Highway 89, thence along Utah Highway 89 to the Utah-Arizona State line, thence along the Utah-Arizona State line to the Utah-Nevada State line, thence along the Utah-Nevada State line to the Tooele-Box Elder County line, including points on the indicated portions of the highways specified.

(c) Between that part of Utah located within an area bounded by a line beginning at Price, Utah, and extending along U.S. Highway 6 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 163, thence along U.S. Highway 163 to junction Utah Highway 46, thence along Utah Highway 46 to the Utah-Colorado State line, thence along the Utah-Colorado State line to the Utah-Arizona State line, thence along the Utah-Arizona State line to U.S. Highway 89, thence along U.S. Highway 89 to junction Utah Highway 12, thence along Utah Highway 12 to junction Utah Highway 24, thence along

Utah Highway 24 to junction Utah Highway 72, thence along Utah Highway 72 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Utah Highway 10, thence along Utah Highway 10 to Price, including points on the indicated portions of the highways specified, on the one hand, and, on the other, points in that part of Wyoming located in an area bounded by a line beginning at the Utah-Wyoming State line and extending along the Lincoln-Uintah County line to the Sweetwater County line, thence along the Sweetwater-Lincoln County line to the Sublette County line, thence along the Sublette-Sweetwater County line to Wyoming Highway 28, thence along Wyoming Highway 28 to junction Wyoming Highway 789, thence along Wyoming Highway 789 to Riverton, thence along U.S. Highway 320 to Shoshoni, thence along U.S. Highway 20 to junction U.S. Highway 310, thence along U.S. Highway 310 to the Wyoming-Montana State line, thence along the Wyoming-Montana State line to the Idaho-Wyoming State line, thence along the Idaho-Wyoming State line to the Utah-Wyoming State line, thence along the Utah-Wyoming State line to the point of beginning, including points located on the specified portions of the designated highways.

(d) Between points in Utah located within an area bounded by a line beginning at Thistle, Utah, and extending along U.S. Highway 6 to the Wasatch-Utah County line, thence along the Wasatch-Utah County line to the Wasatch-Duschesne County line, thence along the Wasatch-Duchesne County line to the Summit County line, thence along the Summit-Wasatch County line to U.S. Highway 40, thence along U.S. Highway 40 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Interstate Highway 80N, thence along Interstate Highway 80N to the Morgan-Weber County line, thence along the Weber-Morgan County line to the Weber-Davis County line, thence along the Weber-Davis County line to U.S. Highway 89, thence along U.S. Highway 89 to junction U.S. Highway 6, thence along U.S. Highway 6 to Thistle, including points on the indicated portions of the highways specified, on the one hand, and, on the other, points in Teton and Park Counties, Wyo., on and west of a line beginning at the Fremont-Natrona County line and extending along Wyoming Highway 789 to Riverton, Wyo., thence along U.S. Highway 320 to Shoshoni, Wyo., thence along U.S. Highway 20 to junction U.S. Highway 310, and thence along U.S. Highway 310 to the Wyoming-Montana State line; (e) between points in Big Horn and Park Counties, Wyo., located on and north of U.S. Highway 14, on the one hand, and, on the other, points in Oregon in and south of Lane, Deschutes, Crook, and Harney Counties.

(f) Between points in Oregon located on and east of a line beginning at the Oregon-California State line and extending along U.S. Highway 97 to junction Oregon Highway 58, thence along Oregon Highway 58 to Oakridge, thence along unnumbered highway to Rainbow, thence along Oregon Highway 126 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Oregon Highway 22, thence along Oregon Highway 22 to the Marion-Linn County line, thence along the Marion-Linn County line to the Jefferson-Marion County line, thence along the Jefferson-Marion County line to the Wasco-Marion County line, thence along the Marion Wasco County line to the Clackamas-Wasco County line, thence along the Wasco-Clackamas County line to the Hood River-Wasco County line, thence along the Hood River-Wasco County line to the Oregon-Washington State line, on the one hand, and, on the other, points in that part of Wyoming located within an area bounded by a line beginning at the Utah-Wyoming State line and extending along Wyoming Highway 89 to junction U.S. Highway 30N, thence along U.S. Highway 30N to Kemmerer, thence along U.S. Highway 189 to junction Wyoming Highway 351, thence along Wyoming Highway 351 to junction U.S. Highway 187, thence along U.S. Highway 187 to junction Wyoming Highway 28, thence along Wyoming Highway 28 to junction U.S. Highway 287, thence along U.S. Highway 287 to Rawlins, thence along U.S. Highway 30 to junction Wyoming Highway 789, thence along Wyoming Highway 789 to the Wyoming-Colorado State line, thence along the Wyoming-Colorado State line to the Wyoming-Utah State line, thence along the Wyoming-Utah State line to Oregon Highway 89, including points located on the indicated portions of the highways specified, and including Lander and Riverton, Wyo.

(g) Between points in Oregon located on and west of a line beginning at the Oregon-California State line and extending along U.S. Highway 97 to junction Oregon Highway 58, thence along Oregon Highway 58 to Oakridge, thence along unnumbered highway to Rainbow, thence along Oregon Highway 126 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Oregon Highway 22, thence along Oregon Highway 22 to the Marion-Linn County line, thence along the Marion-Linn County line to the Jefferson-Marion County line, thence along the Jefferson-Marion County line to the Marion-Wasco County line, thence along the Marion-Wasco County line to the Wasco-Clackamas County line, thence along the Wasco-Clackamas County line to the Hood River-Wasco County line, thence along the Hood River-Wasco County line to the Oregon-Washington State line, on the one hand, and, on the other, points in Wyoming west of a line beginning at the Colorado-Wyoming State line and extending along Wyoming Highway 789 to junction U.S. Highway 30, thence along U.S. Highway 30 to Rawlins, thence along Wyoming Highway 789 to Riverton, thence along U.S. Highway 320 to Shoshoni, thence along U.S. Highway 20 to junction U.S. Highway 310, thence along U.S. Highway 310 to the Montana-Wyoming State line, including points on the indicated portions of the highways specified, but excluding points in Yellowstone National Park, points in Teton County west of U.S. Highway 26, and points in Park and Big Horn County located north of U.S. Highway 114; (h) between points in that part of Wyoming on and south of a line beginning at the Utah-Wyoming State line and extending along U.S. Highway 30S to junction U.S. Highway 30, thence along U.S. Highway 30 to Creston, and on and west of a line beginning at the Colorado-Wyoming State line and extending along U.S. Highway 789 to Creston, including Rock Springs, Wyo., and points on U.S. Highway 30 between Creston and Rawlins, Wyo., including Rawlins, on the one hand, and, on the other, points in that part of Idaho on and west of a line beginning at the Idaho-Utah State line and extending along U.S. Highway 191 to junction U.S. Highway 26, thence along U.S. Highway 26 to Arco, thence along U.S. Highway Alternate 93 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Idaho-Montana State line.

(i) Between points in Laramie County, Wyo., and points in Albany County, Wyo., on and south of a line beginning at the Albany-Carbon County line and extending along U.S. Highway 30 to junction Wyoming Highway 34, thence along Wyoming Highway 34 to the Albany-Platte County line, on the one hand, and, on the other, points in Idaho located south of a line extending from Lewiston, Idaho, along U.S. Highway 12 to Spaulding, thence along Idaho Highway 9 to the Idaho-Montana State line, and points in Idaho on and west of U.S. Highway 91; (j) between points in that part of Wyoming located on and north of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 20 to Shoshoni, and on and east of a line beginning at Shoshoni and extending along U.S. Highway 20 to Thermopolis, thence along Wyoming Highway 120 to the Montana-Wyoming State line, on the one hand, and, on the other, points in that part of Idaho located on and south of a line beginning at the Utah-Idaho State line and extending along Interstate Highway 80N to Wendell, thence along Idaho Highway 25 to Bliss, thence along U.S. Highway 26 to the Idaho-Oregon State line, and Mountain Home, Idaho.

(k) Between points in that part of Idaho located within an area bounded by a line beginning at the Idaho-Utah State line and extending along Interstate Highway 80N to Wendell, thence along Idaho Highway 25 to Bliss, thence along U.S. Highway 26 to Boise, thence along Idaho Highway 55 to junction U.S. Highway 95, thence along U.S. Highway 95 to junction Idaho Highway 3, thence along Idaho Highway 3 to junction Idaho Highway 8, thence along Idaho Highway 8 to the Idaho-Washington State line, thence along the Idaho-Washington State line to the Idaho-Oregon State line, thence along the Idaho-Oregon

State line to the Idaho-Nevada State line, thence along the Idaho-Nevada State line to the Idaho-Utah State line, thence along the Idaho-Utah State line to point of origin, including points located on the indicated portions of the highways specified and including Mountain Home, Idaho, on the one hand, and, on the other, points in that part of Wyoming located within an area bounded by a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 20 to Shoshoni, thence along U.S. Highway 26 to Riverton, thence along Wyoming Highway 789 to junction Wyoming Highway 28, thence along Wyoming Highway 28 to Farson, thence along U.S. Highway 187 to Rock Springs, thence along U.S. Highway 30 to junction Wyoming Highway 34, thence along Wyoming Highway 34 to the Albany-Platte County line, thence along the Albany-Platte County line to the Laramie-Platte County line, thence along the Laramie-Platte County line to the Laramie-Goshen County line, thence along the Laramie-Goshen County line to the Wyoming-Nebraska State line, thence along the Nebraska-Wyoming State line to the point of beginning, including points located on the indicated portions of the highways specified, and Kemmerer, Wyo.; (l) between points in that part of Wyoming located west of the Carbon-Albany County line, and south of a line beginning at the Wyoming-Utah State line and extending along U.S. Highway 30S to junction U.S. Highway 30, thence along U.S. Highway 30 to the Carbon-Albany County line, including Rock Springs and Rawlins, Wyo., on the one hand, and, on the other, points in that part of Idaho located on and west of a line beginning at the Idaho-Utah State line and extending along U.S. Highway 191 to junction U.S. Highway 26, thence along U.S. Highway 26 to Arco, thence along U.S. Highway Alternate 93 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Idaho-Montana State line, and south of a line extending from Lewistown, Idaho, to Spaulding, Idaho, thence along Idaho Highway 9 to the Idaho-Montana State line.

(m) Between Rawlins, Wyo., and Idaho Falls, Idaho; (n) between Grand Junction, Colo., on the one hand, and, on the other, points in Lincoln County, Wyo.; (o) between points in Wyoming in and west of Park, Teton, Sublette, Lincoln, and Uinta Counties, on the one hand, and, on the other, points in Montezuma and La Plata Counties, Colo., on and south of a line beginning at the Utah-Colorado State line and extending along the Montezuma-Dolores County line to U.S. Highway 666, thence along U.S. Highway 666 to Cortez, thence along U.S. Highway 160 to the Archuleta County line; (p) between points in that part of Wyoming west of a line beginning at the Wyoming-Colorado State line and extending along Wyoming Highway 789 to junction U.S. Highway 30, thence along U.S. Highway 30 to Rawlins, thence along Wyoming Highway 789 to Riverton, thence along U.S. Highway 320 to Shoshoni, thence along U.S. Highway 20 to junction U.S. Highway 310, and thence U.S. Highway 310 to the Wyoming-Montana State line, including points on the indicated portions of the highways specified, but including points in Yellowstone National Park on the one hand, and, on the other, points in California; (q) between points in that part of Idaho on and west of U.S. Highway 91 and south of a line extending from Lewiston, Idaho to Spaulding, Idaho, thence along Idaho Highway 9 to the Idaho-Montana State line, on the one hand, and, on the other, points in Colorado (except points in Moffat and Routt Counties north of U.S. Highway 40); (r) between points in that part of California located on and south of a line beginning at the California-Nevada State line and extending along Interstate Highway 15 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction California Highway 11, thence along California Highway 11 to Los Angeles, on the one hand, and, on the other, points in that part of Idaho on and south of a line beginning at Lewiston, Idaho, and extending along U.S. Highway 12 to Spaulding, thence along Idaho Highway 9 to the Idaho-Montana State line, and points in Idaho on and west of a line beginning at the Idaho-Montana State line, and extending along U.S. Highway 93 to junction U.S. Alternate Highway 93, thence along U.S. Alternate Highway 93 to Arco, thence along U.S. Highway 26 to junction Idaho Highway 39, thence along Idaho Highway 39 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction Interstate Highway 80N, thence along Interstate Highway 80N to junction Idaho Highway 81, thence along Idaho Highway 81 to the Idaho-Utah State line (except points in Owyhee, Washington, Payette, Gem, Canyon, Adams, and Ada Counties), and Boise, Idaho.

(s) Between points in that part of Idaho on and east of a line beginning at the Idaho-Montana State line and extending along U.S. Highway 93 to junction U.S. Alternate Highway 93, thence along U.S. Alternate Highway 93 to Arco, thence along U.S. Highway 26 to junction Idaho Highway 39, thence along Idaho Highway 39 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction Interstate Highway 30N, thence along Interstate Highway 30N to junction Idaho Highway 81, thence along Idaho Highway 81 to the Idaho-Utah State line, on the one hand, and, on the other, Merced, Calif., and points in California in and south of Inyo, Fresno, San Benito, and Monterey Counties; (t) between points in that part of Utah located within an area bounded by a line beginning at the Utah-Arizona State line and extending along U.S. Highway 91 to Cedar City, thence along Utah Highway 130 to Milford, thence along Utah Highway 257 to junction U.S. Highway 6, thence along U.S. Highway 6 to Delta, thence along Utah Highway 26 to junction U.S. Highway 91, thence along U.S. Highway 91 to junction Utah Highway 4, thence along Utah Highway 4 to junction U.S. Highway 89, thence along U.S. Highway 89 to the Utah-Arizona State line, thence along the Utah-Arizona State line to U.S. Highway 91, including points on the designated portions of the highways specified, on the one hand, and, on the other, Mountain Home Air Force Base, Idaho, and points in Idaho on and south of a line beginning at Lewiston, Idaho, and extending along U.S. Highway 12 to Spaulding, thence along Idaho Highway 9 to the Montana-Idaho State line, and on and north of a line beginning at the Idaho-Utah State line and extending along U.S. Highway 30S to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Interstate Highway 80N near Mountain Home, Idaho, thence along Interstate Highway 80N to the Idaho-Oregon State line; (u) between points in that part of Utah on, south, and west of a line beginning at the Utah-Arizona State line and extending along U.S. Highway 91 to Cedar City, thence along Utah Highway 130 to Milford, thence along Utah Highway 257 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Utah Highway 36, thence along Utah Highway 36 to junction Interstate Highway 80, and thence along Interstate Highway 80 to the Nevada-Utah State line, on the one hand, and, on the other, points in that part of Idaho located on and east of a line and extending along U.S. Highway 191 to Blackfoot, thence along U.S. Highway 91 to the Idaho-Montana State line.

(v) Between points in that part of Utah on and east of a line beginning at the Utah-Arizona State line and extending along U.S. Highway 89 to junction Utah Highway 4, thence along Utah Highway 4 to junction U.S. Highway 91, thence along U.S. Highway 91 to junction Utah Highway 26, thence along Utah Highway 26 to Delta, thence along U.S. Highway 6 to Juab-Utah County line, thence along the Juab-Utah County line to the Utah-Tooele County line, thence along the Utah-Tooele County line to the Tooele-Salt Lake County line, thence along the Tooele-Salt Lake County line to the Tooele-Davis County line, thence along the Tooele-Davis County line to the Box Elder-Weber County line, and points in and south of Weber, Morgan, Salt Lake, Wasatch, Utah, Sanpete, Emery, and Grand Counties, Utah, on the one hand, and, on the other, points in that part of Idaho south of a line extending from Lewiston, Idaho, along U.S. Highway 12 to Spaulding, Idaho, thence along Idaho Highway 9 to the Idaho-Montana State line; (w) between points in Rich County, Utah, Logan, Hyrum, Paradise, Mantua, Wellsville, Brigham City, Willard, Bear River City, Tremonton, Corinne, Avon Providence, Millville, Honeyville, and Deweyville, Utah, on the one hand, and, on the other, points in that part of Idaho south of a line beginning at Lewiston, and extending along U.S. Highway 12 to Spaulding, Idaho, thence along Idaho Highway 9 to the Idaho-Montana State line, and in and west of Idaho, Valley, Boise, Ada, and Canyon Counties, Idaho; and (x) between points in Carbon Coun-

ty, Utah, and points in Uintah and Duchesne Counties, Utah, on and south of U.S. Highway 40, on the one hand, and, on the other, points in that part of Idaho on and west of a line beginning at the Idaho-Utah State line and extending along U.S. Highway 91 to junction U.S. Highway 191, thence along U.S. Highway 191 to the Idaho-Montana State line and south of a line beginning at Lewiston, Idaho, and extending along U.S. Highway 12 to Spaulding, Idaho, thence along Idaho Highway 9 to the Idaho-Montana State line. The purpose of this filing is to eliminate the gateway of points in Weber County, Utah, within 25 miles of Ogden, Utah.

No. MC 107107 (Sub-No. E21), filed April 6, 1975. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 425, Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, and *related advertising materials* when moving in the same vehicles with candy and confectionery, from Reading, Pa., to those points in Georgia on and south of a line beginning at the Atlantic Ocean and extending along U.S. Highway 341 to junction U.S. Highway 280, thence along U.S. Highway 280 to junction Georgia Highway 257, thence along Georgia Highway 257 to junction U.S. Highway 82, thence along U.S. Highway 82 to the Georgia-Alabama State line (Jacksonville, Fla.) *, those in Louisiana, those in Alabama on and south of a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 82 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Alabama-Mississippi State line, and those in Mississippi on and south of U.S. Highway 80 (Pensacola and Tallahassee, Fla.) *. The purpose of this filing is to eliminate the gateways as indicated by asterisks above.

No. MC 107107 (Sub-No. E24), filed April 6, 1975. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 425, Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products*, as defined by the Commission, from Newport and St. Paul, Minn., to those points in Alabama on and south of a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 84 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction U.S. Highway 84, thence along U.S. Highway 84 to the Alabama-Mississippi State line, and those in Georgia on and south of U.S. Highway 280 (except Savannah, Ga.) (Florida) *, and *meat, meat products, and meat by-products*, as defined by the Commission, requiring temperature control in transit, from Newport and St. Paul, Minn., to Savannah, Ga. (Jacksonville, Fla.) *. The purpose of this filing is to eliminate the gateways as indicated by asterisks above.

No. MC 107107 (Sub-No. E26), filed April 6, 1975. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 425, Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products*, as defined by the Commission, from Cudahy, Wisc., to those points in Alabama on and south of a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 84 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction U.S. Highway 84, thence along U.S. Highway 84 to the Alabama-Mississippi State line. The purpose of this filing is to eliminate the gateway of Florida.

No. MC 107107 (Sub-No. E29), filed April 6, 1975. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 425, Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products*, as defined by the Commission, from Kansas City, Kans.-Mo., to those points in Alabama on and south of a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 84 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction Alabama Highway 10, thence along Alabama Highway 10 to the Alabama-Georgia State line and those in Georgia on and south of U.S. Highway 280, restricted to the transportation of commodities requiring temperature control in transit when moving to Savannah, Ga. The purpose of this filing is to eliminate the gateways of Florida and Jacksonville, Fla.

No. MC 107107 (Sub-No. E30), filed April 6, 1975. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 425, Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products*, as defined by the Commission, from Wichita, Kans., to those points in Alabama on and south of a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 8 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Alabama-Georgia State line, and those in Georgia on and south of U.S. Highway 280, restricted to commodities requiring temperature control in transit when moving to Savannah, Ga. The purpose of this filing is to eliminate the gateways of Florida and Jacksonville, Fla.

No. MC 107107 (Sub-No. E31), filed April 6, 1975. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 425, Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat by-products*, as defined by the Commission, from Indianapolis, Ind., to those points in Alabama on and south of Alabama Highway 10, and those in Georgia on and south of U.S. Highway 280, restricted to the transportation of commodities requiring temperature control in transit, when moving to Savannah, Ga. The purpose of this filing is to eliminate the gateways of Florida and Jacksonville, Fla.

No. MC 113843 (Sub-No. E268), filed May 17, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, (1) from points in Tioga, Lycoming, Clinton, Union, Mifflin, Adams, Franklin, Blair, Clearfield, Erie, Clarion, and Venango Counties, Pa., to points in Colorado; (2) from points in Fayette, Allegheny, and Beaver Counties, Pa., to points in Colorado; (3) from Cambria, Pa., to those points in Colorado on, north and west of a line beginning at the Colorado-Nebraska State line extending along Colorado Highway 113 to junction U.S. Highway 25 to the Colorado-New Mexico State line; (5) from points in Bedford, Fulton and Somerset Counties, Pa., to Salida, Colo., and those points in Colorado on, north and west of a line beginning at the Colorado-Nebraska State line extending along Colorado Highway 113 to junction U.S. Highway 138, thence along U.S. Highway 138 to Sterling, thence along U.S. Highway 6 to junction Colorado Highway 52, thence along Colorado Highway 52 to junction Colorado Highway 119, thence along Colorado Highway 119 to junction Colorado Highway 279, thence along Colorado Highway 279 to junction U.S. Highway 6, thence along U.S. Highway 6 to Glenwood Springs, thence along Colorado Highway 133 to junction Colorado Highway 92, thence along Colorado Highway 92 to Delta, thence along U.S. Highway 550 to the Colorado-New Mexico State line.

(6) From Mercer County, Pa., to those points in Colorado on, south and west of a line beginning at the Colorado-New Mexico State line extending along Interstate Highway 25 to Walsenburg, thence along U.S. Highway 160 to Alamosa, thence along U.S. Highway 285 to junction U.S. Highway 50, thence along U.S. Highway 50 to Salida, thence along Colorado Highway 291 to junction U.S. Highway 285, thence along U.S. Highway 285 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Colorado Highway 131, thence along Colorado Highway 131 to junction U.S. Highway 40, thence along U.S. Highway 40 to Craig, thence along Colorado Highway 13 to the Colorado-Wyoming State line; (7) from Lawrence County, Pa., to those points in Colorado on, south and west of a line beginning at the Colorado-New Mexico State line extending along U.S. Highway 550 to Delta, thence along Colorado Highway 92 to junction Colorado Highway 133, thence along Colorado

Highway 133 to junction Colorado Highway 82, thence along Colorado Highway 82 to Glenwood Springs, thence along U.S. Highway 6 to Rifle, thence along Colorado Highway 13 to the Colorado-Wyoming State line; (8) from Butler and Armstrong Counties, Pa., to those points in Colorado on and west of a line beginning at the Colorado-New Mexico State line extending along U.S. Highway 285 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Colorado Highway 131, thence along Colorado Highway 131 to junction U.S. Highway 40, thence along U.S. Highway 40 to Craig, thence along Colorado Highway 13 to the Colorado-Wyoming State line; and (9) from those points in Pennsylvania on and west of U.S. Highway 15 and east of a line beginning at the Pennsylvania-Maryland State line extending along U.S. Highway 522 to junction Pennsylvania Highway 350, thence along Pennsylvania Highway 350 to Philipsburg, thence along U.S. Highway 322 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-New York State line, to Grand Junction, Colo. The purpose of this filing is to eliminate the gateway of LeRoy, N.Y.

No. MC 113843 (Sub-No. E487), filed May 19, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, between those points in Tioga County, Pa., on the one hand, and, on the other, points in Illinois; and between those points in Pennsylvania on and west of U.S. Highway 15 and on, east and north of a line beginning at the Pennsylvania-New York State line and extending along Pennsylvania Highway 49 to junction Pennsylvania 249, thence along Pennsylvania Highway 249 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction Pennsylvania Highway 973, thence along Pennsylvania Highway 973 to junction Pennsylvania Highway 44, thence along Pennsylvania Highway 44 to junction Pennsylvania Highway 664, thence along Pennsylvania Highway 664 to Lock Haven, thence along U.S. Highway 220 to junction U.S. Highway 15, on the one hand, and, on the other, those points in that part of Illinois on, west and north of a line beginning at the Mississippi River and extending along U.S. Highway 66 to junction Illinois Highway 29, thence along Illinois Highway 29 to junction Illinois Highway 88, thence along Illinois Highway 88 to junction Illinois Highway 2, thence along Illinois Highway 2 to the Illinois-Wisconsin State line. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E488), filed May 19, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, between those points in Tioga County, Pa., on the one hand, and, on the other, points in Indiana; and between those points in Pennsylvania on, north and west of a line beginning at the Pennsylvania-New York State line and extending along Pennsylvania Highway 249 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction U.S. Highway 15, thence along U.S. Highway 15 to the Pennsylvania-New York State line, to those points in Indiana on and west of a line beginning at the Indiana-Kentucky State line and extending along U.S. Highway 421 to junction Indiana Highway 3, thence along Indiana Highway 3 to junction Indiana Highway 14, thence along Indiana Highway 14 to the Indiana-Ohio State line. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E489), filed May 13, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, between those points in Tioga County, Pa., on the one hand, and, on the other, those points in Ohio on and west of a line beginning at Lake Erie and extending along Ohio Highway 4 to junction U.S. Highway 224, thence along U.S. Highway 224 to junction Ohio Highway 13, thence along Ohio Highway 13 to Athens, thence along U.S. Highway 33 to the Ohio-West Virginia State line. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E545), filed May 17, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, between those points in Pennsylvania on and west of U.S. Highway 15 and east of a line beginning at the Pennsylvania-Maryland State line extending along Pennsylvania Highway 456, thence along Pennsylvania Highway 456 to junction Pennsylvania Highway 16, thence along Pennsylvania Highway 16 to junction U.S. Highway 522, thence along U.S. Highway 522 to Lewistown, Pa., thence along U.S. Highway 322 to junction Pennsylvania Highway 144, thence along Pennsylvania Highway 144 to junction Pennsylvania Highway 64, thence along Pennsylvania Highway 64 to junction Pennsylvania Highway 120, thence along Pennsylvania Highway 120 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction Pennsylvania Highway 249, thence along Pennsylvania Highway 249 to the Pennsylvania-New York State line, on the one hand, and, on the other, points in Chautauqua and Erie Counties, N.Y., on and north of a line beginning at Lake Erie extending along New York Highway 428 to junction New York Highway 39, thence along New York Highway 39 to the Erie-Wyoming County line. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC 113843 (Sub-No. E640), filed May 17, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Shiels (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and berries and frozen fruit and berry concentrates*, from Crisfield, Md., to points in Colorado, Kansas, Minnesota, those points in that part of Arkansas on, north, and west of a line beginning at the Arkansas-Missouri State line extending along U.S. Highway 65 to junction Arkansas Highway 7, thence along Arkansas Highway 7 to junction Arkansas Highway 16, thence along Arkansas Highway 16 to junction Arkansas Highway 21, thence along Arkansas Highway 21 to junction U.S. Highway 64, thence along U.S. Highway 64 to the Arkansas-Oklahoma State line; those in Oklahoma on, north and west of a line beginning at the Oklahoma-Arkansas State line extending along U.S. Highway 64 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction Indian Nation Turnpike, thence along Indian Nation Turnpike to junction U.S. Highway 271, thence along U.S. Highway 271 to the Oklahoma-Texas State line, and those in Texas on and west of a line beginning at the Texas-Oklahoma State line extending along U.S. Highway 271 to Paris, thence along Texas Highway 19 to junction Texas Highway 154, thence along Texas Highway 154 to junction Texas Highway 37, thence along Texas Highway 37 to junction U.S. Highway 69, thence along U.S. Highway 69 to Tyler, thence along Texas Highway 155 to Palestine, thence along U.S. Highway 79 to junction Texas Highway 6, thence along Texas Highway 6 to Bryan, thence along Texas Highway 21 to junction Texas Highway 80, thence along Texas Highway 80 to junction U.S. Highway 181, thence along U.S. Highway 181 to Corpus Christi Bay. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113908 (Sub-No. E416), filed December 5, 1974. Applicant: ERICKSON TRANSPORT CORP., P.O. Box 3180, Glenstone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from North Rose, N.Y., to points in Colorado on and south of a line beginning

at the Colorado-Kansas State line and extending along U.S. Highway 40 to junction Colorado Highway 94, thence along Colorado Highway 94 to junction Colorado Highway 115, thence along Colorado Highway 115 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Colorado Highway 90, thence along Colorado Highway 90 to the Colorado-Utah State line; points in Texas west of U.S. Highway 281, and points in Oklahoma west of U.S. Highway 81, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateways of Memphis, Tenn., and Wichita, Kans.

No. MC 114552 (Sub-No. E51), filed May 9, 1974. Applicant: SENN TRUCKING COMPANY, P.O. Box 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber* (except plywood and veneer), (1) from points in Virginia on and east of a line beginning at the Virginia-North Carolina State line, thence along U.S. Highway 52 to its intersection with Interstate Highway 81, thence along Interstate Highway 81 to its intersection with Virginia Highway 100, thence along Virginia Highway 100 to the Virginia-West Virginia State line, to points in Texas, Oklahoma, Kansas, Nebraska, North Dakota, and points in Arkansas on and west of a line beginning at the Arkansas-Tennessee State line, thence along U.S. Highway 64 to its intersection with U.S. Highway 167, thence along U.S. Highway 167 to its intersection with U.S. Highway 63, thence along U.S. Highway 63 to the Arkansas-Missouri State line; (2) from points in Virginia to points in Alabama; (3) from points in Virginia on and east of U.S. Highway 21, and on and south of a line beginning at the West Virginia-Virginia State line and U.S. Highway 60, thence along U.S. Highway 60 to Richmond, Va., and thence along Virginia Highway 33 to the Chesapeake Bay, to points in Tennessee; (4) from points in Virginia on and east of U.S. Highway 21, and on and south of a line beginning with the intersection of the West Virginia-Virginia State line and U.S. Highway 60, thence along U.S. Highway 60 to Richmond, and thence along Virginia Highway 33 to the Chesapeake Bay, to points in Indiana, Illinois, Kentucky, and Ohio; (5) from points in West Virginia to points in Alabama; (6) from points in West Virginia on and south of a line beginning at the West Virginia-Kentucky State line, thence along U.S. Highway 119 to its intersection with West Virginia Highway 14, thence along West Virginia Highway 14 to the West Virginia-Ohio State line, to points in Texas; and (7) from Mercer County, W. Va., to points in Arkansas on and south of a line beginning at the Arkansas-Louisiana State line, thence along U.S. Highway 167 to its intersection with U.S. Highway 270, thence along U.S. Highway 270 to its intersection with Arkansas Highway 7, thence along Arkansas Highway 7 to its intersection with Interstate Highway 40, thence along Interstate Highway 40 to the Arkansas-Oklahoma State line, and points in Oklahoma on and south of a line beginning at the Oklahoma-Arkansas State line, thence along Interstate Highway 40 to its intersection with the Muscogee Turnpike, thence along the Muscogee Turnpike to its intersection with U.S. Highway 75, thence along U.S. Highway 75 to the Oklahoma-Kansas State line. The purpose of this filing is to eliminate the gateways of Greenwood County, S.C., in (1), (6), and (7); Tennessee and North Carolina (except points in Buncombe, Chatham, Cherokee, Columbus, Cumberland, Franklin, Guilford, Harnett, Henderson, Lee, Macon, Orange, Rockingham, Transylvania, and Union Counties, in (2); Surry Co., N.C., in (3); Surry Co., N.C., and Tennessee in (4); and Tennessee in (5).

No. MC 125777 (Sub-No. E3), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products*, in dump vehicles, (1) from Chicago, Ill., to points in the Lower Peninsula of Michigan (Thornton, Ill.)*; and (2) from Chicago, Ill., to points in Pennsylvania and New York. (Thornton, Ill., and River Rouge, Mich.)*. The purpose of this filing is to eliminate the gateways marked with asterisks above.

No. MC 12577 (Sub-No. E4), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lime, limestone products*, (except dolomite), in bulk, in dump vehicles, from Thornton, Ill., to points in Minnesota, Missouri, and Iowa; and (2) *lime, limestone products*, and *dolomite*, in bulk, in dump vehicles, from Thornton, Ill., to points in Wisconsin. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 12577 (Sub-No. E9), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ground cinders and shale*, in dump trucks, from Danville, Ill., to points in Iowa and Lucas, Wood, Fulton, Ottawa, Erie, Henry, Williams and Defiance Counties, Ohio. The purpose of this filing is to eliminate the gateways of Ottawa, Ill., and Ft. Wayne, Ind.

No. MC 125777 (Sub-No. E9), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone products*, in bulk, in dump vehicles, from Ste. Genevieve, Mo., to points in the Lower Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Thornton, Ill.

No. MC 125777 (Sub-No. E11), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay, shale, and cinders*, in bulk, in dump vehicles, from Gary, Ind., to points in Iowa. The purpose of this filing is to eliminate the gateway of Ottawa, Ill.

No. MC 125777 (Sub-No. E12), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Haydite, materialite, shale and cinders*, in bulk, in tank vehicles, from Toledo, Ohio to points in Illinois. The purpose of this filing is to eliminate the gateway of Ft. Wayne, Ind.

No. MC 125777 (Sub-No. E13), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Haydite, materialite, shale and cinders*, in bulk, in dump vehicles, from Detroit, Mich., to points in Illinois. The purpose of this filing is to eliminate the gateway of Ft. Wayne, Ind.

No. MC 125777 (Sub-No. E14), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Haydite, materialite, shale and cinders*, in bulk, in dump trucks, from Brooklyn, Ind., to points in Lenawee, Monroe, Hillsdale, Jackson, Washtenaw, and Wayne Counties, Mich. The purpose of this filing is to eliminate the gateway of Ft. Wayne, Ind.

No. MC 125777 (Sub-No. E17), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone, marble, grainte, and gravel*, in bulk, in dump vehicles, from points in Kentucky (except points in Livingston and Caldwell Counties), to points in Wisconsin, Minnesota, Iowa, South Dakota, Wyoming, Montana, Utah, and North Dako-

ta. The purpose of this filing is to eliminate the gateways of Champaign County, Ill., and Chicago, Ill.

No. MC 125777 (Sub-No. E39), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue., Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as abve). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products*, from Thornton, Ill., to points in New York and Pennsylvania. The purpose of this filing is to eliminate the gateway of River Rouge, Mich.

No. MC 125777 (Sub-No. E41), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, in bulk, in dump vehicles, from Goose Lake, Ill., to points in Iowa, Michigan and Wisconsin. The purpose of this filing is to eliminate the gateway of Ottawa, Ill.

No. MC 125777 (Sub-No. E43), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Slag*, in bulk, in dump vehicles, from Detroit, Mich., to points in Minnesota. The purpose of this filing is to eliminate the gateways of Fort Wayne, Ind., and the plant site of H. B. Reed & Company at Gary, Ind.

No. MC 125777 (Sub-No. E47), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Slag*, in bulk, in dump trucks, from Portage, Ind., to points in Michigan, Ohio (except points in Ashtabula, Cuyahoga, Lake, Summit, Muskingum, Licking, Franklin, Wayne, Geauga, Lorain, and Portage Counties), Pennsylvania, Kentucky, Missouri, Iowa, Wisconsin, and Minnesota. The purpose of this filing is to eliminate the gateways of the plant site of H. B. Reed & Company at Gary, Ind.

No. MC 125777 (Sub-No. E48), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Slag*, in bulk, in dump trucks, from Detroit, Mich., to points in Illinois, Indiana, Missouri, Iowa, Wisconsin, and Minnesota. The purpose of this filing is to eliminate the gateways of points in Steuben, De Kalb, and Allen Counties, Ind., and the plant site of H. B. Reed & Company at Gary, Ind.

No. MC 125777 (Sub-No. E49), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone, granite, marble, and gravel*, crushed, in bulk, in dump vehicles, from points in Michigan, to points in Wyoming, Montana, Utah, Arizona, Kansas, Oklahoma, Texas, New Mexico, Colorado, Arkansas, Louisiana, North Dakota, South Dakota, Nebraska, Wisconsin, Illinois, Minnesota, Iowa, and Missouri. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 125777 (Sub-No. E51), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry superphosphate*, in bulk, in dump vehicles, from Peoria, Ill., to points in Nebraska, North Dakota, and South Dakota. The purpose of this filing is to eliminate the gateway of the facilities of International Minerals & Chemical Corporation at or near Clinton, Iowa.

No. MC 129631 (Sub-No. E21), filed June 2, 1974. Applicant: PACK TRANSPORT, INC., 3975 S. 2nd West, Salt Lake City, Utah 84107. Applicant's representative: Gwyn D. Davidson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber* and *lumber mill products*, restricted against the transportation of commodities which because of size or weight require special equipment; (a) from points in Park, Big Horn, Sheridan, Campbell, Crook, Fremont, Sublette, Hot Springs, and Washakie Counties, Wyo., to points in Iron County, Utah; and (b) from points in Wyoming to points in Washington and Kane Counties, Utah. The purpose of this filing is to eliminate the gateways of Coconino, Navajo, Apache, Yavapai, and Mohave Counties, Ariz.

No. MC 134501 (Sub-No. E1), filed June 4, 1974. Applicant: U.F.T. TRANSPORT CO., P.O. Box 3128, Irving, Tex. 75061. Applicant's representative: T. M. Brown, 600 Leninger Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture;* (1) from points in Alabama on, south, and west of a line beginning at the Alabama-Mississippi State line at U.S. Highway 11, thence along U.S. Highway 11 to junction Interstate Highway 65, thence along Interstate Highway 65 to Montgomery, thence along U.S. Highway 331 to the Alabama-Florida State line, to points in Illinois, on, west, and north of a line beginning at junction U.S. Highway 24 with the Mississippi River, thence along U.S. Highway 24 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Illinois-Wisconsin State line (Shelby County, Tenn.)*; (2) from Mobile, Ala., to Chicago, Ill. (Shelby County, Tenn.)*; (3) from points in Arkansas on and south of a line beginning at junction Interstate Highway 40 and the Mississippi River, thence along Interstate Highway 40 to the Arkansas-Oklahoma State line, to points in Iowa, Kansas, Missouri, and Nebraska (Saline, Sebastian, or Crawford County, Ark.)*; (4) from points in Arizona to points in (a) Connecticut, Delaware, Indiana, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia (Tennessee except Cocke, Hamblen, and Knox Counties)*; (c) Illinois, Montana, North Dakota, South Dakota, Wisconsin, and Minnesota (Colorado)*; (d) Arkansas (Texas)*; and (e) Michigan and Kentucky (Oklahoma)*; (5) from points in California to points in (a) Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia (Tennessee, except Cocke, Hamblen, and Knox Counties)*, (b) Georgia and North Carolina (Dallas County, Tex.)*.

(c) Illinois, Indiana, Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin (Colorado)*, (d) Kentucky and Arkansas (Oklahoma)*, and (e) New York (Colorado and Kentucky)*; (6) from points in Connecticut to points in Arizona, Arkansas, California, that part of Colorado on and south of U.S. Highway 24, that part of Idaho, on and south of U.S. Highway 12, that part of Kansas on and south of U.S. Highway 54, Louisiana, Mississippi, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, and that part of Washington on and south of U.S. Highway 22 (Shelby County, Tenn.)*; (7) from points in Delaware to points in Arizona, Arkansas, California, Colorado (except points in Logan, Sedgwick, Phillips, Morgan, Washington, and Yuma Counties), Idaho, Louisiana, Mississippi, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and that part of Kansas on and south of a line beginning at the Kansas-Colorado State line at Interstate Highway 10, thence along Interstate Highway 70 to junction U.S. Highway 81, thence along U.S. Highway 81 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 U.S. Highway 54, thence along U.S. Highway 54 to the Kansas-Missouri State line (Shelby County, Tenn)*; (8) from points in Florida to points in (a) Colorado, Idaho, Montana, Nevada, Oregon, and Utah (Little Rock, Ark.)*, (b) Iowa, Minnesota, Missouri, North Dakota, South Dakota, Washington, Wisconsin, and that part of Illinois on and west of U.S. Highway 51 (Shelby County, Tenn)*; (9) from points in Florida (except points in Hamilton, Baker, Nassau, Duval, St. Johns, Flagler, Putnam, Clay, Bradford, Union, and Columbia Counties), to points in Illinois (Shelby County, Tenn.)*; (10) from

points in Georgia to points in (a) Arizona, California, and New Mexico (Dallas County, Tex.)*, (b) Arkansas, Idaho, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming (Shelby County, Tenn.)*, and (c) Colorado (Little Rock, Ark.)*; (11) from points in Georgia to points in Iowa on and west of Interstate Highway 35 (Shelby County, Tenn.)*.

(12) From points in that part of Georgia on and south of Interstate Highway 20 to points in Iowa (Shelby County, Tenn.)*; (13) from points in Georgia to points in that part of Minnesota on, north, and west of a line beginning at the Minnesota-Wisconsin State line at U.S. Highway 12, thence along U.S. Highway 12 to St. Paul; thence along Interstate Highway 35 to the Minnesota-St. Paul State line (Shelby County, Tenn.)*; (14) from points in that part of Georgia on, south, and west of a line beginning at the Georgia-Tennessee State line at Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 411, thence along U.S. Highway 411 to junction U.S. Highway 41, thence along U.S. Highway 41 to Atlanta, thence along Interstate Highway 20 to the Georgia-South Carolina State line, to points in Minnesota (Shelby County, Tenn.)*; (15) from points in Idaho to points in (a) Alabama, Florida, Georgia, and Mississippi (Little Rock, Ark.)*, (b) Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and that part of Indiana south of U.S. Highway 50 (Kentucky)*, and (c) Iowa, Kansas, Louisiana, Missouri, New Mexico, and Tennessee (Colorado)*; (16) from points in Idaho to points in that part of Nebraska on and south of U.S. Highway 30 (Colorado)*; (17) from points in Illinois to points in (a) Alabama, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Mississippi, New Jersey, North Carolina, Rhode Island, South Carolina, Tennessee, and Virginia (Kentucky)*, (b) Arizona and California (Colorado)*, and (c) New Mexico (Oklahoma)*; (18) from points in Iowa to points in (a) Alabama, Florida, Georgia, North Carolina, Oregon, and South Carolina (Tennessee, except Cocke, Hamblen, and Knox Counties)*, (b) that part of Arkansas on and south of Interstate Highway 40 (Saline County, Ark.)*, and (c) Idaho, Nevada, and Utah (Colorado)*; (19) from points in Kansas to points in (a) Alabama, Connecticut, Delaware, Florida, Georgia, New Hampshire, New Jersey, North Carolina, Rhode Island, South Carolina, Vermont, and Virginia (Tennessee, except Cocke, Hamblen, and Knox Counties)*, (b) that part of Arkansas on, south, and west of a line beginning at the Arkansas-Missouri State line at U.S. Highway 65, thence along U.S. Highway 65 to junction Interstate Highway 40, thence along Interstate Highway 40 to the Arkansas-Tennessee State line (Saline, Sebastian, and Crawford County, Ark.)*, and (c) Idaho, Maine, Montana, Nevada, Oregon, Utah, and Washington (Colorado)*.

(20) From points in Louisiana to points in (a) Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Virginia (Tennessee, except Cocke, Hamblen, and Knox Counties)*, (b) Idaho and Montana (Colorado)*, (c) Minnesota (Oklahoma or Shelby County, Tenn.)*, (d) Nevada, North Dakota, Oregon, South Dakota, and Utah (Oklahoma)*, and (e) Vermont, Washington, West Virginia, and Wisconsin (Shelby County, Tenn.)*; (21) from points in Maine to points in Arizona, Arkansas, California, Colorado, Louisiana, Mississippi, Nevada, New Mexico, Oklahoma, Oregon, and Texas (Shelby County, Tenn.)*; (22) from points in Maryland to points in Arizona, Arkansas, California, Colorado, Louisiana, Nevada, New Mexico, Oklahoma, Oregon, and Texas (Shelby County, Tenn.)*; (23) from points in Massachusetts to points in Arizona, Arkansas, California, Louisiana, Mississippi, New Mexico, Oklahoma, Oregon, and Texas (Shelby County, Tenn.)*; (24) from points in Michigan to points in (a) Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee (Kentucky)*, and (b) Arizona, California, and New Mexico (Colorado or Oklahoma)*; (25) from points in Minnesota to points in (a) Alabama, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, North Carolina, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia (Kentucky or Shelby County, Tenn.)*, (b) Arizona, California, and New Mexico (Oklahoma or Colorado)*, and (c) Louisiana (Oklahoma or Shelby County, Tenn.)*; (26) from points in Mississippi to points in (a) Connecticut, Illinois, Indiana, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Montana, New Hampshire, North Carolina, North Dakota, Rhode Island, Vermont, and Wisconsin (Tennessee, except Cocke, Hamblen, and Knox Counties)*, (b) Idaho (Little Rock, Ark.)*, (c) Nevada, Oregon, and Utah (Oklahoma)*, (d) South Dakota (Shelby County, Tenn.)*, and (e) Washington (Colorado or Tennessee, except Cocke, Hamblen, and Knox Counties)*.

(27) From points in Missouri to points in (a) Alabama (Tennessee, except Cocke, Hamblen, and Knox Counties, or Little Rock, Ark.)*, (b) that part of Arkansas on and south of Interstate Highway 40 (Saline County, Ark.)*, (c) South Carolina (Tennessee, except Cocke, Sotuh Carolina (Tennessee, except Cocke, Hamblen, and Knox Counties)*, and (d) Idaho, Montana, Nevada, Oregon, Utah, and Washington (Colorado)*; (28) from points in Montana to points in (a) Alabama, Connecticut, Delaware, Georgia, that part of Indiana south of U.S. Highway 50, Maine, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia (Kentucky or Shelby County, Tenn.)*, (b) Arizona, Kansas, Missouri, and New Mexico (Colorado)*, (c) Florida (Little Rock, Ark.)*, and (d) Louisiana (Colorado or Oklahoma)*; (29) from points in Nebraska to points in (a) Alabama, Georgia, North Carolina, South Carolina (Tennessee, except Cocke, Hamblen, and Knox Counties)*, and (b) Nevada (Colorado)*; (30) from points in New Hampshire to points in Arizona, Arkansas, Louisiana, Mississippi, New Mexico, Oklahoma, Oregon, and Texas (Shelby County, Tenn.)*; (31) from points in New Jersey to points in Arizona, Arkansas, California, Colorado, Louisiana, Mississippi, Nevada, New Mexico, Oklahoma, Oregon, and Texas (Shelby County, Tenn.)*; (32) from points in New Mexico to points in (a) Alabama (Stamps and Little Rock, Ark.)*, (b) Arkansas (Texas)*, (c) Connecticut, Delaware, North Carolina, and South Carolina (Tennessee, except Cocke, Hamblen, and Knox Counties)*, (d) Georgia (Dallas County, Tex.)*, (e) Idaho, Illinois, that part of Indiana north of U.S. Highway 50, Kentucky, Michigan, Minnesota, Montana, North Dakota, South Dakota, Washington, and Wisconsin (Oklahoma or Colorado)*, and (f) that part of Indiana south of U.S. Highway 50, Maine, Maryland, Massachusetts, New Hampshire, and New Jersey (Oklahoma and Kentucky)*; (33) from points in New York to points in Arizona, Arkansas, Louisiana, Mississippi, New Mexico, and Texas (Shelby County, Tenn.)*.

(34) From points in North Carolina to points in (a) Arkansas, Colorado, Idaho, Kansas, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming (Shelby County, Tenn.)*, and (b) Arizona and California (Dallas County, Tex.)*; (35) from points in North Dakota to points in (a) Connecticut, Delaware, Florida, Georgia, that part of Indiana south of U.S. Highway 50, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia (Kentucky)*, (b) Alabama (Shelby County, Tenn.)*, (c) Arizona, California, and New Mexico (Colorado)*, and (d) Louisiana (Oklahoma)*; (36) from points in Ohio to points in Arizona, Arkansas, California, Louisiana, Mississippi, and Texas (Shelby County, Tenn.)*; (37) from points in Oklahoma to points in (a) Alabama, Connecticut, Delaware, and South Carolina (Tennessee, except Cocke, Hamblen, and Knox Counties)*, and (b) Indiana, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia (Kentucky)*; (38) from points in Oregon to points in (a) Alabama, Connecticut, Delaware, Georgia, that part of Indiana south of U.S. Highway 50, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont,

Virginia, and West Virginia (Shelby County, Tenn., or Kentucky) *, (b) Florida (Little Rock, Ark.) *, and (c) Iowa, Kansas, Louisiana, Mississippi, and Missouri (Colorado or Oklahoma) *; (40) from points in Pennsylvania to points in Arizona, Arkansas, California, Louisiana, Mississippi, Oklahoma, and Texas (Shelby County, Tenn.) *; (41) from points in Rhode Island to points in Arizona, Arkansas, Colorado, Idaho, Louisiana, Mississippi, Nevada, Oklahoma, Oregon, Texas, Utah, and Washington (Shelby County, Tenn.) *.

(42) From points in South Carolina to points in Arizona, Arkansas, California, Colorado, Idaho, Kansas, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming (Shelby County, Tenn.) *; (43) from points in South Dakota to points in (a) Alabama, Connecticut, Delaware, Florida, Georgia, that part of Indiana south of U.S. Highway 50, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia (Kentucky or Tennessee) *, (b) Arizona, California, Louisiana, and New Mexico (Colorado or Oklahoma) *, and (c) Mississippi (Shelby County, Tenn.) *; (44) from points in Texas to points in Connecticut, Delaware, that part of Indiana south of U.S. Highway 50, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia (Kentucky or Shelby County, Tenn.) *; (45) from points in Utah to points in (a) Alabama, Connecticut, Delaware, Georgia, that part of Indiana south of U.S. Highway 50, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia (Shelby County, Tenn., or Kentucky) *, (b) Florida (Little Rock, Ark.) *, and (c) Iowa, Kansas, Louisiana, and Mississippi (Colorado or Oklahoma) *; (46) from points in Virginia to points in Arizona, Arkansas, California, Colorado, Idaho, Nevada, Oregon, Texas, Utah, and Washington (Shelby County, Tenn.) *; (47) from points in Vermont to points in Arizona, Arkansas, California, Louisiana, Mississippi, Oklahoma, and Texas (Shelby County, Tenn.) *; (48) from points in Washington to points in Alabama, Connecticut, Delaware, Florida, Georgia, that part of Indiana south of U.S. Highway 50, Louisiana, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia (Shelby County, Tenn.) *, Kansas, Mississippi, Missouri, and New Mexico (Colorado) *; (49) from points in West Virginia to points in Arizona, Arkansas, California, Colorado, Louisiana, Oklahoma, Oregon, and Texas (Shelby County, Tenn.) *.

(50) From points in Wisconsin to points in Alabama, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Jersey, North Carolina, Rhode Island, South Carolina, Tennessee, Virginia, and West Virginia (Shelby County, Tenn.) *, and Arizona, California, and New Mexico (Colorado and New Mexico) *; (51) from points in Wyoming to points in (a) Alabama, Georgia, North Carolina, and South Carolina (Tennessee, except Cocke, Hamblen, and Knox Counties) *, (b) Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Pennsylvania, New York, Rhode Island, Vermont, Virginia, and West Virginia (Colorado and Kentucky), and (c) Indiana and Kentucky (Colorado); and (52) from points in Mobile and Baldwin County, Ala., to points in that part of Indiana on and north of Interstate Highway 70, Maine, Massachusetts, that part of New York on and north of Interstate Highway 90, Michigan, Ohio, that part of Kentucky on, north, and west of a line beginning at the Ohio-Kentucky State line at Interstate Highway 75, thence along Interstate Highway 75 to Lexington, thence along U.S. Highway 62 to junction Interstate Highway 65, thence along Interstate Highway 65 to the Kentucky-Tennessee State line, that part of Pennsylvania on and west of a line beginning at the Pennsylvania-New York State line and U.S. Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 220, thence along U.S. Highway 220 to the Pennsylvania-Maryland State line (Shelby County, Tenn.) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-15493 Filed 6-12-75;8:45 am]

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FRIDAY, JUNE 13, 1975

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PART II

DEPARTMENT OF THE ARMY

Corps of Engineers

■

EVALUATION OF BENEFICIAL CONTRIBUTIONS TO NATIONAL ECONOMIC DEVELOPMENT FOR FLOOD PLAIN MANAGEMENT PLANS

General Principles and Standards of Benefit Evaluation

Title 33—Navigation and Navigable Waters

CHAPTER II—CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY

[ER 1105-2-351]

PART 341—EVALUATION OF BENEFICIAL CONTRIBUTIONS TO NATIONAL ECONOMIC DEVELOPMENT FOR FLOOD PLAIN MANAGEMENT PLANS

General Principles and Standards of Benefit Evaluation

On August 15, 1974, Part 341 was established with the publication of guidelines by which the Corps of Engineers evaluates economic benefits for flood control projects. At that time, work was continuing on procedures for application of the "affluence factor" in determining future flood reduction benefits. The "affluence factor" is defined as the effect of increasing per capita income on the unit value of stock of real property and contents.

The amendments to Part 341 published this date include the following: a revision of Subpart A to include the applicability provisions of the entire regulation and to revise the section on definitions to reflect the expanded scope of the regulation with the affluence factor; several editorial corrections; a new Subpart E (§§ 341.50–341.53) prescribing procedures for application of the affluence factor; and a renumbering of the previous Subpart E to Subpart F to maintain a logical sequence to the regulation. Following the regulation are two appendixes which provide results of studies conducted by the Office of the Chief of Engineers in the formulation of the affluence factor procedures.

Questions concerning these amendments may be referred to Headquarters, Department of the Army, Office of the Chief of Engineers, ATTN: DAEN-CWP, Washington, D.C. 20314. This regulation is issued within the Corps of Engineers as ER 1105-2-351.

(Flood Control Act of 1936, Pub. L. 74-738 (33 U.S.C. 701a), June 22, 1936; Water Resources Council, Principles and Standards for Planning Water and Related Land Resources, 38 FR 24778-24869, September 10, 1973.)

Dated: June 9, 1975.

RUSSELL J. LAMP,
Colonel, Corps of Engineers Executive.

1. Part 341 of Title 33, Code of Federal Regulations, is amended by revising the title to: Evaluation of Beneficial Contributions to National Economic Development for Flood Plain Management Plans.

2. Part 341, Subpart A is revised to read as follows:

Subpart A—Introduction

Sec.
341.10 Purpose.
341.11 Applicability.
341.12 References.
341.13 Code of Federal Regulations.
341.14 Effective dates.
341.15 Applicability to planning reports.
341.16 Definitions.

§ 341.10 Purpose.

This regulation prescribes the principles, standards, procedures, and measurement techniques for evaluating beneficial contributions to the National Economic Development (NED) objective for flood plain management plans.

§ 341.11 Applicability.

This regulation is applicable to all OCE elements and all field operating agencies with Civil Works responsibilities.

§ 341.12 References.

(a) Section 1, Pub. L. 74-738, Flood Control Act of 1936 (33 U.S.C. 701a), 22 June 1936.

(b) Water Resources Council, Principles and Standards for Planning Water and Related Land Resources, 38 ER 24778-24869, September 10, 1973.

(c) Pub. L. 93-234, Flood Disaster Assistance Act of 1973 (87 Stat. 975), December 31, 1973.

(d) 24 CFR Part 1910, Criteria for Land Management and Use.

§ 341.13 Code of Federal Regulations.

This regulation is codified as 33 CFR Part 341.

§ 341.14 Effective date of regulation.

This regulation, with the exception of Chapter 5, was effective August 15, 1974, as published in the FEDERAL REGISTER on that date, and amended on June 13, 1975. Subpart E is effective June 13, 1975, as published in the FEDERAL REGISTER on that date.

§ 341.15 Applicability to planning reports and projects.

(a) *Planning Reports.* This regulation is applicable to reports transmitted to the Chief of Engineers after June 13, 1975, as provided in paragraphs (a)(1)–(a)(4) of this section. Separate instructions will be issued regarding applicability to reports transmitted to the Chief of Engineers on or before June 13, 1975.

(1) Preauthorization feasibility reports transmitted to the Chief of Engineers by the Board of Engineers for Rivers and Harbors after June 13, 1975.

(2) Phase I General Design Memoranda transmitted to the Chief of Engineers by the Board of Engineers for Rivers and Harbors, or by Division Engineers, after June 13, 1975.

(3) Postauthorization Change reports transmitted to the Chief of Engineers after June 13, 1975.

(4) Detailed Project Reports (DPR's) under the Continuing Authorities Program transmitted to the Chief of Engineers for approval after June 13, 1975.

(b) *Projects.* The Chief of Engineers will issue separate instructions regarding special reporting requirements to apply the provisions of this regulation to the following categories of projects, if not reported under paragraph (a) of this section.

(1) Projects authorized by Congress for which funds to initiate construction are not appropriated prior to FY 1977.

(2) Projects approved by the Chief of Engineers under the Continuing Authorities Program for which funds are not allotted for initiation of construction prior to FY 1977.

(c) *Other.* This regulation may be applicable to other special studies or projects, as deemed appropriate by the Chief of Engineers. Questions regarding applicability should be referred to HQDA (DAEN-CWP) WASH D C 20314.

§ 341.16 Definitions.

"Activity." Any firm, household or public service entity, be it governmentally sponsored, private, profit making, quasi-public, charitable, etc., sometimes used in text to mean all activities of a similar type; (e.g. residential, agricultural, manufacturing, or commercial.)

"Activity decisions." A choice by an activity based upon maximization of its net income.

"Affected area." The area affected by a proposed plan is the flood plain plus other areas likely to serve as alternate sites for activities which might use the flood plain if it were protected.

"Affluence factor." The effect of increasing per capita income on the unit value of the stock of real property and contents. The affluence factor evaluation procedure is applied only to the value of contents per residential unit. It does not apply to increases in the value of total stock due to an increased number of units.

"Alternative site, available alternative, alternative location." (a) Broadly, any location where a given activity might locate outside of the flood plain; (b) specifically, the best available non-flood plain location at a given point in time, as measured by maximization of net income to the activity. As a rule the site is not available if it is already occupied by a similar activity type or it will be occupied by a similar activity type both with and without the project. If an already occupied site is to be considered as the alternative, the costs of moving, including any unrecovered sunk costs, lost interest and profits during moving and any diseconomies to employees must be fully accounted for. As a practical matter, these costs will usually preclude use of occupied sites unless the useful life of the structures is near zero.

"Analog area." An area chosen as a substitute to the flood plain due to the undeveloped status of the flood plain. The analog area selected must have similar characteristics to the specific flood plain under study.

"Associated costs." The cost necessary to make one site equally valuable as another. Value is measured either as gross income (revenues) or as other total output for non-monetary activities, such as schools.

"Average annual flood damages." See "Flood Damages".

"Base year." The first year in which the plan is expected to become operational.

"Benefit." An NED benefit means an increase in the Nations' output of goods and services and/or an improvement in economic efficiency caused by a project. NED benefits are categorized according to their effect on activity decisions as inundation reduction benefit, location benefit, or intensification benefit.

"Benefit standard." The willingness of users (benefiting activity) to pay for a proposed plan.

"Benefiting activity." An activity which realizes an increase in net income because of a proposed plan.

"Comparative advantage." Those specific advantages which enable an area to be preferable to alternative areas. Same as locational advantge.

"Commercial." A general property category which includes retail, wholesale, distribution, warehousing, office and professional buildings, etc.

"Competitive position." The relative position which a property occupies in the market place because of its locational advantage.

"Content value." The value of property situated within a structure which is not part of the structure. In residences, this would include personal property within the structure not affixed to the structure. In commercial, public and semipublic, this would include inventory, fixtures, equipment and supplies. In industrial, machinery, raw material and finished product inventories, fixtures, equipment and supplies would be included.

"Costs." The amount expended by an activity in order to generate output, normally excluding the rental value of the land. In this regulation, costs usually segregate those due to flood damages in order to facilitate analysis. However, flood damages are conceptually a cost of doing business (Note, project "costs" are a separate item, EM 1120-2-104).

"Damage susceptibility." The relationship between total value of a type of activity in a flood plain and the flood damages sustained by that activity. The relationship is a function of the characteristics of the flooding itself (depth, velocity, duration, etc.) and the objects flooded (dwelling, materials, etc.), and their location.

"Damages." Often used in text to mean flood damages reduced.

"Damages reduced". Often used in text to mean flood damages reduced.

"Depreciation." A loss from the upper limit of value. An effect caused by deterioration and/or obsolecence. Deterioration is reflected by wear and tear, decay or structural defects, obsolescence occurs in two forms; functional and economic.

"Development costs." The cost of preparing land for use by and activity (site development costs) plus, when applicable, cost necessary to make one site as valuable as another (associated costs). The difference in development costs is a component of changed net income.

"Durable good." A piece of equipment, for either consumers or producers that in normal use is likely to last longer than three years.

"Economic benefit." Synonymous with benefit, for purpose of the economic development objective.

"Economic development objective." The objective of increasing value of the Nation's output of goods and services and improving national economic efficiency.

"Economic efficiency." The objective of producing goods and services at the lowest possible cost per unit of output for a given level of output.

"Economic rationality." The assumption that activities having full knowledge of the flood hazard will attempt to maximize returns, and will not externalize their flood losses.

"Efficiency." Synonymous with economic efficiency for purposes of the economic development objective.

"Equivalent annual flood damages." The amortized value of the cumulative present worth values of the undiscounted flood damages sustained. The estimated flood damages sustained are brought to present worth effective in base year and then amortized over the entire project life. The two categories of damages are: Damages under existing conditions and damages under future conditions.

"Exceedence frequency (frequency of flooding)." The percentage of values that exceed a specified magnitude, and occur as the most extreme event within specified sequential time periods; the exceedence probability times one hundred. A 100 year exceedence interval corresponds to an exceedence frequency of 1.00.

"Exceedence interval (of flooding)." Also, sometimes the less desirable terms, recurrence interval and/or return period have been used. The average interval of time between values that exceed a specified magnitude; reciprocal of the exceedence frequency per 100 years. In an annual flood series, the average interval in which a flood of a given size is exceeded as an annual maximum. In a partial duration series, the average interval between floods exceeding a given size regardless of their relationship to any period of time. It should be noted that a flood corresponding to a 100 year average exceedence interval is *not* expected to be equaled only once during a 100 year period. A 100 year exceedence interval flood magnitude can be expected to be exceeded one or more times one out of four periods of 30 years length, one out of two periods of 70 years length and about two out of three periods of 100 years length. The total period of time under consideration must exceed 1,000 to 10,000 years before the 100 year exceedence interval flood magnitude can be expected to be exceeded on an average of once for each 100 years.

"Existing benefits (and damages)." Average annual benefits (and damages) to activities affected by flooding at the time the study is completed.

"Exceedence probability (probability of flooding)." A probability that an event selected at random, the most extreme event within each sequential time period of a specified length, will exceed a specified magnitude. A 100 year exceedence interval corresponds to an exceedence probability of 0.01.

"Externality." Synonymous with external effect. An effect on parties other than users of the outputs of a plan; specifically, increased damages to activities outside the protected area under the with—as compared to the without—condition.

"Flood." Inundation arising from stream overflow, overland water flow, high lake stages, high tides and inadequate drainage plus stream related erosion, gullying, flood plain scouring, streambank cutting, shore or beach erosion and sedimentation.

"Flood characteristics." The physical characteristics of floods includes: stage frequency, duration, concentration, intensity, velocity, debris and silt load.

"Flood control project." An identified controlled structural or nonstructural solution to minimize flood damages; a synonym for a flood-plain management plan.

"Flood damages." (a) Broadly, damages caused by a flood; (b) often "flood damages" mean "average annual damages." Floods vary in size and frequency. Average annual damages are yearly damages, on average, at any point in time, assuming one set of conditions and are independent of the interest rate used for project evaluation; (c) flood damages are a cost of doing business; reduction of the damage is therefore a reduction in costs which contributes to economic efficiency (synonymous with inundation damages). These include: physical damages, business and/or financial losses and emergency costs.

"Flood damages prevented." Existing and future flood damages expected without a flood control plan less residual damages experienced with a plan in place.

"Flood damages reduced." Synonym for flood damages prevented.

"Flood plain." Land physically inundated by a flood. Flood plains are usually specified for a flood of a given frequency such as a 100-year frequency flood.

"Flood plain management plan." A plan for responding to the adverse effects of flooding (flood). The plan may envision structural measures, flood proofing, zoning, management, no response or a combination. This regulation provides for choosing plans on the basis of the economic development objective.

"General property type." A classification of real property by type of land use. This classification includes: Residential, commercial, industrial, public, semipublic, recreational and agricultural.

"Gross income." Total return to an activity. Usually expressed in dollars (synonym for gross or total revenues). Gross income, less costs, rent, and flood damages, equals net income for a given activity.

"Index." The relation or proportion of one amount to another; an indicator, e.g., density is an index of urbanization. The proper choice and use of an index is often critical to the accuracy of projections. Therefore, use of one item to indicate changes in another item should be based upon (a) establishing an empirical relationship between the two items; (b) confirming a logical relationship between the two items, and (c) determining the likelihood that the relationships will continue over time and the nature of possible variances.

"Industrial." A general property classification including properties on which industrial output is generated.

"Infrastructural locational advantage." See "locational advantage".

"Intensification benefit". Benefit which arises because a plan or project induces

an activity to modify its operation on the flood plain.

"Intensification of land use." An increase in the gross output of an existing activity at an existing site, due to a change in the factors of production.

"Inundation reduction benefit." The flood control benefit to those activities whose location decision are unaffected by a proposed plan. It is the value of those flood losses prevented to those activities which would use the flood plain even without the proposed plan.

"Inundation damages." Synonym for flood damages.

"Land use." A description as to how land is utilized within the affected area. A change in land use is based upon affected area requirements and the ability of the flood plain to better meet these requirements given various levels of protection. A major source and starting point are land use maps, with support data, determined by responsible local, regional and Federal agencies. The detail number of levels of protection and number of years land use need be projected will vary with the plans being considered and the area being studied. The level of detail should be based upon the criteria of whether formulation and justification are affected.

"Locational advantage." For any given demand for land, the desirability one parcel of land may possess over another; an advantage may be physical, aesthetic, infrastructural or a combination thereof. The former includes slope, foundation, potential for flooding, availability of water; infrastructural locational advantages are primarily psychological, such as nearness to existing population, accessibility to highways, civil stability, and proximity to market. Most physical advantages do not change significantly over time and are generally measured in terms of site development costs or in terms of hazard damage sustained. Infrastructural advantages will change over time as an area develops, depreciates or redevelops. It is most difficult to quantify infrastructural advantages. Measuring associated costs is one way, where it is possible to make two parcels of land equivalently valuable for an activity by a measurable expenditure (e.g., by putting in a road, by evaluating commuter costs between two sites, etc.). Where this is not possible, a direct estimate of the value of the location may be made. A starting point is to state the advantage(s) quantitatively; e.g., water supply available. A second step would be to attempt to measure the market value of comparable land and activities with and without the advantage. The purpose is to isolate unique advantages. Interviews with experts may also be helpful. Where the infrastructural advantage cannot be measured either directly or by associated development costs, the advantage should be listed qualitatively by the reporting planner.

"Location benefit." Changes in net income to those activities whose decisions as to where to locate are affected by the proposed plan.

"Market value." The amount of money deemed to be equivalent in worth to the property under appraisal. See also "value".

"Net value." For firms, the difference between the gross income and costs (or expenses). For households or public service activities, the difference between the value (market or simulated) of the good or service supplied and the alternative cost of providing that same service. The difference is net income for users and is the benefit attributable to a flood control project. It is emphasized that net income merely defines the benefit; it does not indicate how the benefit is to be measured. Costs exclude land rent except when specified otherwise in the regulation.

"Net stock." Estimated value of the total (gross) stock less depreciation.

"Objective." The long-term planning horizon which is used as the basis to measure potential project benefits. The two recognized objectives are national economic development and environmental quality.

"Period of analysis." The period of analysis is that time horizon over which needs shall be assessed and is the basis for the NED benefit-cost ratio. The period of analysis is 100 years for major reservoirs, mainline agricultural levees, major long-term urban protection, and hurricane protection plans. It is 50 years for all other flood control measures.

"Physical locational advantage." See "locational advantage".

"Plan." See "flood plain management plan".

"Productivity." (a) The ability to produce or increase output; (e.g.) normally expressed as a rate of output over time; (b) economic efficiency.

"Profit." Synonymous with net income, as used in this regulation.

"Project." See "flood control project".

"Protection." A measure of the level of a flood protection or plan generally measured by the exceedence frequency protected against (e.g., Standard project protection, 50-year protection).

"Public." A category of general property including civic centers, court houses, schools, military bases, park facilities and other owned by the public jurisdiction.

"Rationality." See "economic rationality".

"Real property." This includes land and structure but not contents.

"Rent." The value to, or the amount paid, a landowner for use of his raw land; a component of location benefit. Economic rent equals the net income of the occupying activity.

"Remaining flood damages." Flood damages which will occur even with a flood plain management plan.

"Residential." A category of general property. This category includes single family and multi-family residences, owned by the residents individually or cooperatively, by corporations, by government agencies or landlords.

"Semipublic." A category of general property including churches, temples, clubhouses, etc. open to membership and not owned by the public jurisdiction.

"Sensitivity analysis." The calculation of the rate of change of the objective function with respect to a particular parameter. An analysis of the components of a plan based upon alternative assumptions and/or projections to determine if a change in a measure would appreciably affect plan choice, design or schedule.

"Site operating costs." The costs of operating a given activity on a given parcel of land. The difference is a component of location advantage.

"Standard project flood." A large and improbable flood, usually simulated by placing the largest storm of record in a given region over a specific basin or subbasin.

"Structural value." The market value of structural improvement such as a house. This includes all items considered to be affixed to the structure. The structural value excludes the value of the land.

"Threshold level." For a given activity and year, the protection level at which the activity is indifferent to locating on or off the flood plain. The activity is indifferent when net incomes, on and off the flood plain, are equal. Threshold levels are crucial to location benefit measurement and to land use analysis.

"Uneconomic." An event which is not economically rational.

"Unit flood damages." The amount of flood damage per structure.

"User." Synonym for benefiting activity.

"Value." In this regulation, value means market value; i.e., what a willing buyer will pay a willing seller for a good or service assuming full knowledge by both parties of the pertinent market characteristics of the good or service. The market may be simulated.

"Willingness to pay." The benefit standard for National Economic Development benefits attributable to a flood plain management plan.

"With project condition." The condition of having a specific flood plain management plan in effect.

"Without project condition." The condition of not having a specific flood plain management plan in effect. It is described in terms of what is most likely to occur within an area under evaluation without the specific action, regardless of sponsorship. The enforceable provisions of zoning and the Flood Insurance Act would be recognized under this condition.

"Zoning." Authoritative restriction of uses to which land may be put. A form of land use regulation.

Subpart C—Evaluation Procedure

3. In Part 341, Subpart C, § 341.30(c)(2) is amended by revising the third sentence by replacing the words "first floor" with the words "lowest floor (including basement)".

4. In Part 341, Subpart C, § 341.30(f) is amended by revising the first sentence to read as follows:

(f) The period of analysis is 100 years for major reservoirs, main line agricultural levees, major long-term urban protection, and hurricane protection plans. It is 50 years for all other flood control measures. The period of analysis is the time horizon over which needs shall be assessed and is the basis for the NED benefit-cost ratio.

5. In Part 341, Subpart C, § 341.30(h) is revised to read as follows:

(h) *Benefit display.* Benefits shall be displayed in undiscounted average annual values for the current (existing) year, the base year (project year 1), and by decade to year fifty. Account will be taken of projected hydrologic, demographic, and economic changes. This does not mean that detailed analysis must be done for each tenth year. Detailed analysis will be done for one or at most two years other than the existing year; e.g., the year for which a local master plan exists, or the year of ultimate development. Other 10-year points (to year 50) will be interpolated or extrapolated. In no event will average future hydrologic conditions be applied to existing or ultimate economic conditions.

6. In Part 341, Subpart C, § 341.31(c)(4) is amended to add the words "Standard Project Flood (SPF)" to the second sentence, to read as follows:

(c) * * *

(4) *Existing activities.* The inventory of the flood plain will include a list of existing activities, the number of acres, and density of each. The total acreage of the Standard Project Flood (SPF) flood plain should thus be accounted for; vacant or unused acreage should be separately categorized.

7. In Part 341, Subpart C, § 341.32 is amended by deleting the fifth sentence, beginning with the words "If deliberate * * *" and ending with the words "* * * to be irrational."

Subpart D—Benefit Measurement

8. In Part 341, Subpart D, § 341.42 is amended to read as follows:

§ 341.42 Measurement and projection of physical flood losses.

* * * * *

(b) Value per physical unit. See §§ 341.50–341.54.

9. Part 341, Subpart E, is renumbered to Subpart F, with the following renumbering of sections:

Old number:	*New number*
341.50	341.60
341.51	341.61
341.52	341.62
341.53	341.63

10. Part 341 is revised to include the following new Subpart E:

Subpart E—Evaluation of Future Urban Inundation Reduction Benefits

§ 341.50 Purpose.

The purpose of this subpart is to provide rationale and procedures to estimate future urban inundation reduction benefits, including guidance for evaluating changes in unit residential damages caused by changes in stock of real property and residential contents. This regulation further establishes a consistent methodology and rationale for projections of future values of residential structures and contents upon which future unit flood damages are based.

§ 341.51 Policy.

(a) The affluence factor methodology, which is used to estimate unit flood damages, will be applied exclusively to existing and future residential categories. Furthermore, it is restricted to urban and urbanizing stream reaches; current and projected rural reaches will be excluded.

(b) The affluence factor methodology does not apply to intensification benefits and location benefits.

§ 341.52 Methodology.

The methodology for estimating future flood damage reduction benefits, as discussed in § 341.53 of this part, is predicated on an evaluation of the following specific types of data:

(a) Past, present and most probable future land utilization in the flood plain and nearby lands;

(b) Past, present and most probable future values of residential structures and contents in the flood plain. The relationship of values of residential structures to values of residential contents will be examined. This will enable the fundamental value relationship to serve as a guide in projecting content values and unit damages; and

(c) Past, present and most probable future unit flood damages.

§ 341.53 Affluence Factor Procedures.

The following subparagraphs prescribe the procedures to be followed in estimating future flood damage reduction benefits. The result is represented in the combining of the present and estimated number of residential units with the present and estimated adjusted future unit flood damages.

(a) *Step 1—Identification of Historical Flood Damage Data.* A thorough review of available flood damage surveys should be made to accomplish this step. The results of flood damage surveys and related studies, including the basis for the estimates, will be identified. The data contained in the damage surveys should be categorized into the general areas related to land utilization data, hydrologic data, and others as appropriate. Additionally, available economic data about real property values and contents value should be identified and displayed. Values will be expressed in constant dollars.

(b) *Step 2—Identification and Evaluation of Historical Land Utilization in Flood Plain and Nearby Lands.* Historical flood damage surveys should be reviewed with emphasis on identifying the timing, nature and extent of development in the flood plain and nearby land. To supplement information derived from historical flood damage surveys, local data sources should be investigated to identify historical information explaining the reasons the affected area developed. A reconnaissance of the flood plain may be helpful in completing and evaluating the historical data. The relevant information should be evaluated and displayed.

(c) *Step 2a—Assessment of Present Land Utilization in Flood Plain and Nearby Lands (Affected Area).* Present development and land use will be identified and categorized for the affected area. Existing characteristics of the flood plain will be delineated. Specific differences in characteristics of the flood plain as contrasted with nearby lands in the affected area will be identified.

(d) *Step 2b—Assessment of the Most Probable Future Land Utilization in the Flood Plain.*

(1) Relevant alternative sites will be examined for each activity which might use the flood plain with a given level of flood protection. The characteristics which provide the flood plain a comparative advantage over other sites will be specifically identified.

(2) Flood zoning regulations will be utilized in identifying shifts in the competitive position of the flood plain. This should be displayed as part of the assessment of land utilization in the affected area.

(3) The assessment of future land utilization will be displayed under the "with" and "without" project conditions. Future replacement of obsolete improvements will be accounted for in the assessment. The existence of flood plain management strategies and the Flood Disaster Protection Act of 1973 (Pub. L. 93–234) will be recognized in the assessment. The numbers of structures by type will be displayed for present and estimated future development as shown below:

Property type	Number							
	Existing	Future [4]						
		Po	P10	P20	P30	P40	P50	P100
Residential [1]	X	X	X	X	X	X	X	X
a [2]	X	X	X	X	X	X	X	X
b	X	X	X	X	X	X	X	X
c	X	X	X	X	X	X	X	X
Commercial [1]	X	X	X	X	X	X	X	X
Industrial [1]	X	X	X	X	X	X	X	X
Public [1]	X	X	X	X	X	X	X	X
Semipublic [1]	X	X	X	X	X	X	X	X
Recreational [3]	X	X	X	X	X	X	X	X
Agricultural [3]	X	X	X	X	X	X	X	X

[1] Report number of structures.
[2] Subclassification of residential units.
[3] Report number of acres.
[4] The designations P10 and P20, identify the 10th and 20th years, respectively, of project life.

(e) *Step 3—Identification of Data on Value of Residential Structures and Value of Residential Contents.*

(1) *Existing Development.* The value of existing residential structures and residential contents in the flood plain will be identified separately for the base year. These values will be reported by reach for each category of residential property. The value of the structures reported will exclude the value of the land. Values will be expressed in terms of replacement cost less depreciation. The basis for determining initial content values will be a sample (informal survey not requiring OMB approval of questionnaire) taken in the flood plain and other information, as appropriate. The basis for the initial content values will be displayed in the report. All values will be expressed in constant dollars. A tabulation will be presented by flood plain reach showing for each general category of residential property the following data, which will be provided for the latest survey and the base year of project life:

(i) Number of structures.

(ii) Average value of structure.

(iii) Average value of contents.

(iv) Average value of contents as a percent of average structure value.

(v) *Initial Value of Future Development.* Estimates of the timing, general location, and type of future residential units evaluated in Step 2b will be displayed. The value of contents will be based on surveys of content value in analogous properties. For new development, the contents value will be based on the estimated value of contents in analogous properties at the time the new development is placed in the flood plain. The value will be displayed in a similar manner to that discussed in § 341.53(e)(1) of this part.

(f) *Step 3a—Application of OBERS Per Capita Income Projection to Existing Development in Future and Future Development.*

(1) *Existing Development.* The OBERS regional growth rate for per capita income will be used as the basis to increase the real value of residential contents in the future to account for the effects of the affluence factor. The value of the residential contents may be projected at the per-capita income growth rate to a maximum level of 75 percent of the value of the residential structure. The projected increases will be limited to the first 50 years of project life. After the first 50 years the values will be held constant. In certain cases, it is recognized that the rate of change of per capita income in a particular area may seriously lag behind the OBERS rate. In such cases, a lesser rate of increase or a declining rate will be used. Such rate will be based upon historical, social and demographic variables.

(2) *Future Development.* The values of contents within new residential structures will be projected from the year each unit is added using the methodology described in § 341.53(f)(1) of this part. Values will be held constant after the first 50 years of project life. The initial value of contents and results of the procedure will be displayed separately.

(3) *Translation to Future Flood Damages.* The projected rate of increase in the value of flood-susceptible household contents will be used as the basis to increase the future unit flood damage to household contents in Step 4b.

(4) *Affluence Factor Effects for Commercial and Industrial Property.* The unit values of commercial and industrial property categories will not be increased over time using the affluence factor procedure described above. Increase in the values of commercial and industrial property in the flood plain may result from expansion of existing facilities as well as construction of new units and will be evaluated as new development units.

(g) *Step 4—Identification and Classification of Historical Unit Flood Damage Data.*

(1) The unit flood damages sustained from inundation referenced in Step 1 will be identified and examined. These flood damages are potential damages to activities affected by flooding at the time the study is undertaken. No projections of future changes in unit damages are considered in this step. This chapter requires the specification of unit damages. The provisions of para 4–10 specify the display of total flood damages.

(2) The unit physical flood damages or losses will be specified by general property type. The flood damage to contents will be specified separately from the flood damage to structure.

(h) *Step 4a—Estimation of Unit Damages for Existing Development in the Future and New Development in the Future.*

(1) Prior to considering future flood damages, the nature of the flood problem will be defined. The alternative plans of solution will be identified and discussed.

(2) The potential levels of future unit flood damage for existing development will be evaluated for each of the plans. Alternative plans for flood protection will be analyzed under "with project" and "without project" conditions.

(3) The potential levels of unit flood damages to future development will be evaluated. Alternative plans for flood protection will be analyzed under "with project" and "without project" conditions. The without Corps project condition will be considered "with" and "without" flood plain management (FPM) strategies (ER 1165–2–303). The provisions of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), will be recognized in analyzing future levels of unit flood damages.

(i) *Step 4b—Application of "Affluence Factor" to Unit Flood Damages Obtaining Adjusted Unit Flood Damages.*

(1) The historical flood damages and undiscounted future unit flood damages will be displayed by type of residential property. This data will be displayed to the extent possible for the historical period. In addition, the data will be displayed for current time (PN) and the first year of project life (Po). The estimated future unit damages will be reported for the 10th, 20th, 30th, 40th, 50th and 100th years of project life. The designations of P10, P20, P50 identify the 10th, 20th and 50th years of project life. This data will be displayed using the categories shown in the following tabulation.

Property type	Existing unit flood damages under existing conditions				Projected unit flood damages (without affluence factor)						
	P-30	P-20	P-10	PN	Po	P10	P20	P30	P40	P50	P100
Residential	X	X	X	X	X	X	X	X	X	X	X
a[1]	X	X	X	X	X	X	X	X	X	X	X
b	X	X	X	X	X	X	X	X	X	X	X
c	X	X	X	X	X	X	X	X	X	X	X

[1] Subclassification of residential units.

(2) A second tabulation will be included similarly displaying the incremental unit residential damages derived from the affluence factor. The application of the affluence effect will be documented.

(3) A third tabulation will display the sum of the two preceding tabulations by subclassification for the residential property type and unit damage. This third tabulation will be labeled Unit Flood Damages With Adjustment For Affluence Factor.

(j) *Step 4c—Combining Development Units From Step 2b with Adjusted Flood Damages from Step 4b to Obtain Total Adjusted Flood Damages.*

(1) To accomplish this step, adjusted unit flood damages are combined with estimated number of development units. This combination establishes the damage condition without the flood control project in place. The combined data will be displayed as outlined in the following tabulation.

Physical flood losses reported by property type	Average annual damage under existing conditions	Projected total future flood damages including effects of affluence factor						
		Po	P10	P20	P30	P40	P50	P100
Residential	X	X	X	X	X	X	X	X
a[1]	X	X	X	X	X	X	X	X
b	X	X	X	X	X	X	X	X
c	X	X	X	X	X	X	X	X
Commercial[2]	X	X	X	X	X	X	X	X
Industrial[2]	X	X	X	X	X	X	X	X
Public[2]	X	X	X	X	X	X	X	X
Semipublic[2]	X	X	X	X	X	X	X	X
Recreational[2]	X	X	X	X	X	X	X	X
Agricultural[2]	X	X	X	X	X	X	X	X
Business and financial losses[1]	X	X	X	X	X	X	X	X
Emergency costs[1]	X	X	X	X	X	X	X	X

[1] Subclassification of residential units.
[2] Basic data developed from implementing the procedures contained in chs. 3 and 4. This includes analyzing the conventional hydrologic relationship.
NOTE.—Total average annual damages (for all categories).

(2) Appropriate hydrologic information will be used to estimate the "with" project conditions Pertinent curves will be displayed covering stage, frequency, discharge and damage relationships.

(3) A second tabulation will be included displaying the residual damages which are estimated with the recommended flood control project in place.

(4) A third tabualtion will include a display of the flood control benefits which would result with the recommended project in place, as follows:

Average annual benefits resulting from the recommended project in place

Benefits resulting from:	
Reduction of physical flood losses	X
Reduction of business and financial losses	X
Reduction of emergency costs	X
Intensification	X
Location	X
Total	X

APPENDIX A

STUDY OF INCOME AND VALUE OF HOUSING CONTENT STOCK

1. The purpose of this appendix is to report the findings of a recently completed OCE study. The study objective was to examine the empirical relationship between household income and values of household content stock. This study was conducted to examine flow to stock relationship for information to develop "affluence factor" evaluation procedures.

2. Summary of Study Procedures. The procedure which was followed is outlined in the following steps.

a. A base was established to compare changes in the value of household content stock with changes in income. Since income flow data is readily available, survey priorities were focused on identifying the value of residential content stock. To verify the availability of residential content stock data, public and private sources were surveyed. The survey included organizations which: (1) Gather data on household contents and their value, (2) conduct studies related to household formation and contents, (3) have interests related to household contents and therefore maintain secondary reference material. Pursuit of these organizations yielded the following:

(1) The source of the most relevant data is the July issue of the Survey of Current Business (SCB). This is published monthly by the Bureau of Economic Analysis (BEA), Department of Commerce. The BEA was formerly known as the Office of Business Economics (OBE). Estimates of national consumer expenditure data are reported annually in this publication. A summary of this expenditure data is presented in Table 1 for the period from 1953 to 1972. These data have been used by BEA to construct stock estimates for the significant categories of consumer durable goods. Table 2 presents BEA data on net stocks of consumer durable goods for the period from 1946–1969. Furniture and household equipment (Table 2, Column 1) has been selected for inclusion in residential content stock. Automobiles and other durable goods have been excluded because major components of these categories contain statistical bias. Time constraints prevented further research in this area. The furniture (Table 2, Column 1) was examined further as one component of content stock.

(2) The data on furniture was supplemented with estimated value of stocks of food, clothing and other non-durables. The source was Survey of Current Business expenditure data. The values of these stocks were summed to obtain the remainder of the constructed category of residential contents. For the purposes of this study, household contents is represented as the total of the following categories:

(a) Furniture and Household Equipment (Furniture).

(b) Food and Beverages (Food). This excludes purchased meals and beverages component.

(c) Clothing and Shoes (Clothing).

(d) Other Non-Durable Goods (OND).

These categories represent over 83 percent of the total durable and non-durable stock per household excluding automotive. The actual percentage is higher since the Other Durables category, excluded here, would not all be residential contents. Data on the value of the average stock of residential contents per household is presented in Table 3.

3. The procedure which was used in the estimation of stocks is shown below:

a. Furniture and Household Equipment. (From BEA).

(1) Categories were established for similar groups of durables.

(2) An average life was assigned to each category.

(3) The expected lives were distributed around the average.

(4) The expenditure in each category (constant dollars) was recorded.

(5) The stock was aged one year.

(6) The value of stock retired during that year was subtracted. The value of new stock purchases was added.

(7) The gross stock computed in (4) thru (6) above were depreciated. (Straight-line depreciation).

b. Food. The stock at any time was assumed to be 1/26 the total annual expenditures (2 weeks supply).

c. Clothing. A 3-year life was assumed using 65% depreciation in year 1, 25% in year 2 and 10% in year 3.

d. Other Non-Durables. OND were assumed to have a 2 month life and expenditure data treated accordingly.

4. Net values of consumer good stocks were divided by the total number of households for each year. This was done for the period 1955–1969. All values were in 1953 constant dollars. This provided average values of the stock of goods per unit over time. These compared with average values of existing single family housing and average income per household. The comparisons showed that net values per unit of both contents and income increased. It was also found that the average real value of housing (without land) did not change significantly over time. For further details see Appendix D. Thus the correlation between changes in residential structure value was insignificant. The real values of household income and value of net household content stock have shown a more significant correlation. The average rate of increase in net value of household content stock has exceeded that for household income. The average annual percent change in the average real household income was 2.4 percent over the period from 1955 to 1969. The average annual percent change in the net value of the average residential content stock per houshold was 3.1 percent over the same period.

5. Other references utilized in this study include:

a. The National Wealth of the United States in the Postwar Period by Raymond W. Goldsmith. This publication contained data on stocks of consumer durables for 1958 and earlier years. Attempting to update his data based on rates of change in expenditure did not appear to be justifiable. This is because of the uncertainty as to the change in the mix of the stock of durables since 1958.

b. "The Stock of Durable Goods in the Hands of Consumers, 1946–1969," article written by Henry Shavell and published in the Proceedings of the Business and Economics Section, American Statistical Association, 1970.

c. Contact was made with the following organizations:

(1) Insurance company spokesmen provided information on their experiences in handling fire insurance claims. This information revealed that the value of residential contents will average between 20 and 25 percent of the residential structure value. This is valid for residential structures up to about $135,000.00 in value. For residential structures above $135,000.00, the proportion of the contents as related to the value of residential structure increases significantly. They revealed that only a limited amount of empirical work has been done on evaluating the stock of household contents.

(2) Representatives of relevant trade associations were asked about availability of primary data on stock of individual household content items. Available information was inconclusive. The most readily volunteered data was on national expenditures and cost of individual items; it was of limited usefulness.

TABLE 1.—*Personal consumption expenditures—United States*

[Billions of 1958 dollars]

Year	A Furniture and household equipment	B Other durables	C Food and beverages	D Clothing and shoes	E Other non-durables	F Housing	G Autos and parts	H Total personal consumption expenditures
1953	15.0	4.2	68.4	22.9	24.6	32.3	16.0	250.8
1954	15.3	4.4	69.4	22.8	24.5	33.9	15.7	255.7
1955	17.1	4.8	72.4	24.0	25.8	35.7	21.2	274.2
1956	17.9	5.2	74.8	24.6	26.8	37.4	17.0	281.4
1957	17.4	5.3	76.2	24.4	27.5	39.2	18.8	288.2
1958	17.1	5.4	76.4	24.7	28.2	41.1	15.4	290.1
1959	18.8	5.9	79.7	26.1	29.6	42.9	19.0	307.3
1960	18.7	6.2	80.9	26.6	30.4	44.9	20.0	316.1
1961	19.2	6.4	82.3	26.9	31.9	46.6	18.4	322.5
1962	20.5	6.8	83.9	28.4	33.4	49.1	21.8	338.4
1963	22.3	7.3	85.2	29.1	34.9	51.8	24.8	353.3
1964	25.2	8.2	88.7	31.6	36.5	54.8	25.6	373.7
1965	27.4	8.8	92.1	33.4	38.7	58.1	30.4	397.7
1966	30.5	10.3	94.2	36.4	41.1	60.8	31.0	418.1
1967	31.5	10.7	95.9	36.6	42.2	63.5	30.6	430.1
1968	33.4	11.4	98.7	37.8	43.8	66.6	36.5	452.7
1969	35.2	12.1	98.9	38.8	45.8	69.9	38.3	469.1
1970	36.9	12.6	101.2	39.1	47.5	72.6	34.4	477.5
1971	38.4	12.6	103.6	40.7	47.8	75.1	41.3	496.3
1972	43.4	13.7	105.7	43.4	50.9	77.6	47.0	526.8
Average annual percent change (rounded) from 1953 to 1972	5.8	6.4	2.3	3.5	3.9	4.7	5.9	4.0

Sources:
1953-61—"Survey of Current Business" (SCB), August 1965.
1962—SCB, August 1966.
1963-64—SCB, August 1967.
1965—SCB, August 1969.
1966—SCB, August 1970.
1967—SCB, August 1971.
1968—SCB, August 1972.
1969-72—SCB, August 1973.

TABLE 2.—*Preliminary data, net stocks of consumer durable goods average life, L-2 survival patterns, using straight-line depreciation 1946—69*

[Billions of 1958 dollars]

Year	Furniture and household equipment [1]	Other durable goods [2]	Automotive [3]
1946	44.0	12.9	19.6
1947	48.8	14.1	22.0
1948	53.6	15.1	25.0
1949	57.4	15.7	30.0
1950	62.9	16.4	37.2
1951	66.8	17.0	41.8
1952	70.1	17.7	44.8
1953	73.4	18.4	50.5
1954	76.4	19.1	55.0
1955	80.6	20.1	62.6
1956	84.8	21.4	65.6
1957	88.0	22.5	68.2
1958	90.3	23.4	67.4
1959	93.8	24.8	69.0
1960	96.6	26.1	70.8
1961	99.4	27.4	70.4
1962	103.0	28.8	72.2
1963	107.7	30.5	75.9
1964	114.4	32.7	80.5
1965	122.2	35.1	88.6
1966	131.7	38.4	96.9
1967	140.8	41.7	103.7
1968	150.5	45.0	113.4
1969	160.0	47.9	122.5

[1] Composed of (a) furniture, including mattresses and bedsprings; (b) kitchen and other household appliances; (c) china, glassware, tableware, and utensils; (d) other durable house furnishings; (e) radio and television receivers, records, and musical instruments.

[2] Composed of (a) ophthalmic products and orthopedic appliances; (b) wheel goods, durable toys, sport equipment, boats and pleasure aircraft; (c) books and maps; (d) jewelry and watches.

[3] Composed of passenger cars and other automotive.

Source: Unpublished data, Bureau of Economic Analysis, Office of Business Economics, U.S. Department of Commerce.

6. Conclusion. It was concluded that the rate of change of local real household income would be a reasonable proxy for the rate of change of local net real value of household content stock over time. The permissible increase in the projected net real value of the content stock must be limited to preclude projections being made to excessive levels. For instance, it would seem unrealistic for the net real value of the content stock to exceed the real structural value of the residence in the majority of cases.

TABLE 3.—*Value of average stock of residential contents per household for the United States, 1955-69*

[1958 constant dollars]

Year	Food	Clothing	Other non-durables	Furniture and household equipment	Total
1955	46	294	89	2,102	2,531
1956	47	299	91	2,172	2,609
1957	46	296	92	2,221	2,655
1958	48	291	93	2,251	2,683
1959	49	298	95	2,305	2,747
1960	47	299	96	2,324	2,766
1961	47	301	99	2,370	2,817
1962	48	303	101	2,410	2,862
1963	47	313	105	2,504	2,969
1964	48	329	108	2,627	3,112
1965	49	342	112	2,743	3,246
1966	50	363	117	2,929	3,459
1967	51	372	119	3,104	3,646
1968	50	371	120	3,237	3,778
1969	49	374	122	3,359	3,904
Average annual percent change (rounded) from 1955 to 1969	0.4	1.8	2.3	3.4	3.1

TABLE 4.—*Increases in income and number of households, 1955–69*

	A	B	C	D	E
	Number of households[1] (000,000)	Total personal income[2] (billions of 1958 constant dollars)	Per capita income[3] (1958 constant dollars)	Average income per household[4] (1958 constant dollars)	Median family income[5] (1972 constant dollars)
1955	47.9	335.1	1,768	6,996	6,893
1956	48.9	351.3	1,831	7,184	7,337
1957	49.7	359.4	1,836	7,231	7,205
1958	50.5	361.2	1,823	7,152	7,333
1959	51.4	378.6	1,873	7,366	7,769
1960	52.8	389.8	1,883	7,383	7,941
1961	53.5	401.1	1,909	7,497	8,019
1962	54.7	421.9	1,968	7,713	8,247
1963	55.2	438.7	2,013	7,947	8,543
1964	56.0	463.2	2,123	8,271	8,861
1965	57.3	495.4	2,235	8,646	9,221
1966	58.3	526.4	2,331	9,060	9,607
1967	59.8	550.0	2,398	9,354	9,940
1968	60.4	581.3	2,480	9,624	10,381
1969	61.8	607.9	2,534	9,837	10,766
Average annual percent increase (rounded to nearest 10th) from 1955 to 1969	1.8	4.3	2.5	2.4	3.3

[1] "A Guide to Consumer Markets," 1971–72, the Conference Board, p. 46.
[2] Computed from "Survey of Current Business" data, July issues.
[3] "Survey of Current Business," July issues.
[4] Col. B divided by col. A.
[5] Economic Report of the President, February 1974, table C-22, p. 274.

APPENDIX B

STUDY OF RELATIONSHIP OF FLOWS TO VALUE OF STRUCTURAL HOUSING STOCK

1. *Introduction.* This (appendix) discusses findings of research on trends in housing values over time and the relationship with income changes over time. This is a part of an effort to examine the relationship of an affluence-factor such as income to values of structures (without land) over a historical time series. The evaluation of these relationships has been used as an important input to the recently developed procedure to evaluate affluence factor effects on future flood damages.

2. *General.* It was recognized that over time gains in real personal income had been achieved and the conversion of the flow of income to an increased ownership in real and personal property was a popular assumption. This study examines these assumptions both on the national level and on the metropolitan area level. A large part of the material in this study was taken from "FHA Trends", a quarterly publication of HUD. The principal source categories from this publication are annual total effective income, estimates of property value, and average site/average value ratio.

Study Findings. Lot values were separated out of the total property prices in order to focus on the value of the structure which is flood susceptible. The increasing ratio of site value to structure value is shown in the tabulation presented on the following page. This ratio has practically doubled in the U.S. from 1950 to 1973. Metropolitan areas show a great variation in this characteristic according to the demand and supply for land.

Site value ratios[1]

Year	United States	Kansas City, Mo.	Little Rock, Ark.	Louisville, Ky.	Phoenix, Ariz.	San Francisco, Calif.	St. Louis, Mo.	Washington, D.C.
1956	15.2	12.5	18.2	15.7	13.6	20.3	14.7	15.6
1957		13.5	18.9	17.4	14.3	21.0	15.7	17.0
1958	16.5	13.8	19.8	16.8	16.7	22.1	16.4	17.5
1959	17.9	14.2	19.9	17.6	17.9	23.3	17.2	18.3
1960	17.7	14.5	19.1	18.3	18.1	22.3	18.8	18.6
1961	18.3	15.8	20.3	18.0	18.9	23.3	18.2	19.3
1962	19.1	15.1	20.3	18.4	20.0	23.8	18.8	19.3
1963	19.7	15.8	20.8	19.1	21.1	23.4	20.3	19.7
1964	20.2	16.0	20.7	19.0	21.1	25.8	20.6	20.0
1965	20.9	16.6	20.9	19.3	21.2	28.2	20.3	20.4
1966	21.0	16.8	20.8	19.6	21.3	29.5	20.2	20.9
1967	21.5	17.1	20.5	19.4	21.3	30.5	19.5	22.0
1968	21.8	17.3	21.6	19.1	20.9	20.9	19.5	22.3
1969	21.3	17.3	20.9	19.5	21.1	31.0	18.7	22.1
1970	21.7	17.8		19.6	19.1	20.5	19.0	19.9
1971	20.8	17.2			19.9	31.2	18.8	22.1
1972	21.1	18.3	19.1	19.0	19.8	30.4	19.5	22.1

[1] Average site value ratio as a percent of single family residential value.

4. *Other Relevant Studies*

a. Studies concerning the filtering concept by James T. Little at the Institute for Urban and Regional Studies at Washington University have brought out significant facts concerning neighborhood land changes in values over time. These empirical studies separate out the short term market effects causing variations in housing prices and provide a price trend over time for various classes of residential structures on a metropolitan area wide basis. The study samples were obtained from individual FHA applications. The studies cover a large range and number of housing transactions thereby providing an excellent reference base for further investigations.

b. The work of Little points out the tremendous influence of the conversion (filtering) process. The process results in rapid changes in occupancy by social class on the neighborhood level within metropolitan areas. This multiplying effect resulting from the conversion process makes the prediction of housing value trends in small areas very speculative for a period of time beyond a few years.

5. *Major Findings.*

a. Based on annual figures from 1956 to 1972, the national real incomes of homebuyers in the study increased by 14% while existing housing values declined, 57% for the nation as a whole. While the average real income of home buyers increased from approximately $7000 in 1956 to $8400 in 1972, the average structure value of existing houses sold declined in real value from approximately $11,300 to $10,000 over the same period. The pattern for each SMSA considered was in most cases similar, the rate of change of housing structure values staying (roughly 2%) below the rate of change in real income of purchasers.

b. Table 1 presents the statistical results of this study. This table presents annual figures for the U.S. and for seven metropolitan areas selected at random.

c. While the unpredictability of trends in the small area is very greatly affected by exogenous factors the overall secular trend of values in the metropolitan area is more stable and therefore more predictable.

d. Basic policy changes, changes in technology or market dislocations would be necessary to significantly change the long term trend in housing values.

e. F.H.A. is presently in the process of creating a computerized data file in which all information from housing applications will be listed. This is expected to further improve what is already the best source of primary data on residences available. This file, which will be kept current in the future should prove to be a good data reference district studies. Tables 2 and 3 are two examples of the types of information that will be included in these files. These tables are pages out of FHA Series Data Handbook.

6. *Conclusion.* While the statistics reported in this effort represent data on SMSAs it is not suggested that these trends would be indicative of the local project area. The conclusion can be drawn that the relationships of the selected economic parameters such as income to real values of structure should be tested separately for each local project area. Due to the dynamics of land development in metropolitan areas and the limit in practical commuting time for persons who travel to their place of work, the price of land has increased at a much greater rate than that of the structures built upon the land. Land has the capacity for increasingly more intensive use while the structure by its nature is limited in this respect. Site value ratios are published for all SMSA's in FHA Area Trends and range form a low for 1970 in Raleigh, North Carolina, of 13.1% to a high in Honolulu of 43.2%.

The trends indicate that housing improvements are offset by depreciation of the housing over the long term. This finding is compatible with filtering concept as defined by Wallace Smith "Filtering changes in house prices and rents must be measured by holding income, quality, and space per person constant or in a more relaxed form, that filtering occurs only when values decline more rapidly than quality * * *" and an extension of this definition "Filtering has occurred if a household moves, independently of changes in its real income to a location with a preferred housing bundle" (1). Little extends this in the latter definition to indicate that families filter and not housing units. He also recognizes that this bundle includes, location, public sector, and neighborhood amenities in addition to physical structure.

TABLE 1.—House value[1] and income[2] (1958 dollars), U.S. and selected SMSA's 1956-72

Year	United States		St. Louis		Kansas City		San Francisco		Little Rock		Louisville		Washington, D.C.		Phoenix	
	House value	Income	House value	Income	House value	Income	House value	Income	House value	Income	House value	Income	House value	Income	House value	Income
1956	11,350	6,904	12,648	7,038	12,228	7,067	10,712	7,056	10,417	6,725	11,929	6,930	14,934	8,454	9,082	7,529
1957	11,173	6,953	11,537	6,763	11,299	6,822	11,165	7,798	9,784	6,699	11,552	7,198	14,539	8,293	10,018	7,354
1958	10,841	6,920	11,267	6,992	10,833	6,620	10,839	7,356	10,194	6,934	9,577	6,193	13,239	8,035	10,302	7,830
1959	10,672	6,974	11,049	6,997	10,730	6,621	10,777	7,428	9,404	6,752	10,137	6,332	12,641	8,075	10,216	8,073
1960	10,551	7,025	10,550	7,096	10,555	6,799	10,799	7,485	9,852	6,743	10,746	6,925	12,168	7,855	10,411	8,179
1961	10,691	7,131	11,419	7,157	10,767	6,821	11,457	7,787	9,610	6,767	10,051	6,563	12,030	8,120	10,156	8,103
1962	10,932	7,204	10,833	7,317	11,242	7,024	11,913	8,022	9,960	6,896	9,938	6,460	14,009	8,692	9,627	7,807
1963	10,884	7,255	10,329	7,182	11,239	7,153	12,039	7,989	9,813	6,999	9,622	6,472	14,063	8,958	9,622	7,723
1964	10,852	7,265	10,515	7,414	11,329	7,150	12,013	8,142	10,105	6,942	9,663	6,338	13,523	8,759	9,832	7,720
1965	11,006	7,413	10,694	7,414	11,362	7,302	11,979	8,300	10,144	7,126	9,879	6,460	13,999	8,897	9,807	7,722
1966	10,757	7,536	10,171	7,639	10,853	7,512	11,692	8,679	9,762	7,194	9,274	6,430	13,864	9,358	9,859	8,000
1967	10,864	7,985	10,269	8,110	10,768	7,997	11,725	9,101	10,422	7,811	9,717	6,965	14,479	10,112	9,884	8,141
1968	10,430	8,894	9,675	7,891	10,063	7,851	11,489	9,099	8,952	7,386	8,477	6,663	13,583	9,822	9,752	7,079
1969	10,091	8,113	9,371	7,997	9,512	8,215	11,309	9,521	8,206	7,486	8,433	7,344	13,262	10,263	9,512	7,989
1970	10,283	8,445	8,473	7,863	8,934	8,319	11,769	10,472	N.A.	--------	8,076	7,604	13,995	11,026	11,181	9,096
1971	10,464	8,460	8,600	7,843	9,191	8,117	11,693	9,780	N.A.	--------	N.A.	--------	12,283	9,806	12,003	9,129
1972	9,835	8,384	7,660	7,339	8,987	8,218	11,505	9,910	8,055	7,240	7,753	7,654	13,602	10,673	11,261	9,173
Average annual rate of change in percent from 1956 to 1972[3]	−0.57	1.41	−1.91	0.72	−1.38	1.31	0.48	2.19	−1.34	0.46	−1.88	0.83	−0.46	1.72	0.94	1.31

[1] Average value of property (lot excluded) (FHA)÷Consumer Price Index (Housing: Shelter) [1969 Business Statistics, Survey of Current Business].

[2] Income is average annual effective income as used by FHA. Data pertains to existing houses.

Sources: For United States, 1956-70: FHA RR251, p. 21b. RR251 covers January-September of each year. It is the basis of the FHA annual reports. United States, 1971-72: "FHA Trends" covers 12 mo. Data for 1971 and 1972 uses "monthly total effective income" (TEI) times 12. Data for 1973 is monthly TEI for (1st+2d+3d quarter÷3)×12. SMSA's: 1956-65, FHA Trends". 1966-69, Data for States and Selected Areas (RR: 250 Book: HUD SOR 3). Average monthly estimated effective income×12. 1970-72, Area Trends"—total effective monthly income. 1970-71—4th quarter. 1972—4th quarter except Kansas City is 2d quarter.

[3] In computing average annual rate of change 3-yr averages were used for base year (1957) and ending year (1971) reflecting a 14-yr period.

TABLE 3.—*Available market price of equivalent site as percent of property value, 1-family homes, sec. 203*

Year	New homes			Existing homes		
	Average		Ratio	Average		Ratio
	Site	Value		Site	Value	
1935	$1,129	$6,440	17.5	N.A.	$5,300	N.A.
1936	1,026	6,225	16.4	N.A.	5,244	N.A.
1937	913	5,978	15.3	N.A.	5,170	N.A.
1938	785	5,530	14.2	$1,010	5,069	19.9
1939	724	5,352	13.5	956	5,030	19.0
1940	662	5,199	12.7	948	5,179	18.3
1941	619	5,238	12.4	981	5,400	18.2
1942	635	5,385	11.8	935	5,568	16.8
1943	N.A.	N.A.	----------	956	5,844	16.4
1944	N.A.	N.A.	----------	924	5,809	15.9
1945	N.A.	N.A.	----------	857	5,835	14.7
1946	761	6,597	11.5	833	6,269	13.3
1947	893	7,817	11.4	915	7,199	12.7
1948	1,049	8,965	11.7	970	8,075	12.0
1949	1,018	8,753	11.6	1,093	9,093	12.1
1950	1,035	8,594	12.0	1,159	9,298	12.4
1951	1,092	9,307	11.7	1,222	10,147	12.0
1952	1,227	10,245	12.0	1,296	10,567	12.3
1953	1,291	10,357	12.5	1,461	11,419	12.8
1954	1,456	11,120	12.1	1,591	11,934	13.3
1955	1,626	12,118	13.4	1,707	12,047	14.2
1956	1,887	13,399	14.1	1,931	12,756	15.1
1957	2,148	14,464	14.9	2,041	13,028	15.7
1958	2,223	14,394	15.4	2,159	13,069	16.5
1959	2,362	14,650	16.1	2,369	13,236	17.9
1960	2,470	14,899	16.6	2,356	13,304	17.7
1961	2,594	15,167	17.1	2,513	13,705	18.3
1962	2,715	15,489	17.5	2,738	14,323	19.1
1963	2,972	16,222	18.3	2,874	14,542	19.8
1964	3,113	16,548	18.8	2,987	14,791	20.2
1965	3,427	17,190	19.9	3,219	15,394	20.9
1966	3,589	17,974	20.0	3,285	15,531	21.2
1967	3,766	18,970	19.9	3,504	16,286	22.0
1968	4,128	19,972	20.7	3,617	16,453	22.0
1969	4,277	21,036	20.3	3,717	17,165	21.7
1970	4,952	23,559	21.0	3,973	18,519	21.5

N.A.—Not available.
Also see table 58.

Source: Department of Housing and Urban Development; Housing Production and Mortgage Credit—FHA; Division of Research and Statistics; Statistics Branch.

TABLE 2.—*Housing statistics—Characteristics of 1-family home transactions, sec. 203*

Characteristics of existing homes	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952
Typical 1-family characteristics—median:																		
Amount of mortgage	$3,345	$3,413	$3,361	$3,540	$3,547	$3,687	$3,847	$4,076	$4,312	$4,317	$4,369	$4,697	$5,303	$5,969	$6,778	$6,801	$7,448	$8,047
Estimated value	N.A.	$4,673	$4,705	$4,602	$4,540	$4,600	$5,004	$5,272	$5,535	$5,484	$5,511	$5,934	$6,709	$7,579	$8,700	$8,865	$9,843	$10,289
Loan/value ratio (percent)	73.1	74.5	76.4	76.4	76.6	76.8	76.5	N.A.	N.A.	N.A.	78.3	78.4	78.2	77.9	78.0	77.6	76.6	77.9
Improved floor area (square feet) [1 2]	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	972	1,001	1,006	1,011	992
Annual effective income	N.A.	$2,470	$2,485	$2,599	$2,501	$2,490	$2,473	$2,751	$3,062	$3,120	$3,118	$3,101	$3,614	$3,731	$4,219	$4,274	$4,726	$4,938
Total mortgage payment	N.A.	$27.21	$28.42	$26.20	$24.96	$24.51	$35.01	$37.80	N.A.	$39.45	$39.21	$40.35	$45.25	$49.76	$56.12	$56.65	$61.57	$65.08
Monthly housing expense	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$54.01	N.A.	N.A.	$56.17	$58.09	$64.27	$71.00	$78.23	$78.09	$84.70	$86.63
1-Family transactions—percent/average:																		
Term of mortgage (years)	16.0	16.2	16.5	16.3	16.0	17.3	17.8	18.1	18.3	18.0	18.3	18.0	19.1	19.3	19.8	20.3	21.1	19.7
Improved floor area (square feet) [1 2 3]	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	1,075	1,091	1,100	1,093	1,060
Number of rooms	N.A.	N.A.	N.A.	6.1	5.9	5.9	5.9	5.9	5.9	5.9	6.0	5.5	5.3	5.2	5.2	5.2	5.2	5.1
Number of bedrooms	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	2.5	2.6
With basement	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
With garage / With carport	N.A.	N.A.	N.A.	87.3	83.1	87.2	86.8	85.5	85.8	84.2	82.3	83.4	73.1	70.5	70.4	70.6	69.5	70.7
With more than 1 bath	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A
With 1 story	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A
Owner occupant transactions—Average:																		
Monthly family income	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Monthly total effective income	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$359	$335	$403	$431	$452
Effective income after tax	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$360	$366	N.A.	N.A.
Age of mortgagor (years)	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Real estate taxes	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$9.30	$9.23	$9.15	$9.00	$8.46	$7.34	$7.37	$7.63	$8.86	$9.23	$9.62	$9.82
Total mortgage payment	N.A.	$31.00	$31.44	$29.23	$27.60	$27.03	$39.50	$40.75	$42.53	$42.01	$42.31	$43.25	$47.53	$52.18	$58.33	$58.04	$61.98	$65.65
Maintenance and repair	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Heating and utilities	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Prospective housing expense	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$58.60	$60.75	$61.53	$60.53	$61.48	$66.04	$73.10	$80.00	$81.62	$83.69	$87.56
Other recurring charges	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Total fixed obligations	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Purchase transactions—Average:																		
Total acquisition cost	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$11,351	$11,689
Sale price	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$10,777	$11,484
Incidental cost	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$574	$205
Estimated value	N.A.	$5,244	$5,170	$5,069	$5,030	$5,170	$5,400	$5,568	$5,844	$5,809	$5,835	$6,269	$7,190	$8,075	$9,093	$9,228	$10,147	$10,424
Amount of mortgage	$3,740	$3,756	$3,615	$3,625	$2,823	$3,077	$4,129	$4,298	$4,566	$4,580	$4,614	$4,929	$5,561	$6,181	$6,969	$7,102	$7,469	$8,062
Market price of site	N.A.	N.A.	N.A.	$1,010	$956	$948	$931	$935	$956	$924	$857	$813	$915	$970	$1,028	$1,150	$1,122	$1,296
Annual effective income	N.A.	$3,054	$3,014	$3,210	$3,029	$3,012	$3,011	$3,229	$3,505	$3,539	$3,514	$3,640	$3,941	$4,303	$4,742	$4,537	$5,176	$5,439
Mortgagor's investment	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$3,882	$3,627
Site value (%)	N.A.	N.A.	N.A.	19.0	19.0	18.3	18.2	16.8	16.4	15.9	14.7	12.3	12.7	12.0	12.1	12.4	12.0	12.4
Investment/acquisition cost (%)	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	34.2	31.0
Investment/effective income (%)	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	75.0	66.7
Mortgage/acquisition cost (%)	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	65.8	69.0
Mortgage/value (%)	N.A.	71.6	69.0	75.5	76.0	76.8	76.5	77.2	78.1	78.0	79.1	78.6	77.3	76.5	76.6	76.4	73.6	77.3

TABLE 2.—*Housing statistics—Characteristics of 1-family home transactions, sec. 203*

Characteristics of existing homes	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970
Typical 1-family characteristics—Median:																		
Amount of mortgage	$8,623	$9,030	$9,603	$10,013	$10,498	$11,325	$11,755	$11,978	$12,469	$13,100	$13,406	$13,725	$14,232	$14,322	$14,994	$15,250	$15,680	$16,390
Estimated value	$11,001	$11,549	$11,555	$12,261	$12,572	$12,778	$12,914	$13,043	$13,474	$14,082	$14,342	$14,614	$15,128	$15,148	$15,828	$16,081	$16,617	$17,773
Loan/value ratio	78.3	78.5	84.8	82.9	84.9	90.2	92.0	92.6	93.6	94.4	94.6	94.8	94.4	95.2	95.1	95.2	95.1	94.3
Loan/value ratio (percent)																		
Improved floor area [1 2] (square feet)	1,008	1,035	1,030	1,060	1,060	1,053	1,059	1,057	1,077	1,099	1,106	1,118	1,131	1,086	1,126	1,101	1,103	1,105
Annual effective income	$5,396	$5,696	$5,669	$6,033	$6,296	$6,502	$6,575	$6,784	$6,971	$7,135	$7,295	$7,325	$7,580	$7,964	$8,768	$9,076	$9,750	$10,781
Total mortgage payment	$70.84	$74.34	$74.81	$78.67	$85.54	$90.30	$91.66	$96.50	$98.48	$100.90	$103.77	$106.33	$110.77	$114.16	$124.56	$130.32	$143.84	$164.33
Monthly housing expense	$93.25	$97.41	$97.49	$102.16	$110.12	$115.31	$116.26	$121.41	$124.39	$127.39	$130.87	$134.91	$140.90	$145.72	$157.60	$163.76	$178.08	$199.59
1-Family transactions—percent/average:																		
Term of mortgage ... years	19.9	20.1	22.7	22.5	22.5	24.2	25.1	25.8	26.7	27.4	27.9	28.4	28.6	28.4	28.5	28.4	28.8	28.8
Improved floor area [1 2 3] (square feet)	1,075	1,104	1,096	1,117	1,115	1,105	1,105	1,101	1,126	1,145	1,150	1,166	1,181	1,185	1,258	1,243	1,242	1,236
Number of rooms	5.1	5.2	5.2	5.3	5.3	5.4	5.4	5.4	5.4	5.5	5.4	5.5	5.6	5.7	5.7	5.7	5.7	5.7
Number of bedrooms	2.5	2.6	2.6	2.7	2.7	2.7	2.7	2.8	2.8	2.8	2.8	2.8	2.9	2.9	2.9	2.9	2.9	2.9
With basement	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	44.8	47.6	44.7	40.8	39.0	39.8	39.1	44.8	43.5	44.3	42.9	43.2
With garage	74.1	79.6	79.9	81.1	78.5	74.4	66.2	61.9	63.5	66.4	64.3	64.4	65.3	64.4	63.4	64.4	61.8	61.7
With carport						.5	7.8	9.5	10.2	9.1	12.2	12.6	13.2	13.7	14.5	12.7	13.9	.13
With more than 1 bath	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	24.3	23.5	27.5	31.7	32.6	35.5	37.5	38.8	42.6	40.0	39.8	40.5
With 1 story	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	77.9	75.8	77.8	79.6	80.4	80.7	80.3	74.8	74.1	72.4	74.0	75.6
Owner occupant transactions—average:																		
Monthly family income	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$645	$661	$679	$698	$716	$736	$764	$782	$848	$872	$937	$1,028
Monthly total effective income	$495	$520	$519	$549	$571	$581	$592	$605	$621	$636	$648	$656	$679	$709	$774	$797	$858	$946
Effective income after tax	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$523	$538	$556	$560	$569	$586	$613	$638	$688	$707	$750	$819
Age of mortgagor (years)	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	34.8	34.1	34.1	34.5	34.1	33.6	33.4	33.0	33.4	33.4	33.2	33.3
Real estate taxes	$10.87	$11.65	$12.12	$13.48	$14.21	$14.59	$14.72	$15.55	$16.60	$18.00	$19.26	$20.16	$21.70	$22.53	$24.43	$25.66	26.43	$29.39
Total mortgage payment	$72.79	$77.10	$77.15	$81.24	$88.17	$93.07	$94.18	$98.69	$100.73	$102.73	$105.13	$107.45	$112.02	$116.29	$127.43	$132.92	$1847.83	$170.56
Maintenance and repair	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$7.46	$7.17	$7.22	$7.50	$7.72	$8.03	$8.59	$8.98	$9.44	$9.56	$10.01	$10.91
Heating and utilities	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$17.67	$18.73	$19.40	$19.76	$20.15	$21.17	$22.46	$23.43	$24.81	$24.77	$25.33	$26.51
Prospective housing expense	$95.71	$100.71	$100.58	$105.16	$113.47	$118.47	$119.31	$124.60	$127.35	$129.99	$133.00	$136.64	$143.07	$148.70	$161.68	$167.25	$183.17	$207.98
Other recurring charges	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$52.83	$56.03	$62 11	$66.67	$73.71	$80.36	$84.72	$94.80	$103.57	$108.70	$118.86	$128.61
Total fixed obligations	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	$172.14	$180.63	$189.46	$196.66	$206.71	$217.00	$227.79	$243.50	$265.25	$275.95	$302.03	$336.59
Purchase transactions—average:																		
Total acquisition cost	$12,217	$12,578	$12,558	$13,274	$13,507	$13,446	$13,560	$13,579	$13,937	$14,507	$14,684	$14,909	$15,437	$15,501	$16,318	$16,497	$17,227	$18,402
Sale price	$12,018	$12,344	$12,281	$12,991	$13,201	$13,133	$13,278	$13,284	$13,630	$14,184	$14,346	$14,540	$15,037	$15,139	$15,933	$16,106	$16,814	$17,959
Incidental cost	$199	$234	$277	$283	$306	$313	$261	$277	$283	$292	$294	$309	$330	$337	$360	$370	$396	$428
Estimated value	$11,352	$11,919	$11,949	$12,684	$12,962	$13,023	$13,180	$13,268	$13,661	$14,270	$14,490	$14,782	$15,390	$15,479	$16,247	$16,426	$17,123	$18,260
Amount of mortgage	$8,917	$9,398	$9,952	$10,281	$10,774	$11,531	$11,895	$12,047	$12,544	$13,208	$13,475	$13,763	$14,286	$14,452	$15,151	$15,337	$15,938	$16,821
Market price of site	$1,461	$1,591	$1,707	$1,931	$2,041	$2,150	$2,357	$2,354	$2,503	$2,721	$2,850	$2,931	$3,218	$3,254	$3,475	$3,597	$3,696	$3,949
Annual effective income	$5,911	$6,233	$6,177	$6,538	$6,814	$6,968	$7,079	$7,243	$7,431	$7,593	$7,741	$7,853	$8,147	$8,497	$9,270	$9,559	$10,274	$11,266
Mortgagor's investment	$3,300	$3,180	$2,606	$2,993	$2,733	$1,915	$1,665	$1,532	$1,393	$1,299	$1,209	$1,146	$1,151	$1,049	$1,167	$1,160	$1,289	$1,581
Site value (percent)	12.9	13.3	14.3	15.2	15.7	16.5	17.9	17.7	18.3	19.1	19.7	20.2	20.9	21.0	21.4	21.9	21.6	21.6
Investment/acquisition cost (percent)	27.0	25.3	20.8	22.5	20.2	14.2	12.3	11.3	10.0	9.0	8.2	7.7	7.5	6.8	7.2	7.0	7.5	8.6
Investment/effective income (percent)	55.8	51.0	42.2	45.8	40.1	27.5	23.5	21.2	18.7	17.1	15.6	14.6	14.1	12.3	12.6	12.1	12.5	14.0
Mortgage/acquisition cost (percent)	73.0	74.7	79.2	77.5	79.8	85.8	87.7	88.7	90.0	91.0	91.8	92.3	92.5	93.2	92.8	93.0	92.5	91.4
Mortgage/value (percent)	78.6	78.8	83.3	81.1	83.1	88.5	90.3	90.8	91.8	92.6	93.0	93.1	92.8	93.4	93.3	93.4	93.1	92.1

N.A.—Not available.

[1] 1966 through 1970 data based on 1-story structures.

[2] Effective June 1966 a new concept of house measurement was instituted by FHA. It is described in a pamphlet entitled "How FHA Measures a House". Improved floor area is shown for 1967 through 1970 and is used in the former measurement, "calculated area".

[3] All structures.

Source: FHA Series Data Handbook, Department of Housing and Urban Development, RR:251, p. 2B:

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PART III

DEPARTMENT OF TRANSPORTATION

Urban Mass Transportation Administration

■

CHARTER AND SCHOOL BUS OPERATIONS

Codification of Requirements

DEPARTMENT OF TRANSPORTATION

Urban Mass Transportation Administration

[49 CFR Part 604]

[Docket No. 75-02, Notice 2]

CHARTER BUS OPERATIONS

Codification of Requirements

The Urban Mass Transportation Administration (UMTA) is considering the adoption of regulations governing the provision of charter bus service by recipients of federal financial assistance for the purchase of buses.

The Urban Mass Transportation Act of 1964, as amended, 49 U.S.C. 1604 et seq. (hereinafter "the UMT Act"), makes available both capital and operating assistance for mass transportation facilities and equipment. In addition, certain provisions of title 23, United States Code (Highways) authorize the use of Federal-Aid Highway funds for capital costs of carrying out non-highway mass transportation projects.

Funds from both programs may be made available for bus projects. The authorizing legislation restricts eligible projects, however, to "mass transportation," and expressly excludes charter, sightseeing or school bus service. UMTA therefore does not fund buses the principal use of which is such service. Pursuant to an Opinion of the Comptroller General of the United States, UMTA does permit its grantees to use federally-financed equipment in "incidental" charter operations—operations that do not interfere with regularly scheduled service to the public (see Appendix A of this part). Operating assistance under section 5 of the UMT Act, however, may only be used to support mass transportation operations. These proposed regulations codify the "incidental" charter restriction on the use of federally-financed equipment, and establish financial reporting procedures that will enable UMTA to ensure that federal operating assistance will not be used in support of charter operations.

The charter bus operations of grantees of federal financial assistance for the purchase or operation of buses are further constrained by section 3(f) of the UMT Act, as amended, which applies also to bus grants under the Federal-Aid Highway programs of Title 23. Section 3(f) of the UMT Act, 49 U.S.C. 1602(f), provides that an applicant for federal assistance for the purchase or operation of buses (and/or the operation of the equipment) must enter into an agreement with the Secretary of Transportation that it will not engage in charter bus operations outside of the urban area within which it provides regularly scheduled mass transportation service except as provided in an agreement with the Secretary of Transportation that in his judgment provides fair and equitable arrangements designed to ensure that the federal financial assistance will not enable the assisted operators, whether public or private, to foreclose private operators from the intercity charter bus industry where such private operators are willing and able to provide service.

Several methods of implementing this section have been advanced. It has been suggested, for example, that local negotiations between public and private operators might produce agreements with respect to rates and services that would be mutually acceptable. It has been suggested that comparability between public and private charter tariffs might be enforced through local regulatory processes. After careful consideration of the antitrust and other public policy implications of several mechanisms for developing and certifying "fair and equitable arrangements," UMTA has concluded that the most fair and equitable arrangement is that which compels the public operator to take into account in constructing its charter rates the actual cost (both direct and indirect) of providing the service, without regard to capital or operating assistance from any public source, and which compels the public operator to generate revenues from its charter operations that are equal to or greater than the cost of such operations on a system-wide basis. The proposed regulations of this part set out a requirement for the development of a cost allocation plan, the construction of a charter tariff based upon that allocation, and the generation of revenues that equal or exceed the cost as determined in the allocation plan. The proposed regulations require the public operator applicant to give notice to all private operators within its service area of its proposed charter bus operations and cost allocation plan. Private operators will be afforded an opportunity to comment to UMTA on both items, and the UMTA Administrator will take into account the comments in making a decision whether to approve the plan as a "fair and equitable arrangement" within the meaning of section 3(f) or to take some action in disapproval.

UMTA grantees will be required to submit annual reports on their charter bus costs and revenues, in a format consistent with that of the Financial Accounting and Reporting Elements (FARE) system. Such reports will be a prerequisite to the receipt of section 5 funds for operating assistance grantees with annual revenues from charter operations exceeding $200,000 will be required to submit such reports quarterly.

In addition to the requirement that systemwide charter revenues exceed costs, the proposed regulations would provide a private operator an opportunity to complain to UMTA if it believes that specific point-to-point charter rates charged by an UMTA grantee are designed to eliminate competition by private providers of charter service between those points, or if it believes that the grantee has violated any part of the agreement.

The Administrator will investigate all complaints made under the procedures proposed in these regulations. In the event of a finding of a violation, he may order such remedial measures as he deems appropriate, including cancellation of the agreement. Where he finds that there has been a continuing pattern of violations, the Administrator may prohibit disbursement of funds under the instant grant contract or bar a grantee from the receipt of further federal financial assistance for mass transportation facilities and equipment. Formal administrative procedures are provided for the adjudication of complaints.

A number of grantees have, prior to the publication of this notice, entered into agreements under previous and superseded versions of the charter bus legislation. In section 813(a) of the Housing and Community Development Act of 1974 (Pub. L. 93-383, 88 Stat. 633), the Congress authorized the modification of these agreements to conform with current requirements; these regulations provide procedures for effecting appropriate modifications. In addition, since passage of the National Mass Transportation Assistance Act of 1974, which brought section 3(f) into its current form, many UMTA grantees have signed grant contracts incorporating an agreement not to engage in charter bus service at all except in accordance with an agreement that has not yet been entered into as of the date of this notice. The procedures contained herein may be used for the creation of appropriate arrangements.

In summary, these proposed regulations govern the formation and content of agreements required in the UMT Act and the Federal-Aid Highway Act which in the judgment of the Secretary provides fair and equitable arrangements designed to ensure that the federal financial assistance will not enable the assisted operations, whether public or private, to foreclose private operators from the intercity charter bus industry where such private operators are willing and able to provide service.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Urban Mass Transportation Administration, Office of the Chief Counsel, Attention Rules Docket 75-02, 400 7th Street SW., Washington, D.C. 20590. All communications received on or before July 11, 1975, will be considered by UMTA before taking action on the proposed rule. The proposals contained therein may be changed in light of comments received. All comments submitted will be available, both before and after the closing date, for comments in the Rules Docket for examination by interested persons.

These regulations are proposed under the authority of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.); 23 U.S.C. 142 (a) and (c); 23 U.S.C. 103(e)(4); 49 CFR 1.50.

In consideration of the foregoing, it is proposed to issue a new Part 604 of 49 CFR Chapter IV as follows.

Issued on June 10, 1975.

FRANK C. HERRINGER,
Urban Mass Transportation Administrator.

PART 604—CHARTER BUS OPERATIONS

Subpart A—General

Sec.
604.1 Purpose.
604.2 Scope.
604.3 Definitions.

Subpart B—Charter Bus Agreements

604.10 Purpose.
604.11 Notice.
604.12 Certification.
604.13 Comments by private charter bus operators.
604.14 Approval of charter bus operations.
604.15 Agreement.
604.16 Contents of agreement.
604.17 Other agreements.

Subpart C—Modification of Prior Agreements and Amendment of Applications for Assistance

604.20 Modification of prior agreements.
604.21 Amendment of applications for assistance.

Subpart D—Revisions of Certification

604.30 Revisions of certification.

Subpart E—Complaint Procedures and Remedies

604.40 Filing a complaint.
604.41 Notification to the respondent.
604.42 Accumulation of evidentiary material.
604.43 Adjudication.
604.44 Remedy where there has been a continuing pattern of violations.
604.45 Judicial review.

Subpart F—Reporting and Records

604.50 Quarterly reports.
604.51 Additional reports and information.
604.52 Records.

AUTHORITY: Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.); (23 U.S.C. 103(e) (4); 23 U.S.C. 142(a), (c)).

Subpart A—General

§ 604.1 Purpose.

(a) The purpose of this part is to prescribe policies and procedures governing the provision of charter bus services and the reporting of charter bus revenues and expenses by recipients of Federal financial assistance for the purchase or operation of buses under either the Urban Mass Transportation Act of 1964, as amended, or those provisions of title 23, United States Code, that authorize the use of Federal-aid highway funds for the purchase of buses. The procedures of this part are designed also to ensure that operating assistance made available under the Urban Mass Transportation Act of 1964, as amended, will not be used in support of charter bus operations.

(b) By the terms of section 3(f) of the Urban Mass Transportation Act of 1964, as amended, which is made applicable to bus purchases, no Federal financial assistance may be provided for the purchase or operation of buses unless the grantee enters into an agreement with the Secretary of Transportation that the grantee, or any operator of mass transportation equipment for that grantee, will not engage in charter bus operations outside the urban area within which it provides regularly scheduled mass transportation service, except as permitted under that agreement.

§ 604.2 Scope.

These regulations apply to all recipients of Federal financial assistance for the purchase or operation of buses under: (a) The Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.); (b) 23 U.S.C. 142(a) and (c); and (c) 23 U.S.C. 103(e) (4).

§ 604.3 Definitions.

(a) Except as otherwise provided, terms defined in the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1604, 1608) are used in this part as so defined.

(b) For purposes of this part—

"The Acts" means the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.); 23 U.S.C. 142(a) and (c); and 23 U.S.C. 103(e) (4).

"Administrator" means the Urban Mass Transportation Administrator or his designee.

"Agreement" means a contractual agreement required under section 3(f) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602(f)) providing that a grantee, or any operator of mass transportation equipment for a grantee, will not engage in charter bus operations outside its urban area except by the terms of that agreement.

"Applicant" means applicant for assistance under the Acts.

"Assistance" means Federal financial assistance for the purchase or operation of buses under the Acts.

"Grant contract" means the contract between the Government and the grantee which states the terms and conditions for assistance under the Acts.

"Certification of costs" means a statement certified to as true and accurate by a grantee's chief financial officer which indicates the elements of direct and indirect costs that are attributable to the provision of charter bus operations, including appropriate attribution of depreciation on federally-funded equipment, and auxiliary functions necessary to sustain such operations. This statement shall give assurance that the revenues generated by the applicant's charter bus operations are currently, and shall remain, equal to or greater than the cost of providing those operations on a system-wide basis. (For guidance on expenses which should, if applicable, be included in a certification of costs see Appendix B of this part).

"Charter bus operations" means (a) transportation by bus of a group of persons who, pursuant to a common purpose, and under a single contract, at a fixed charge for the vehicles or service, in accordance with the exclusive use of a bus to travel together under an itinerary, either agreed on in advance, or modified after having left the place of origin; or (b) transportation by bus of a group of persons for a charge for the vehicle or service in accordance with the carrier's tariff for sightseeing service or tours outside the urban area in which regularly scheduled mass transportation service is provided.

"Cost allocation plan" means the documentation identifying, accumulating, and distributing cost attributable to charter bus operations together with the allocation methods used.

"Government" means the Government of the United States of America.

"Grantee" means a recipient of assistance under the Acts.

"Incidental" means charter bus operations which do not interfere with regularly scheduled service to the public (as defined in the Opinion of the Comptroller General of the United States, B-160204: December 7, 1966, which is attached as Appendix A of this part).

"Urban area" means the entire area in which a local public body provides regularly scheduled mass transportation service. This includes all areas which are either: (a) Within an "urbanized area" as defined and fixed in accordance with [proposed] 23 CFR Part 470, Subpart B; or (b) within an "urban area" or other built-up place as determined by the Secretary under section 12(c) (4) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1608(c) (4)).

Subpart B—Charter Bus Agreements

§ 604.10 Purpose.

The purpose of this subpart is to formulate procedures for the development of an agreement concerning charter bus operations.

§ 604.11 Notice.

(a) Each applicant who wishes to engage in charter bus operations outside its urban area shall include the following in its application:

(1) A statement that it has provided written notice to all private providers of charter bus operations originating in the applicant's urban area of its application for assistance and its proposed charter bus operations;

(2) A statement that it has published in a newspaper of general circulation in the geographic area to be served a notice of its application and its proposed charter bus operations;

(3) A certification of costs for the applicant's proposed charter bus operations; and

(4) A cost allocation plan.

(b) The notice required by paragraphs (a) (1) and (a) (2) of this section shall include the following information:

(1) A statement that the applicant, or an operator of mass transportation equipment for the applicant, proposes to engage in charter bus operations outside its urban area;

(2) A description of the area to be served by the applicant;

(3) An estimation of the number of each type of bus which will be employed on the proposed charter bus operations, and the number of weekdays and weekends those buses will be available for charter use; and

(4) A statement of the time, date and place of public hearings required under section 3(d) of the Urban Mass Transportation Act of 1964, as amended (49

U.S.C. 1603(d)), to be held on the application for assistance.

(c) Copies of the application for assistance and notice required by paragraph (a) of this section shall be available for inspection by any interested person during the regular business hours at the office of the applicant.

§ 604.12 Certification in lieu of notice.

If there are no private providers of charter bus operations originating in the applicant's urban area, the applicant may so certify in its application in lieu of the requirements of § 604.11.

§ 604.13 Comments by private charter bus operators.

Private charter bus operators to whom notice is sent under this part may file written comments on an applicant's proposed charter bus operations at the time of the public hearings held pursuant to section 3(d) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1603(d)). The comments of private charter bus operators must be submitted by the applicant to the Administrator together with the transcript of the public hearings held pursuant to 49 U.S.C. 1602(d).

§ 604.14 Approval of charter bus operations.

(a) The Administrator shall consider the comments filed by private charter bus operators prior to making any findings regarding either the applicant's certification of costs, cost allocation plan, or other aspects of its proposed charter bus operations.

(b) After a showing by the applicant that it has complied with the requirements of 49 U.S.C. 1602(d) and this subpart, the Administrator may accept the applicant's certification of costs and otherwise approve its cost allocation plan and charter bus operations. Such acceptance and approval, however, is subject to audit and inspection which may be conducted at any time by the Government under § 604.52.

(c) If the Administrator finds that the applicant has not complied with the notice requirement of § 604.11, or otherwise finds that the applicant's certification of costs, cost allocation plan, or proposed charter bus operations are unacceptable, he shall so notify the applicant in writing stating the reasons for his findings.

(d) Within 30 days after receiving notice of adverse findings from the Administrator, an applicant may file written objections to the Administrator's findings or submit a revised certification of costs, a revised cost allocation plan, or a revised proposal for its charter bus operations. If an applicant revises its certification of costs, cost allocation plan, or its proposed charter bus operations, it shall mail a copy of these revisions to private charter bus operators required to be notified under § 604.11.

(e) Private charter bus operators who receive notice under paragraph (d) of this section may within 15 days of the receipt of notice, file written comments on the proposed revisions with the Administrator. The Administrator shall consider these comments prior to his approval of a proposed revision by the applicant.

(f) Upon receipt of notice of acceptance of its certification of costs, cost allocation plan, and approval of its charter bus operations, the applicant may enter into an agreement with the Administrator under § 604.15.

§ 604.15 Agreement.

Every grantee shall as a condition of assistance, enter into a written agreement, that neither it nor any publicly or privately-owned operator of mass transportation equipment for that grantee will engage in any charter bus operations outside the urban area except as permitted under that agreement. The agreement shall become a part of the Grant contract between the Government and the grantee.

§ 604.16 Contents of agreement.

Except as provided in § 604.7 the agreement required by § 604.15 shall contain the following provisions:

Special Agreement—These provisions are found to constitute fair and equitable arrangements within the meaning of section 3(f) of the Urban Mass Transportation Act of 1964, as amended, to assure that the financial assistance granted by the Government under this mass transportation grant project will not enable the grantee, or any operator of the project equipment for the grantee, to foreclose private operators from the intercity charter bus industry where such private operators are willing and able to provide such services.

Accordingly, the parties agree as follows:

(1) The grantee agrees that neither it, nor any operator of project equipment, will engage in charter bus operations outside the urban area within which it provides regularly scheduled mass transportation services except as provided herein.

(2) The grantee, or any operator of project equipment, agrees that revenues generated by its charter bus operations are currently and shall remain equal to or greater than the cost of providing charter bus operations on a system-wide basis consistent with its cost allocation plan.

(3) The grantee, or any operator of project equipment, agrees that it will not establish a charter rate between any points which is designed to eliminate competition by private providers of charter bus operations on those points.

(4) The grantee agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement or part 604 of the Urban Mass Tranportation regulations. Such practices include, but are not limited to, devices shifting costs to avoid restrictions imposed by this agreement, kickbacks, special arrangements, discounts, falsification of records or any actions designed to avoid the requirements of section 3(f) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602(f)).

(5) The grantee agrees that the project facilities and equipment shall be used for the provision of mass transportation services within its urban area and that any use of project facilities and equipment in charter service will be incidental to and shall not interfere with the use of such facilities and equipment in mass transportation services to the public.

(6) In the event of a complaint by an interested party that charter rates imposed by the grantee, or an operator of project equipment, will result in revenues from its charter bus operations that are less than the cost of those operations on a systemwide basis, or that a charter rate is imposed which is designed to eliminate competition by private providers of charter bus operations, the Administrator shall investigate and shall determine whether a violation has occurred.

(7) If the Administrator determines that there has been a violation of this agreement, he may order such remedial measures as he may deem appropriate, including cancellation of the agreement. The Administrator may prohibit disbursement of funds under the Grant contract to the grantee or operator if he determines that there has been a continuing pattern of violations of the terms of this agreement.

§ 604.17 Other agreements.

Where the Administrator determines that the requirements of § 604.15 can be met by an agreement which contains provisions other than those set forth in § 604.16, he may authorize the use of alternative provisions as he deems appropriate.

Subpart C—Modification of Prior Agreements and Amendment of Applications for Assistance

§ 604.20 Modification of prior agreements.

(a) Any grantee which, prior to the adoption of this part, entered into an agreement required by section 164(a) of the Federal-Aid Highway Act of 1973, section 3(f) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602(f)), not to engage in charter bus operations in competition with private providers of charter bus operations outside its urban area, or an interim agreement under section 3(f) allowing charter bus operations, shall seek modification of that agreement in accordance with paragraphs (b)-(d) of this section.

(b) The grantee shall develop a certification of costs for its charter bus operations and send it with its proposed or existing charter bus operations and cost allocation plan to private providers of charter bus operations whose service originates in the grantee's urban area.

(c) The grantee shall allow 30 days for persons receiving notice in this section to respond with written comments concerning its proposed or existing charter bus operations.

(d) After receiving written comments, the grantee shall send his proposal with written comments thereon to the Administrator for his review under § 604.14.

§ 604.21 Amendment of applications for assistance.

Pending applications for assistance upon which public hearings have been held pursuant to section 3(d) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602(d)), and applications which have been approved by the Administrator but for which no grant contract has been executed, shall be amended by the applicant to conform to this part by following the procedures of § 604.20(b)–(d). Any other pending applications for assistance shall be amended by the applicant to comply with § 604.11 or § 604.12.

Subpart D—Revisions of Certification

§ 604.30 Revisions of certification.

(a) Certification of costs filed under this part may be revised by a grantee or any operator of project equipment by filing proposed revisions, properly certified, with the Administrator. Notice of those revisions shall be sent to private charter bus operators in the urban area, who may file comments with the Administrator within 15 days after receipt of notice. Proposed revisions shall become effective within 30 days after filing unless within that period the Administrator finds them to be unacceptable and so notifies the party filing the certification of costs.

(b) UMTA may require that certification of costs be revised using the procedures in paragraphs (a) of this section where reports filed under § 604.50 show a gross revenue change of 25 percent or more from the average two preceding fiscal quarters.

Subpart E—Complaint Procedures and Remedies

§ 604.40 Filing a complaint.

Any interested party may file a complaint with the Administrator alleging a violation or violations of terms of an agreement entered into pursuant to § 604.15. A complaint shall be in writing and shall specify in detail the action claimed to violate the agreement, and shall be accompanied by evidence sufficient to enable the Administrator to make a preliminary determination as to whether probable cause exists to believe that a violation of the agreement has taken place.

§ 604.41 Notification to the respondent.

On receipt of any complaint under § 604.30, or on his own motion if at any time he shall have reason to believe that a violation may have occurred, the Administrator shall provide written notification to the grantee concerned (hereinafter called the "respondent") that a violation has probably occurred. The Administrator shall inform the respondent of the conduct which constitutes a probable violation of the agreement.

§ 604.42 Accumulation of evidentiary material.

The Administrator shall allow the respondent not less than 30 days to show cause, by submission of evidence, why no violation should be deemed to have occurred. A like period shall be allowed to the complainant, if any, during which he may submit evidence to rebut the evidence offered by the respondent. The Administrator may undertake such further investigation as he may deem necessary, including, in his discretion, the holding of an evidentiary hearing or hearings.

§ 604.43 Adjudication.

(a) After reviewing the results of such investigation, including hearing transcripts, if any, and all evidence submitted by the parties, the Administrator shall make a written determination as to whether the respondent has engaged in charter bus operations in violation of the terms of the agreement.

(b) If the Administrator determines that there has been a violation of this agreement, he may order such remedial measures as he may deem appropriate.

(c) If the Administrator should determine that a violation has occurred, he shall include a specific statement as to whether there has been a continuing pattern of violations.

(d) The determination by the Administrator shall include an analysis and explanation of his findings.

§ 604.44 Remedy where there has been a continuing pattern of violations.

If the Administrator determines, pursuant to this subpart, that there has been a continuing pattern of violations of the terms of the agreement, he shall have the authority to bar a grantee from the receipt of further financial assistance for mass transportation facilities and equipment.

§ 604.45 Judicial review.

The determination of the Administrator pursuant to this subpart shall be final and conclusive on all parties, but shall be subject to judicial review pursuant to Title 5, U.S.C. 701–706.

Subpart F—Reporting and Records

§ 604.50 Reporting.

(a) Except as provided in paragraph (b) of this section each grantee which enters into an agreement shall at the time it makes request for payments under sections 105 of Part II and Part IIA of its Grant contract, submit the following certified as true and accurate by its chief financial officer:

(1) Its total revenues from charter bus operations; and

(2) Its total costs from these operations computed in accordance with its certification of costs filed with the Administrator pursuant to this part.

(b) Waiver of quarterly reports: Quarterly reports need not be submitted by grantees with annual revenues of less than $200,000 (two-hundred thousand dollars) from its charter bus operations in its most recently completed fiscal year. These grantees shall report on an annual basis.

§ 604.51 Additional reports and information.

The Administrator may order any grantee or operator for the grantee, to file special or separate reports setting forth information relating to any transportation service rendered by such grantee or operator, in addition to any other reports required by this part.

§ 604.52 Records.

(a) Each grantee subject to this part shall maintain such records as are sufficient to demonstrate that its charter rates are in compliance with the terms of its agreement.

(b) Records required to be maintained under paragraph (a) of this section shall be made available for audit and inspection at any time upon the request of an officer or employee of the Government.

(c) Upon the request of an officer or employee of the Government any grantee which has filed a certification of costs pursuant to this part, shall:

(1) Specify the records that comply with paragraph (a) of this section; and

(2) Justify certification of costs.

(d) Each grantee required to maintain a record under this section shall preserve that record at least four years after the last day of the calendar year in which the record was made or events recorded in that record occurred, whichever is later.

APPENDIX A

COMPTROLLER GENERAL OF THE UNITED STATES,
WASHINGTON, D.C., *December 7, 1966.*

DEAR MR. WILSON: The enclosure with your letter of October 4, 1966, concerns the legality of providing a grant under the Urban Mass Transportation Act of 1964 to the City of San Diego, (City), California. The problem involved arises in connection with the definition in subsection 9(d)(5) of the act, 49 U.S.C. 1608(d)(5), excluding charter or sightseeing service from the term "mass transportation."

It appears from the enclosure with your letter that the City originally included in its grant application a request for funds to purchase 8 buses designed for charter service. Subsequently the City amended its application by deleting a request for a portion of the funds attributable to the charter bus coaches. However, in addition to the 8 specially designed charter buses initially applied for, the City allegedly uses about 40 of its transit type buses to a substantial extent for charter-type services. In light of these factors surrounding the application by the City, the enclosure requests our opinion with regard to the legality of grants under the act as it applies to certain matters (in effect questions), which are numbered and quoted below and answered in the order presented.

Number one: "The grant of funds to a City to purchase buses and equipment which are intended for substantial use in the general charter bus business as well as in the Mass Transportation type business."

The Urban Mass Transportation Act of 1964 does not authorize grants to assist in the purchase of buses or other equipment for any service other than urban mass transportation service. Section 3(n) of the act limits the range of eligible facilities and equipment to "* * * buses and other rolling stock, and other real or personal property needed for an efficient and coordinated mass transportation system." In turn, "mass transportation" is defined, in section 9(d)(5) of the act, specifically to exclude charter service. We are advised by the Department of Housing and Urban Development (HUD) that under these provisions, the Department has limited its grants to the purchase of buses

of types suitable to meet the needs of the particular kind of urban mass transportation service proposed to be furnished by the applicant.

HUD further advises that: "One of the basic facts of urban mass transportation operations is that the need for rolling stock is far greater during the morning and evening rush hours on weekdays than at any other time. For that reason, any system which has sufficient rolling stock to meet the weekday rush-hour needs of its customers must have a substantial amount of equipment standing idle at other times, as well as drivers and other personnel being paid when there is little for them to do. To relieve this inefficient and uneconomical situation, quite a number of cities have offered incidental charter service using this idle equipment and personnel during the hours when the same are not needed for regularly scheduled runs. Among the cities so doing are Cleveland, Pittsburgh, Alameda, Tacoma, Detroit and Dallas.

"Such service contributes to the success of urban mass transportation operations by bringing in additional revenues and providing full employment to drivers and other employees. It may in some cases even reduce the need for Federal capital grant assistance.

"We do not consider that there is any violation of either the letter or the spirit of the Act as a result of such incidental use of buses in charter service. To guard against abuses, every capital facilities grant contract made by this Department contains the following provisions:

" 'Sec. 4. *Use of Project Facilities and Equipment.* The Public Body agrees that the Project facilities and equipment will be used for the provision of mass transportation service within its urban area for the period of the useful life of such facilities and equipment * * * The Public Body further agrees that during the useful life of the Project facilities and equipment it will submit to HUD such financial statements and other data as may be deemed necessary to assure compliance with this section.' "

It is our view that grants may be made to a city under section 3(a) of the act to purchase buses needed by the city for an efficient and coordinated mass transportation system, even though the city may intend to use such buses for charter use when the buses are not needed on regularly scheduled runs (i.e. for mass transportation purposes) and would otherwise be idle.

Number two: "Whether a grant of such funds is proper if charter bus use is incidental to mass public transportation operations. If so, what is the definition of 'incidental use.' "

We are advised by HUD that under its legislative authority, it cannot and does not take charter service requirements into consideration in any way in evaluating the needs of a local mass transportation system for buses or other equipment.

HUD further advises that: "However, as indicated above, we are of the opinion that any lawful use of project equipment which does not detract from or interfere with the urban mass transportation service for which the equipment is needed would be deemed an incidental use of such equipment, and that such use of project equipment is entirely permissible under our legislation. What uses are in fact incidental, under this test, can be determined only on a case-by-case basis."

In view of what we stated above in answer to the first question, the first part of question two is answered in the affirmative.

As to the second part of the question, in *Security National Insurance Co.* v. *Secuoyah Marina*, 246 F.2d 830, "incident" is defined as meaning "that which appertains to something else which is primary." Thus, we cannot say HUD's definition of "incidental use" as set forth above is unreasonable. Under the act involved grants may be made to purchase buses only if the buses are needed for an efficient and coordinated mass transportation system. It would appear that if buses are purchased in order to meet this need, and are, in fact, used to meet such need, the use of such buses for charter service when not needed for mass transportation services would, in effect, be an "incidental use," insofar as pertinent here. In our opinion such incidental use would not violate the provisions of the 1964 act.

Number three: "The grant of funds for mass public transportation purposes to a City which has expressed an intent to engage in the general charter bus business when such funds would in effect constitute a subsidy to the City of its intended charter bus operations; i.e. freeing Municipal funds with which to purchase charter bus equipment."

Section 4(a) of the 1954 Act (49 U.S.C. 1603(a)) provides, in part, as follows:

"* * * The Administrator (now Secretary), on the basis of engineering studies, studies of economic feasibility, and data showing the nature and extent of expected utilization of the facilities and equipment, shall estimate what portion of the cost of a project to be assisted under section 1602 of this title cannot be reasonably financed from revenues—which portion shall hereinafter be called 'net project cost'. The Federal grant for such a project shall not exceed two-thirds of the net project cost. The remainder of the net project cost shall be provided, in cash, from sources other than Federal funds * * *."

It is clear from the legislative history of the act involved that the "revenues" to be considered are mass transportation system revenues including any revenues from incidental charter operations. There is nothing in the language of the act which requires HUD to take into account the status of the general funds of an applicant city in determining how much capital grant assistance to extend to that city.

It should be noted that in a sense nearly every capital grant to a city constitutes a partial subsidy of every activity of the city which is supported by tax revenues, since it frees tax revenues for such other uses.

Number four: "With specific reference to the application of the City of San Diego for funds under its application to the Department of Housing and Urban Development dated June 2, 1966, whether the Act permits a grant to purchase equipment wherein 25 per cent of such equipment will be used either exclusively or substantially in the operation of charter bus services."

As to the City of San Diego's grant application, we have been advised by HUD as follows:

"As explained above, the Act authorizes assistance only for facilities to be used in mass transportation service. We could not, therefore, assist San Diego in purchasing any equipment to be used 'exclusively' in the operation of charter bus service. Furthermore, as also explained above, assisted mass transportation equipment can be used only incidentally for such charter services.

"Whether equipment used 'substantially' in such service qualifies under this rule can be answered only in the light of the specifics of the San Diego situation. * * * we have already, during our preliminary review of the City's application, disallowed about $150,000 of the proposed project cost which was allocated to the purchase of eight charter-type buses.

"The final application of the city of San Diego is presently under active consideration by this Department. In particular, we have requested the City to furnish additional information as to the nature and extent of the proposed use, if any, of project facilities and equipment in charter service, so that we can further evaluate the application under the criteria above set forth. We have also requested similar information from Mr. Fredrick J. Ruane, who has filed a taxpayers' suit (Superior Court for San Diego County Civil # 297329) against the City, contesting its authority to engage in charter bus operations."

As indicated above, it is clear that under the act in question grants may not legally be made to purchase buses to be used "exclusively" in the operation of charter bus service. However, in view of the purposes of the act involved it is our opinion that a city which has purchased with grant funds buses needed for an efficient mass transportation system, is not precluded by the act from using such buses for charter service during idle or off-peak periods when the buses are not needed for regularly scheduled runs. As indicated above, such a use would appear to be an incidental use.

The fourth question is answered accordingly.

As requested, the correspondence enclosed with your letter is returned herewith.

Sincerely yours,

FRANK H. WEITZEL,
Assistant Comptroller General of the United States.

APPENDIX B—FARE REPORTING SYSTEM

EXPENSE REPORTING

7.1 *List of Expense Object Classes**

501. Labor
    01. Operators' Salaries and Wages
    02. Other Salaries and Wages
502. Fringe benefits
    01. FICA or Railroad Retirement
    02. Pension Plans (including long-term disability insurance)
    03. Hospital, Medical and Surgical Plans
    04. Dental Plans
    05. Life Insurance Plans
    06. Short-Term Disability Insurance Plans
    07. Unemployment Insurance
    08. Workmen's Compensation Insurance or Federal Employees Liability Act Contributions
    09. Sick Leave
    10. Holiday (including all premiums paid for on holidays)
    11. Vacation
    12. Other Paid Absence (bereavement pay, military pay, jury duty pay, etc.)
    13. Uniform and Work Clothing Allowances
    14. Other Fringe Benefits
    15. Distribution of Fringe Benefits
503. Services
    01. Management Service Fees
    02. Advertising Fees
    03. Professional and Technical Services
    04. Temporary Help
    05. Contract Maintenance Services
    06. Custodial Services
    07. Security Services
    08. Propulsion Power
    09. Utilities Other than Propulsion Power
    10. Dues and Subscriptions
    11. Travel and Meetings
    12. Bridge, Tunnel and Highway Tolls
    13. Other Services
504. Materials and supplies consumed
    01. Fuel and Lubricants
    02. Tires and Tubes
    03. Other Materials and Supplies
505. Casualty and liability costs
    01. Premiums for Physical Damage Insurance
    02. Recoveries of Physical Damage Losses

03. Premiums for Public Liability and Property Damage Insurance
04. Payouts for Uninsured Public Liability and Property Damage Settlements
05. Provision for Uninsured Public Liability and Property Damage Settlements
06. Payouts for Insured Public Liability and Property Damage Settlements
07. Recoveries of Public Liability and Property Damage Settlements
08. Premiums for Other Corporate Insurances
09. Other Corporate Losses
10. Recoveries of Other Corporate Losses

506. Leases and rentals
01. Transit Way and Transit Way Structures and Equipment
02. Passenger Stations
03. Passenger Parking Facilities
04. Passenger Revenue Vehicles
05. Service Vehicles
06. Operating Yards or Stations
07. Engine Houses, Car Shops and Garages
08. Power Generation and Distribution Facilities
09. Revenue Vehicle Movement Control Facilities
10. Data Processing Facilities
11. Revenue Collection and Processing Facilities
12. Other General Administration Facilities

507. Depreciation and amortization
01. Transit Way and Transit Way Structures and Equipment
02. Passenger Stations
03. Passenger Parking Facilities
04. Passenger Revenue Vehicles
05. Service Vehicles
06. Operating Yards or Stations
07. Engine Houses, Car Shops and Garages
08. Power Generation and Distribution Facilities
09. Revenue Vehicle Movement Control Facilities
10. Data Processing Facilities
11. Revenue Collection and Processing Facilities
12. Other General Administration Facilities

508. Property retirement write-offs
01. Property Retirement Write-Offs

509. Interest expense
01. Interest on Debt Obligations (net of interest capitalized)

510. Other taxes
01. Federal Income Tax
02. State Income Tax
03. Property Tax
04. Vehicle Licensing and Registration Fees
05. Fuel and Lubricant Taxes
06. Other Taxes

511. Expense transfers
01. Function Reclassifications
02. Expense Reclassifications
03. Capitalization of Nonoperating Costs

512. Subsidy payments
01. Purchased Transportation Service

* This list of expense object classes is taken from chapter 7 of the "PROJECT Fare Task IV Report," Report No. UMTA-IT-06-0034-73-6, Volume II, November, 1973. The list should be used for guidance in determining what expenses should, if applicable, be certified. For definitions of each of the listed expense object, see chapter 7 of the Report.

[FR Doc.75-15437 Filed 6-12-75;8:45 am]

[49 CFR Part 605]

[Docket No. 75-02, Notice 3]

SCHOOL BUS OPERATIONS

Codification of Requirements

The Urban Mass Transportation Administration (UMTA) is considering the adoption of regulations governing the provision of school bus service by recipients of Federal financial assistance for the construction or operation of facilities and equipment for use in providing mass transportation service. In this regard, a new Part 605 is proposed to be added to UMTA regulations to provide economic protection to private school bus operators who are in competition with federally assisted bus operators in providing transportation for students, school personnel and equipment. The new Part 605 would prohibit all school bus operations by federally assisted operators unless such school bus operations are expressly permitted under section 3 (g) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602 (g)). Where school bus operations are permitted under section 3(g), the proposed Part 605 requires a showing by the federally assisted bus operations that the assistance it receives is not used to subsidize these school bus operations.

Section 3(g) provides that an applicant for federal financial assistance for the construction or operation of facilities and equipment for use in providing public mass transportation service must agree not to engage in school bus operations, exclusively for the transportation of students and school personnel, in competition with private school bus operators. The subsection does not apply if the applicant operates a school system in the area to be served and operates a separate and exclusive school bus program for such school system; nor does it apply unless private school bus operators are able to provide adequate transportation, at reasonable rates, and in conformance with applicable safety standards; and it does not apply with respect to any State or local public body or agency thereof if it or a direct predecessor in interest from which it acquired the function of so transporting schoolchildren and personnel (along with facilities to be used therefore) was engaged in school bus operations at any time during the twelve-month period immediately prior to the date of enactment of the provision. An identical provision, applying only to the purchase of buses, but applying irrespective of whether they are assisted under the Urban Mass Transportation Act or under the Federal-Aid Highway Act, is found in section 164(b) of the Federal-Aid Highway Act of 1973 (Pub. L. 93-87).

Under the proposed part 605 an applicant for federal financial assistance who wishes to engage in school bus operations must notify private school bus operators in the applicant's service areas of its intent to engage in school bus operations. This notice must describe the applicant's proposed or existing school bus operations and also state the time and place of public hearing to be held on its application for assistance. A statement should be included in the notice setting forth the reasons the applicant feels it should be permitted to engage in school bus operations under section 3(g) of the Urban Mass Transportation Act. The notice required in the proposed Part 605 is designed to inform private school bus operators in the applicant's service areas of the applicant's proposed or existing school bus operations. The information required by the notice should supply private school bus operators in the applicant's service area with the information they need to make meaningful comments at the public hearings which will be held on the application for assistance. These comments will be considered by the UMTA Administrator prior to his making any finding regarding the applicant's proposed or existing school bus operations.

If an applicant's proposed or existing school bus operations are approved and its application for assistance is otherwise acceptable, the applicant may enter into an agreement with UMTA (this agreement will be included in the provision of the UMTA grant contract), which establishes the terms and conditions under which the applicant will engage in school bus operations. If its school bus operations are not approved the applicant shall agree not to engage in any school bus operation as long as it receives federal financial assistance under applicable federal statutes.

In cases where school bus operations are permitted by federally assisted operators, these operators are required to demonstrate through the filing of certified statements of costs, and a plan for the allocation of those costs, that the assistance received by the applicant is not used to subsidize its school bus operation. The issuance of these regulations does not change UMTA's long standing policy that facilities and equipment funded under the Urban Mass Transportation Act must be used for provision of mass transportation service. UMTA does not fund the cost of school bus operations, although UMTA-assisted equipment may be used incidentally in such service pursuant to an opinion of the Comptroller General of the United States (see Appendix A of this part). The certifications provided by the applicants must, in order to be acceptable, show that the revenues generated by its school bus operations are equal to or greater than the cost of providing this service on a systemwide basis. A cost allocation plan is required along with the applicant's certification of costs. The cost allocation plan demonstrates how the applicant has distributed its costs in its certification.

Other major features of the proposed part 605 provides for a complaint and remedy procedure where a violation of these regulations occur. Where it is de-

termined that a violation of these regulations has occurred, UMTA has the right to bar the operator from further financial assistance for mass transportation and equipment.

Quarterly reporting is required of operators with total revenues from school bus operations of $200,000 or more in its most recent fiscal year. Operators with revenues of less than $200,000 in its most recent fiscal year are required to report annually.

Appendix A is attached to proposed Part 605 to provide guidance as to what is meant by incidental use of facilities and equipment. Appendix B gives guidance as to the various costs which apply to the provisions of school bus operations.

In summary, it is the purpose of these proposed regulations to provide economic protection for private school bus operators who must compete with federally-assisted operators in providing transportation for school children and school personnel and equipment. These regulations govern the formation and content of school bus agreements required under the Urban Mass Transportation Act and the Federal-Aid Highway Act.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to Urban Mass Transportation Administration, Office of the Chief Counsel, Attention Rules Docket 75-02, 400 7th Street SW., Washington, D.C. 20590. All communications received on or before July 11, 1975, will be considered by the UMTA Administrator before taking action on the proposed rule. The proposals contained therein may be changed in light of comments received. All comments submitted will be available, both before and after the closing date, for comments in the Rules Docket for examination by interested persons.

These regulations are proposed under the authority of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.); 23 U.S.C. 142(a) and (c); 23 U.S.C. 103(e)(4); 49 CFR 1.50.

In consideration of the foregoing, it is proposed to issue a new Part 605 of 49 CFR Chapter IV as follows.

Issued on June 10, 1975.

FRANK C. HERRINGER,
Urban Mass Transportation Administrator.

PART 605—SCHOOL BUS OPERATIONS

Subpart A—General

Sec.
605.1 Purpose.
605.2 Scope.
605.3 Definitions.

Subpart B—School Bus Agreements

605.10 Purpose.
605.11 Notice.
605.12 Certification.
605.13 Comments by private school bus operators.
605.14 Approval of school bus operations.
605.15 Agreement.
605.16 Contents of agreement.
605.17 Exemptions.

Subpart C—Modification of Prior Agreements and Amendment of Application for Assistance

605.20 Modification of prior agreements.
605.21 Amendment of applications for assistance.

Subpart D—Revisions of Certification

605.30 Revision of certification.

Subpart E—Complaint Procedure and Remedies

605.40 Filing a complaint.
605.41 Notification to the respondent.
605.42 Accumulation of evidentiary material.
605.43 Adjudication.
605.44 Remedy where there has been a violation of the agreement.
605.45 Judicial review.

Subpart F—Reporting and Records

605.50 Quarterly reports.
605.51 Additional reports and procedures.
605.52 Records.

AUTHORITY: Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.); 23 U.S.C. 103(e)(4); 23 U.S.C. 142(a) and (c); and 49 CFR 1.50.

Subpart A—General

§ 605.1 Purpose.

(a) The purpose of this part is to prescribe policies and procedures to implement section 109(a) of the National Mass Transportation Assistance Act of 1974 (Pub. L. 93-503; November 26, 1974; 88 Stat. 1565). Section 109(a) adds a new section 3(g) to the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602(g)) and differs from section 164(b) of the Federal-Aid Highway Act of 1973 (23 U.S.C. 164(b)) in that section 3(g) applies to all grants for the construction or operation of mass transportation facilities and equipment under the Urban Mass Transportation Act, and is not limited to grants for the purchase of buses as is section 164(b).

(b) By the terms of section 3(g) no Federal financial assistance may be provided for the construction or operation of facilities and equipment for use in providing public mass transportation service to an applicant unless the applicant and the Administrator enter into an agreement that the applicant will not engage in school bus operations exclusively for the transportation of students and school personnel, in competition with private school bus operators.

§ 605.2 Scope.

These regulations apply to all recipients of Federal financial assistance for the construction or operation of facilities and equipment for use in providing mass transportation under: (a) The Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.); (b) 23 U.S.C. 142(a) and (c); and 23 U.S.C. 103(e)(4).

§ 605.3 Definitions.

(a) Except as otherwise provided, terms defined in the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1604, 1608) are used in this part as so defined.

(b) For purposes of this part—

"The Acts" means the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.); 23 U.S.C. 142(a) and (c); and 23 U.S.C. 103(e)(4).

"Administrator" means the Urban Mass Transportation Administrator or his designee.

"Agreement" means a contractual agreement required under section 3(g) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602(g)).

"Applicant" means applicant for assistance under the Acts.

"Assistance" means Federal financial assistance for the construction or operation of facilities and equipment for use in providing mass transportation services under the Acts.

"Grant contract" means the contract between the Government and the grantee which states the terms and conditions for assistance under the Acts.

"Certification of costs" means a statement certified to as true and accurate by a grantee's chief financial officer which indicates the elements of direct and indirect costs that are attributable to the provision of school bus operations, including appropriate attribution of depreciation on federally-funded equipment, and auxiliary functions necessary to sustain school bus operations. This statement shall give assurance that the revenues generated by the applicant's school bus operations are currently, and shall remain, equal to or greater than the cost of providing those operations on a system-wide basis. (For guidance on expenses which should, if applicable, be included in a certification of costs see Appendix B of this part).

"Cost allocation plan" means the documentation identifying, accumulating, and distributing costs attributable to school bus operations together with the allocation methods used.

"Government" means the Government of the United States of America.

"Grantee" means a recipient of assistance under the Acts.

"Incidental" means school bus operations which do not interfere with regularly scheduled service to the public (as defined in the Opinion of the Comptroller General of the United States, B-160204, December 7, 1966, which is attached as Appendix A of this part).

"School bus operations" means transportation by bus exclusively for students and school personnel.

"Urban area" means the entire area in which a local public body provides regularly scheduled mass transportation service. This includes all areas which are either: (a) Within an "urbanized area" as defined and fixed in accordance with [proposed] 23 CFR Part 470, Subpart B; or (b) within an "urban area" or other built-up place as determined by the Secretary under section 12(c)(4) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1608(c)(4)).

Subpart B—School Bus Agreements

§ 605.10 Purpose.

The purpose of this subpart is to formulate procedures for the development of an agreement concerning school bus operations.

§ 605.11 Notice.

(a) Each applicant who engages or wishes to engage in school bus operations

shall include the following in its application:

(1) A statement that it has provided written notice to all private providers of school bus operations operating in the applicant's urban area of its application for assistance and its proposed or existing school bus operations;

(2) A statement that it has published in a newspaper of general circulation in the geographic area to be served a notice of its application and its proposed or existing school bus operations;

(3) A certification of costs for the applicant's proposed or existing bus operations; and

(4) A cost allocation plan.

(b) The notice required by paragraphs (a)(1) and (a)(2) of this section shall include the following information:

(1) A statement that the applicant, or an operator of mass transportation equipment for the applicant, proposes to engage in school bus operations.

(2) A description of the area to be served by the applicant.

(3) An estimation of the number of each type of bus which will be employed on the proposed school bus operations, and the number of weekdays and weekends those buses will be available for school bus operations.

(4) A statement of the time, date, and place of public hearings required under section 3(d) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1603(d)), to be held on the application for assistance.

(5) A statement setting forth its reasons where the applicant feels it is exempt under § 605.17.

(c) Copies of the application for assistance and notice required by paragraph (a) of this section shall be available for inspection by any interested person during the regular business hours at the office of the applicant.

§ 605.12 Certification in lieu of notice.

If there are no private providers of school bus operations operating in the applicant's urban area, the applicant may so certify in its application in lieu of the requirements of § 605.11.

§ 605.13 Comments by private school bus operators.

Private school bus operators to whom notice is sent under this part may file written comments on an applicant's proposed or existing school bus operations at the time of the public hearing held pursuant to section 3(d) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602(d)). The comments of private school bus operators must be submitted by the applicant to the Administrator together with the transcript of this public hearing required pursuant to 49 U.S.C. 1602(d).

§ 605.14 Approval of school bus operations.

(a) The Administrator shall consider the comments filed by private school bus operators prior to making any findings regarding either the applicant's certification of costs, cost allocation plan or other aspects of its proposed or existing school bus operations.

(b) After a showing by the applicant that it has complied with the requirements of 49 U.S.C. 1602(d) and this subpart, the Administrator may accept the applicant's certification of costs and otherwise approve its cost allocation plan and school bus operations. Such acceptance and approval, however, is subject to audit and inspection which may be conducted at any time by the Government under § 605.52.

(c) If the Administrator finds that the applicant has not complied with the notice requirement of § 605.11 or otherwise finds that the applicant's certification of costs, cost allocation plan or proposed or existing school bus operations are unacceptable, he shall so notify the applicant in writing, stating the reasons for his findings.

(d) Within 30 days after receiving notice of adverse findings from the Administrator, an applicant may file written objections to the Adminstrator's findings or submit a revised certification of costs, a revised cost allocation plan or a revised proposal for its school bus operations. If an applicant revises its proposed or existing school bus operations, it shall mail a copy of these revisions to private school bus operators required to be notified under § 605.11.

(e) Private school bus operators who receive notice under paragraph (d) of this section may within 15 days of the receipt of notice file written comments on the proposed revisions with the Administrator. The Administrator shall consider these comments prior to his approval of a proposed revision by the applicant.

(f) Upon receipt of notice of acceptance of its certification of costs, cost allocation plan and approval of its school bus operations, the applicant may enter into an agreement with the Administrator under § 605.15.

§ 605.15 Agreement.

Except as provided in this part no assistance shall be provided under the Acts unless the applicant and the Administrator shall have first entered into a written agreement that the applicant will not engage in school bus operations exclusively for the transportation of students and school personnel in competition with private school bus operators.

§ 605.16 Contents of agreement.

(a) Every grantee to whom § 605.17 applies shall, as a condition of assistance, enter into a written agreement required by § 605.15 which contains the following provisions:

(1) The grantee agrees that neither it nor any operator of project equipment will engage in school bus operations except as provided herein.

(2) The grantee, or any operator of project equipment, agrees that revenues generated by its school bus operations are currently and shall remain equal to or greater than the cost of providing school bus operations on a systemwide basis consistent with its cost allocation plan.

(3) The grantee agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement or this Part 605 of the Urban Mass Transportation Administration regulations. Such practices include, but are not limited to, devices shifting costs to avoid restrictions imposed by this agreement, kickbacks, special arrangements, discounts, falsification of records or any actions designed to avoid the requirements of section 3(g) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602(g)).

(4) The grantee agrees that the project facilities and equipment shall be used for the provision of mass transportation services within its urban area and that any use of project facilities and equipment in school service will be incidental to and shall not interfere with the use of such facilities and equipment in mass transportation service to the public.

(5) In the event of a complaint by an interested party that school bus rates imposed by the grantee, or an operator of project equipment, will result in revenues from its school bus operations that are less than the cost of those operations on a system-wide basis, the Administrator shall investigate and shall determine whether a violation has occurred.

(6) The Administrator may prohibit disbursement of funds under the grant contract to the grantee or operator if he determines that there has been a violation of the terms of the agreement.

(b) Every grantee to whom § 605.17 does not apply shall, as a condition of assistance, enter into a written agreement required by § 605.15 which shall contain the following provisions:

(1) The grantee agrees that it will not engage in school bus operations.

(2) In the event of a complaint by an interested party, the Administrator shall investigate and shall determine whether a violation has occurred.

(3) The Administrator may prohibit disbursement of funds under the grant contract to the grantee or operator if he determines that there has been a violation of the agreement.

§ 605.17 Exemptions.

Agreements containing the provisions of § 605.16(b) shall not be required as follows:

(a) Where a grantee or applicant operates a school system in the area to be served and operates a separate and exclusive school bus program for its school system.

(b) Where private school bus operations are unable to provide adequate transportation, at a reasonable rate, and in conformance with applicable safety standards.

(C) To a state or local public body or agency thereof if it (or a direct predecessor in interest from which it acquired the function of so transporting schoolchildren and personnel along with facilities to be used therefor) was so engaged in school bus operations any time during the twelve-month period immediately prior to November 26, 1974.

Subpart C—Modification of Prior Agreements and Amendment of Application for Assistance

§ 605.20 Modification of prior agreements.

(a) Any grantee which, prior to the adoption of this part, entered into an agreement required by section 164(b) of the Federal-Aid Highway Act of 1973 (23 U.S.C. 164(b)), or section 3(g) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602(g)) not to engage in school bus operations, or an interim agreement under section 3(f) allowing school bus operations, shall seek modification of that agreement in accordance with paragraphs (b)–(d) of this section.

(b) The grantee shall develop a certification of costs for its school bus operations and send it with its proposed or existing school bus operations and cost allocation plan to private providers of school bus operations operating in the grantee's urban area.

(c) The grantee shall allow 30 days for persons receiving notice under this section to respond with written comments concerning its proposed or existing school bus operations.

(d) After receiving written comments, the grantee shall send his proposal with written comments thereon to the Administrator for his review under § 605.14.

§ 605.21 Amendment of applications for assistance.

Pending applications for assistance upon which public hearings have been held pursuant to section 3(d) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602(d)), and applications which have been approved by the Administrator but for which no Grant contract has been executed, shall be amended by the applicant to conform to this part by following the procedures of § 605.20(b)–(d). Any other pending application for assistance shall be amended by the applicant to comply with § 605.11.

Subpart D—Revision of Certification

§ 605.30 Revision of certification.

(a) Certification of costs filed under this part may be revised by a grantee or any operator of project equipment by filing proposed revisions, properly certified, with the Administrator. Proposed revisions shall become effective within 30 days after filing unless within that period the Administrator finds them to be unacceptable and so notifies the party filing the certification of costs.

(b) UMTA may require that certification of costs be revised using the procedures in paragraph (a) of this section where reports filed under § 605.50 show a gross revenue change of twenty-five percent or more from the average two preceding fiscal quarters.

Subpart E—Complaint Procedures and Remedies

§ 605.40 Filing a complaint.

Any interested party may file a complaint with the Administrator alleging a violation or violations of terms of an agreement entered into pursuant to § 605.15. A complaint shall be in writing, shall specify in detail the action claimed to violate the agreement, and shall be accompanied by evidence sufficient to enable the Administrator to make a preliminary determination as to whether probable cause exists to believe that a violation of the agreement has taken place.

§ 605.41 Notification to the respondent.

On receipt of any complaint under § 605.40, or on his own motion if at any time he shall have reason to believe that a violation may have occurred, the Administrator shall provide written notification to the grantee concerned (hereinafter called "the respondent") that a violation has probably occurred. The Administrator shall inform the respondent of the conduct which constitutes a probable violation of the agreement.

§ 605.42 Accumulation of evidentiary material.

The Administrator shall allow the respondent not less than 30 days to show cause, by submission of evidence, why no violation should be deemed to have occurred. A like period shall be allowed to the complainant, if any, during which he may submit evidence to rebut the evidence offered by the respondent. The Administrator may undertake such further investigation as he may deem necessary, including, in his discretion, the holding of an evidentiary hearing or hearings.

§ 605.43 Adjudication.

(a) After reviewing the results of such investigation, including hearing transcripts, if any, and all evidence submitted by the parties, the Administrator shall make a written determination as to whether the respondent has engaged in school bus operations in violation of the terms of the agreement.

(b) If the Administrator determines that there has been a violation of the agreement, he may order such remedial measures as he may deem appropriate.

(c) The determination by the Administrator shall include an analysis and explanation of his findings.

§ 605.44 Remedy where there has been a violation of the agreement.

If the Administrator determines, pursuant to this subpart, that there has been a violation of the terms of the agreement, he shall have the authority to bar a grantee or operator from the receipt of further financial assistance for mass transportation facilities and equipment.

§ 605.45 Judicial review.

The determination of the Administrator purusant to this subpart shall be final and conclusive on all parties, but shall be subject to judicial review pursuant to Title 5 U.S.C. 701–706.

Subpart F—Reporting and Records

§ 605.50 Reporting.

(a) Except as provided in paragraph (b) of this section each grantee which enters into an agreement shall at the time it makes request for payments under sections 105 of Part II and Part IIA of its grant contract, submit the following certified as true and accurate by its chief fiancial officers:

(1) Its total revenues from school bus operations; and

(2) Its total costs from those operations computed in accordance with its certification of costs filed with the Administrator pursuant to this part.

(b) *Waiver of quarterly reports.* Quarterly reports need not be submitted by grantees with annual revenues of less than $200,000 (two-hundred thousand dollars) from its charter bus operations in its most recently completed fiscal year. These grantees shall report on an annual basis.

§ 605.51 Additional reports and information.

The Administrator may order any grantee or operator for the grantee, to file special or separate reports setting forth information relating to any transportation service rendered by such grantee or operator, in addition to any other reports required by this part.

§ 605.52 Records.

(a) Each grantee subject to this part shall maintain such records as are sufficient to demonstrate that its charter rates are in compliance with the terms of its agreement.

(b) Records required to be maintained under paragraph (a) of this section shall be made available for audit and inspection at any time upon the request of an officer or employee of the Government.

(c) Upon the request of an authorized officer or employee of the Government any grantee which has filed a certification of cost pursuant to this part, shall:

(1) Specify the records that comply with paragraph (a) of this section; and

(2) Justify certification of cost.

(d) Each grantee required to maintain a record under this section shall preserve that record at least four years after the last day of the calendar year in which the record was made or events recorded in that record occurred, whichever is later.

APPENDIX A

COMPTROLLER GENERAL OF THE UNITED STATES

WASHINGTON, D.C., *December 7, 1966.*

DEAR MR. WILSON: The enclosure with your letter of October 4, 1966, concerns the legality of providing a grant under the Urban Mass Transportation Act of 1964 to the City of San Diego, (City), California. The problem involved arises in connection with the definition in subsection 9(d)(5) of the act, 49 U.S.C. 1608(d)(5), excluding charter or sightseeing service from the term "mass transportation."

It appears from the enclosure with your letter that the City originally included in its grant application a request for funds to purchase 8 buses designed for charter service. Subsequently the City amended its application by deleting a request for a portion of the funds attributable to the charter bus coaches. However, in addition to the 8 specially designed charter buses initially applied for, the City allegedly uses about 40 of its transit type buses to a substantial extent for charter-type services. In light of these factors surrounding the application by the City, the enclosure requests our opinion with regard to the legality of grants under the act

as it applies to certain matters (in effect questions), which are numbered and quoted below and answered in the order presented.

Number one: "The grant of funds to a City to purchase buses and equipment which are intended for substantial use in the general charter bus business as well as in the Mass Transportation type business."

The Urban Mass Transportation Act of 1964 does not authorize grants to assist in the purchase of buses or other equipment for any service other than urban mass transportation service. Section 3(a) of the act limits the range of eligible facilities and equipment to "* * * buses and other rolling stock, and other real or personal property needed for an efficient and coordinated mass transportation system." In turn, "mass transportation" is defined, in section 9(d)(5) of the act, specifically to exclude charter service. We are advised by the Department of Housing and Urban Development (HUD) that under these provisions, the Department has limited its grants to the purchase of buses of types suitable to meet the needs of the particular kind of urban mass transportation service proposed to be furnished by the applicant.

HUD further advises that: "One of the basic facts of urban mass transportation operations is that the need for rolling stock is far greater during the morning and evening rush hours on weekdays than at any other time. For that reason, any system which has sufficient rolling stock to meet the weekday rush-hour needs of its customers must have a substantial amount of equipment standing idle at other times, as well as drivers and other personnel being paid when there is little for them to do. To relieve this inefficient and uneconomical situation, quite a number of cities have offered incidental charter service using this idle equipment and personnel during the hours when the same are not needed for regularly scheduled runs. Among the cities so doing are Cleveland, Pittsburgh, Alameda, Tacoma, Detroit and Dallas.

"Such service contributes to the success of urban mass transportation operations by bringing in additional revenues and providing full employment to drivers and other employees. It may in some cases even reduce the need for Federal capital grant assistance.

"We do not consider that there is any violation of either the letter or the spirit of the Act as a result of such incidental use of buses in charter service. To guard against abuses, every capital facilities grant contract made by this Department contains the following provisions:

"'Sec. 4. *Use of Project Facilities and Equipment.* The Public Body agrees that the Project facilities and equipment will be used for the provision of mass transportation service within its urban area for the period of the useful life of such facilities and equipment * * * The Public Body further agrees that during the useful life of the Project facilities and equipment it will submit to HUD such financial statements and other data as may be deemed necessary to assure compliance with this section.'"

It is our view that grants may be made to a city under section 3(a) of the act to purchase buses needed by the city for an efficient and coordinated mass transportation system, even though the city may intend to use such buses for charter use when the buses are not needed on regularly scheduled runs (i.e. for mass transportation purposes) and would otherwise be idle.

Number two: "Whether a grant of such funds is proper if charter bus use is incidental to mass public transportation operations. If so, what is the definition of 'incidental use.'"

We are advised by HUD that under its legislative authority, it cannot and does not take charter service requirements into consideration in any way in evaluating the needs of a local mass transportation system for buses or other equipment.

HUD further advises that: "However, as indicated above, we are of the opinion that any lawful use of project equipment which does not detract from or interfere with the urban mass transportation service for which the equipment is needed would be deemed an incidental use of such equipment, and that such use of project equipment is entirely permissible under our legislation. What uses are in fact incidental, under this test, can be determined only on a case-by-case basis."

In view of what we stated above in answer to the first question, the first part of question two is answered in the affirmative.

As to the second part of the question, in "Security National Insurance Co. v. Sequoyah Marina," 246F.2d 830, "incident" is defined as meaning "that which appertains to something else which is primary." Thus, we cannot say HUD's definition of "incidental use" as set forth above is unreasonable. Under the act involved grants may be made to purchase buses only if the buses are needed for an efficient and coordinated mass transportation system. It would appear that if buses are purchased in order to meet this need, and are, in fact, used to meet such need, the use of such buses for charter service when not needed for mass transportation services would, in effect, be an "incidental use," insofar as pertinent here. In our opinion such incidental use would not violate the provisions of the 1964 act.

Number three: "The grant of funds for mass public transportation purposes to a City which has expressed an intent to engage in the general charter bus business."

"As explained above, the Act authorizes assistance only for facilities to be used in mass transportation service. We could not, therefore, assist San Diego in purchasing any equipment to be used 'exclusively' in the operation of charter bus service. Furthermore, as also explained above, assisted mass transportation equipment can be used only incidentally for such charter services.

"Whether equipment used 'substantially' in such service qualifies under this rule can be answered only in the light of the specifics of the San Diego situation. * * * we have already, during our preliminary review of the City's application, disallowed about $150,000 of the proposed project cost which was allocated to the purchase of eight charter-type buses.

"The final application of the City of San Diego is presently under active consideration by this Department. In particular, we have requested the City to furnish additional information as to the nature and extent of the proposed use, if any, of project facilities and equipment in charter service, so that we can further evaluate the application under the criteria above set forth. We have also requested similar information from Mr. Fredrick J. Ruane, who has filed a taxpayers' suit (Superior Court for San Diego County Civil No. 297329) against the City, contesting its authority to engage in charter bus operations."

As indicated above, it is clear that under the act in question grants may not legally be made to purchase buses to be used "exclusively" in the operation of charter bus service. However, in view of the purposes of the act involved it is our opinion that a city which has purchased with grant funds buses needed for an efficient mass transportation system, is not precluded by the act from using such buses for charter service during idle or off-peak periods when the buses are not needed for regularly scheduled runs. As indicated above, such a use would appear to be an incidental use.

The fourth question is answered accordingly.

As requested, the correspondence enclosed with your letter is returned herewith.

Sincerely yours,

FRANK H. WEITZEL,
Assistant Comptroller General of the United States.

APPENDIX B—FARE REPORTING SYSTEM

EXPENSE REPORTING

7.1 *List of Expense Object Classes**

501. Labor
  01. Operators' Salaries and Wages
  02. Other Salaries and Wages
502. Fringe Benefits
  01. FICA or Railroad Retirement
  02. Pension Plans (including long-term disability insurance)
  03. Hospital, Medical and Surgical Plans
  04. Dental Plans
  05. Life Insurance Plans
  06. Short-Term Disability Insurance Plans
  07. Unemployment Insurance
  08. Workmen's Compensation Insurance or Federal Employees Liability Act Contributions
  09. Sick Leave
  10. Holiday (including all premiums paid for on holidays)
  11. Vacation
  12. Other Paid Absence (bereavement pay, military pay, jury duty pay, etc.)
  13. Uniform and Work Clothing Allowances
  14. Other Fringe Benefits
  15. Distribution of Fringe Benefits
503. Services
  01. Management Service Fees
  02. Advertising Fees
  03. Professional and Technical Services
  04. Temporary Help
  05. Contract Maintenance Services
  06. Custodial Services
  07. Security Services
  08. Propulsion Power
  09. Utilities Other than Propulsion Power
  10. Dues and Subscriptions
  11. Travel and Meetings
  12. Bridge, Tunnel and Highway Tolls
  13. Other Services
504. Materials and supplies consumed
  01. Fuel and Lubricants
  02. Tires and Tubes
  03. Other Materials and Supplies
505. Casualty and liability costs
  01. Premiums for Physical Damage Insurance
  02. Recoveries of Physical Damage Losses
  03. Premiums for Public Liability and Property Damage Insurance
  04. Payouts for Uninsured Public Liability and Property Damage Settlements
  05. Provision for Uninsured Public Liability and Property Damage Settlements
  06. Payouts for Insured Public Liability and Property Damage Settlements
  07. Recoveries of Public Liability and and Property Damage Settlements

*This list of expense object classes is taken from chapter 7 of the "PROJECT FARE TASK IV REPORT," Report No. UMTA-IT-06-0034-73-6, Volume II, November, 1973. The list should be used for guidance in determining what expenses should, if applicable, be certified. For definitions of each of the listed expense object, see chapter 7 of the Report.

08. Premiums for Other Corporate Insurances
09. Other Corporate Losses
10. Recoveries of Other Corporate Losses
506 Leases and rentals
01. Transit Way and Transit Way Structures and Equipment
02. Passenger Stations
03. Passenger Parking Facilities
04. Passenger Revenue Vehicles
05. Service Vehicles
06. Operating Yards or Stations
07. Engine Houses, Car Shops and Garages
08. Power Generation and Distribution Facilities
09. Revenue Vehicle Movement Control Facilities
10. Data Processing Facilities
11. Revenue Collection and Processing Facilities
12. Other General Administration Facilities
507. Depreciation and amortization
01. Transit Way and Transit Way Structures and Equipment
02. Passenger Stations
03. Passenger Parking Facilities
04. Passenger Revenue Vehicles
05. Service Vehicles
06. Operating Yards or Stations
07. Engine Houses, Car Shops and Garages
08. Power Generation and Distribution Facilities
09. Revenue Vehicle Movement Control Facilities
10. Data Processing Facilities
11. Revenue Collection and Processing Facilities
12. Other General Administration Facilities
508. Property retirement write-offs
01. Property Retirement Write-Offs
509. Interest expense
01. Interest on Debt Obligations (net of interest capitalized)
510. Other taxes
01. Federal Income Tax
02. State Income Tax
03. Property Tax
04. Vehicle Licensing and Registration Fees
05. Fuel and Lubricant Taxes
06. Other Taxes
511. Expense transfers
01. Function Reclassifications
02. Expense Reclassifications
03. Capitalization of Nonoperating Costs
512. Subsidy payments
01. Purchased Transportation Service

[FR Doc.75-15436 Filed 6-12-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Urban Mass Transportation Administration

[Docket No. 75-02, Notice 1]

CHARTER AND SCHOOL BUS OPERATIONS

Interim Agreements

This notice is issued to provide guidance to those applicants with applications before the Urban Mass Transportation Administration ("UMTA") for federal financial assistance under section 3 or 5 of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.) (the "Act"); or before the Federal Highway Administration ("FHWA") under 23 U.S.C. 103(e) (4) or 142 (a) and (c) where such applications are approved by UMTA prior to the promulgation of final charter and school bus regulations.

UMTA is presently in the process of rulemaking and has issued for public comment its proposed rules for charter and school bus operations. These proposed rules may be found in this issue of the FEDERAL REGISTER 40 FR. The proposed rules will not become final until after many of the applications before UMTA for federal financial assistance are already approved. Many applicants will want to sign grant contracts as soon as UMTA approves their grants, but will not want to eliminate their charter or school bus operations pending the final promulgation of the proposed rules. For this reason the Administrator at his discretion will permit such applicants to engage in charter bus operations, under section 3(f) of the Act, or school bus operations to the extent permitted under section 3(g) of the Act, by entering into an interim agreement containing provisions consistent with those that would be required under the proposed rule. The applicant will therefore be required to certify that revenues generated from charter bus operations are equal to or greater than the costs of providing those services on a system-wide basis. All interim agreements entered into under this notice will be required to be revised in accordance with the provisions of the UMTA rules finally adopted on charter and school bus operations.

Interim agreements shall contain the following conditions:

1. The applicants must certify that the revenues generated by their charter bus operations are currently, and shall remain, equal to or greater than the cost of providing such services on a system-wide basis.

2. The applicants must prepare a summary of direct and indirect costs that are attributable to the provision of charter bus operations including appropriate attribution of depreciation on federally-financed equipment.

3. Affidavits and certifications prepared in paragraphs 1 and 2 above must be verified by the applicant's chief executive official or comptroller.

4. The applicant must agree to the provisions contained in the sample document entitled "Assurance of Compliance with section 3(f) and 3(g) of the Mass Transportation Act."

This notice contains samples of documents which may be used for general guidance in preparing an interim agreement. These sample documents are not intended to specify all of the items of cost which may be certified, neither do these sample documents provide the sole method of allocating such costs. A more complete listing of items of cost which should, if applicable, be certified may be found in Appendix B of the proposed rules. While the sample documents make use of the "dollar per hour" method of allocating costs, methods of cost allocation such as "per mile cost" and "percentage of total operation" are also acceptable methods.

Issued June 10, 1975.

FRANK C. HERRINGER,
Urban Mass Transportation Administrator.

AFFIDAVIT

_____ : ss

I, _____, depose and say:

1. I am the Comptroller of the _____ Transit Authority, and in that capacity am familiar with the tariff rates and costs of ____ regular route and charter operations.

2. The Tables attached hereto present the operating results, reduced to a per hour basis, of _____ contract charter services for the month of February, 1975. The dollar amounts contained therein were extracted from the official _____ accounting records after allocations of costs on the basis of miles and/or hours as applicable. The Tables were prepared under my direction.

3. Bus depreciation and operating taxes and licenses have been included as a cost for the purposes of comparison only. _____ is exempt from such taxes.

4. As shown in the Tables, _____ charter bus tariff rates currently are equivalent to or greater than the direct cost of providing charter service.

5. I consent and agree to an examination or audit of charter manifests to be conducted by representatives of the Urban Mass Transportation Administration in the event of a complaint by any interested party alleging that the charter rates charged by _____ do not comply with the above certifications.

6. The above information is true and correct to the best of my knowledge and belief.

_____

Attachments

Subscribed and sworn to before me this ____ day of _____, 1975.

[SEAL] _____
Notary Public

My Commission Expires: _____

CONTRACT CHARTER SERVICE

NET REVENUE DOLLAR PER HOUR

FEBRUARY 1975

Revenue	$19.5396
Costs:	
Direct and indirect expenses (per attached)	−17.5377
Net revenue	2.0019
Less dummy charges (per attached)	−1.6446
Reduced net revenue (for comparison purposes)	.3573

SUMMARY OF ACTUAL CONTRACT CHARTER COSTS ON A PER HOUR BASIS

FEBRUARY 1975

	Total cost per hour
Direct Expense:[1]	
Drivers' wages—charter contract	$6.8505
Servicing revenue vehicles (fuel, oil, labor)	1.3004
Inspection and maintenance—revenue vehicle	2.8358
Repairs—accident and vandalism	.0561
Total direct expense	11.0428
Indirect Expense:[1]	
Transportation administration	.2383
Revenue vehicle movement control	.2818
Maintenance administration—vehicles	.1042
Maintenance administration—other	.0122
Servicing and fuel-service equipment	.0160
Inspection and maintenance—service equipment	.0244
Maintenance—buildings and others	.2696
System security	.0573
Customer service, promotion, research and planning	.2771
Injuries and damages	.4780
Data processing	.0317
Finance and accounting	.1165
Purchasing and stores	.0783
General engineering	.0132
Office management and services	.0422
General management	.1277
Fringe benefits:	
PICA—social security	.5963
Pension	1.4436
Hospitalization	.6228
Unemployment insurance	.0075
Sick pay	.3156
Holiday pay	.5767
Vacation pay	.6181
Other paid absence	.0094
Uniform clothing allowance	.0339
Total indirect expense	6.4929
Total direct and indirect expense	$17.5357

as approved by transit industry. _____ is an _____ sponsored system and utilized by _____ in _____ operations.

SUMMARY OF DUMMY CONTRACT CHARTER COSTS ON A PER HOUR BASIS

FEBRUARY 1975

Depreciation	$1.0715
Taxes:	
License plates	.0329
Federal fuel tax	.1661
Fuel tax	.3741
Total dummy costs	1.6446

[1] Expense classifications are in accordance with classifications of *Task Four Project Fare*

ASSURANCE OF COMPLIANCE WITH SECTION 3 (f) AND 3(g) OF THE URBAN MASS TRANSPORTATION ACT

The recipient further agrees that upon the approval of the project _____ by the U.S. Department of Transportation, the recipient will enter into a contract with the Department which shall provide, *inter alia*, that:

A. The Public Body agrees that it will not engage in charter bus operations outside the urban area within which it provides regularly scheduled mass transportation service except in accordance with the provisions of this Section. These provisions are found to constitute fair and equitable arrangements, within the meaning of section 3(f) of the Urban Mass Transportation Act of 1964, as amended, to assure that the financial assistance granted by the Government under the Mass Transportation Capital Grant for Project _____ will not enable the Public Body, or any Lessee of project equipment from the Public Body, to foreclose private operators from the intercity charter bus industry where such private operators are willing and able to provide such service.

Accordingly, the Parties agree as follows:

1. The Public Body has furnished certifications from its Comptroller covering costs for the furnishing of charter services. Such certifications indicate the elements of direct and avoidable indirect costs that are attributable to the provision of charter service including appropriate attribution of depreciation on federally-financed equipment and give assurances that the revenues generated by the Public Body's charter bus business currently, and shall remain, equal to or greater than the cost of providing such charter service on a systemwide basis.

2. The Public Body agrees to permit representatives of the Urban Mass Transportation Administration to audit its charter manifests and other accounts in the event of a complaint by any interested party that the charter rates imposed by the Public Body do not comply with the above certification.

It is understood that this section may be amended, at the option of the Government, when UMTA promulgates regulations implementing section 3(f) of the Urban Mass Transportation Act of 1964, as amended, in order that this agreement may comply with such regulations.

B. The Public Body agrees that it, or the operator of Project equipment will not engage in school bus operations, exclusively for the transportation of students and school personnel, in competition with private school bus operators. It is understood that this subsection does not apply (1) to a Public Body which operates a separate and exclusive school bus operation for this school system, (2) where private school bus operators are unable to provide adequate transportation at reasonable rates, and in conformance with applicable safety standards, or (3) with respect to any State or local Public Body or agency thereof if it (or a direct predecessor in interest from which it acquired the function of so transporting schoolchildren and personnel along with the facilities to be used therefor) was so engaged in school bus operations anytime during the 12-month period immediately prior to the enactment of section 164(b) of the Federal-Aid Highway Act of 1973. Any change in the school bus operations by the Public Body or the operator, as set forth in the application, must be concurred in by UMTA.

C. A continuing pattern of violations of the terms of Section A may preclude the Public Body, or any Lessor of project equipment, from receiving any further Federal financial assistance under: (1) Subsection (a) or (c) of section 142, Title 23, United States Code; (2) paragraph (4) of subsection (c) of section 103, Title 23, United States Code; or (3) the Urban Mass Transportation Act of 1964, as amended. In addition, UMTA reserves the right to take such other action in the event of a violation as it may deem appropriate. This section may be amended, at the option of the Government, when UMTA promulgates regulations implementing section 3(f) of the Urban Mass Transportation Act of 1964, as amended, in order to make the enforcement provisions consistent with such regulations.

D. A violation of the terms of Section B shall bar the Public Body, or any Lessor of project equipment, from receiving any other Federal financial assistance under the provisions of law set out in Section C.

Date _____

By _____

[FR Doc.75-15435 Filed 6-12-75;8:45 am]

federal register

FRIDAY, JUNE 13, 1975

WASHINGTON, D.C.

Volume 40 ■ Number 115

PART IV

DEPARTMENT OF LABOR

Employment Standards Administration

■

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 12-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the Federal Register without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and supersedeas decisions to general wage determination decisions. Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decision.

MODIFICATIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State.

Arkansas:	
AR75-4058	Feb. 28, 1975.
AR75-4073	Apr. 4, 1975.
AR75-4082	Apr. 18, 1975.
AR75-4083	Apr. 25, 1975.
AR75-4084	May 2, 1975.
Connecticut:	
CT75-2065	Apr. 25, 1975.
Indiana:	
IN75-2018 5675-2020; IN75-2025; IN75-2026; IN75-2029.	Jan. 31, 1975.
IN75-2017; IN75-2019; IN75-2024; IN75-2028; IN75-2030.	Feb. 7, 1975.
IN75-2045; IN75-2046	Feb. 21, 1975.
IN75-2085	May 9, 1975.
Iowa:	
IA75-4034; IA75-4035; IA75-4041; IA75-4044; IA75-4046.	Jan. 31, 1975.
IA75-4074	Apr. 4, 1975.
Florida:	
FL75-1009	Jan. 24, 1975.
FL75-1024	Feb. 21, 1975.
FL75-1034	Mar. 21, 1975.
FL75-1033; FL75-1040	Mar. 28, 1975.
Georgia:	
AR-4064	Dec. 6, 1974.
Kentucky:	
AR-4034	Sept. 13, 1974.
Louisiana:	
LA75-4100	May 23, 1975.
Nevada:	
NV75-5057	May 9, 1975.
New Mexico:	
NM75-4079	Apr. 18, 1975.
New York:	
NY75-3042	Apr. 11, 1975.
Ohio:	
OH75-2056	Apr. 4, 1975.
Oklahoma:	
AR-80	Nov. 22, 1974.
AR-85	Dec. 6, 1974.
OK75-4050	Feb. 7, 1975.
Pennsylvania:	
AR-2002; AR-2003; AR-2004; AR-2005; AR-2006.	July 12, 1974.
AR-2028	Sept. 20, 1974.
AR-2099	Dec. 27, 1974.
PA75-3011	Jan. 31, 1975.
PA75-3015	Feb. 14, 1975.
PA75-3019	Feb. 28, 1975.
PA75-3025	Mar. 21, 1975.
South Carolina:	
SC75-1055	May 23, 1975
Texas:	
TX75-4012	Jan. 17, 1975
TX75-4090; TX75-4096	May 16, 1975
TX75-4101; TX75-4105; TX75-4107	May 23, 1975
Virginia:	
MD75-3003	Jan. 3, 1975
Washington:	
WA75-5064	May 30, 1975
Washington, D.C.:	
DC75-3002	Jan. 3, 1975

SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State. Supersedeas Decision numbers are in parentheses following the numbers of the decisions being superseded.

California:	
CA75-5020 (CA75-5071); CA75-5021 (CA75-5072)	Apr. 4, 1975
CO75-5046 (CO75-5069); CO75-5047 (CO75-5066); CO75-5048 (CO 75-5068); CO75-5049 (CO75-5065); CO75-5050 (CO75-5067)	Apr. 11, 1975
Illinois:	
ARX3056 (IL75-2079); AR-3057 (IL75-2080); ARX3058 (IL75-2081)	Aug. 2, 1974
Nebraska:	
AR-59(NE75-4112)	Feb. 28, 1975
AR-94(NE75-4111)	Dec. 27, 1974
NE75-4055(NE75-4111)	Oct. 11, 1974
Pennsylvania:	
AR-2092(PA75-3056)	Nov. 29, 1974
Tennessee:	
AR-4062(TN75-1059)	Dec. 6, 1974
	Jan. 17, 1975
TN75-1006(TN75-1058)	Apr. 25, 1975

MODIFICATIONS P. 1

DECISION NO. AR75-4058 - Mod. 05
(40 FR 8704 - February 28, 1975)
Pulaski County, Arkansas

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Asbestos workers	$8.95	.25	.30		.02
Bricklayers, Stonemasons	7.55	.30	.25		.02
Elevator Constructors	7.22	.445	.29	3%+a+b	.02
Plumbers & Pipefitters:					
Within 10 mile radius of Pulaski County Courthouse	8.50	.30	.55		.02
Over 10 miles from Pulaski County Courthouse	8.80	.30	.55		.02

DECISION NO. AR75-4082 - Mod. 01
(40 FR 17452 - April 18, 1975)
Sebastian & Crawford Counties, Arkansas

Change:					
Bricklayers - Stonemasons	$7.55	.30	.25		.02
Elevator Constructors	7.22	.445	.29	3%+a+b	.02

DECISION NO. AR75-4073 - Mod. 02
(40 FR 15287 - April 4, 1975)
Union & Quachita Counties, Arkansas

Change:					
Asbestos workers	$8.95	.25	.30		.02
Bricklayers	7.55	.30	.25		.02

MODIFICATIONS P. 2

DECISION NO. AR75-4083 - Mod. 01
(40 FR 18271 - April 25, 1975)
Garland & Hot Springs Counties, Arkansas.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Asbestos workers	$8.95	.25	.30		.02
Bricklayers	7.55	.30	.25		.02
Elevator constructors	7.22	.445	.29	3%+a+b	.02
Plumbers & Steamfitters	8.20	.35	.20		.10
Add:					
Painters:					
Brush & Roller	5.50				
Paperhanging	5.75				
Sheet rock (tape & float only); Stage and steel	5.75				
Spray and sandblasting	6.00				
Painters operating any kind of taping or floating machine	7.50				

DECISION NO. AR75-4084 - Mod. 01
(40 FR 19321 - May 2, 1975)
Conway, Faulkner & Perry Counties, Arkansas.

Change:					
Asbestos workers	$8.95	.25	.30		.02
Bricklayers & Stonemasons	7.55	.30	.25		.02
Elevator constructors	7.22	.445	.29	3%+a+b	.02
Plumbers & Pipefitters:					
Within 10 mile radius of Pulaski County Courthouse	8.50	.30	.55		.02
Over 10 mile from Pulaski County	8.80	.30	.55		.02

DECISION NO. CT75-2065 - Mod. #2
(40 FR 18288 - April 25, 1975)
Fairfield, Litchfield, New London, & Windham Counties, Connecticut

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Carpenters:					
Fairfield County: Bethel, Brookfield, Danbury, Darien New Canaan, New Fairfield, Newtown, Redding, Ridgefield, Sherman, Stamford, & Wilton					
Litchfield County: Barkhamsted, Bethlehem, Bridgewater, Canaan, Colebrook, Cornwall, Goshen, Kent, Litchfield; Morris, New Hartford, New Milford, Norfolk, Norwalk, Roxbury, Salisbury, Sharon, Torrington, Warren, Washington, Winchester, & Woodbury	$9.25	.50	.40	.25	.05

DECISION NO. IN75-2017 - Mod. #3
(40 FR 6024 - February 7, 1975)
Allen County, Indiana

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Cement masons	$8.30	.40			
Glaziers	8.23	g		.25+h	.04
Add:					
Footnotes:					

g. When an employee has been employed by an employer for 6 continuous months, the employer will contribute $5.00 per week toward his Hospital/Medical premiums if the employer does not have a preestablished Hospital/Medical plan. If an employee has met the 6 month qualification and is off work for any reason for over 30 continuous calendar days, the employer will not make the above $5.00 weekly contribution to the employee until the employee returns to work on a regular basis.

h. 6 paid holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; & Christmas Day provided such employees work the last scheduled day prior to and the next scheduled work day after the holiday unless permission for not working on such days is granted by the employer.

DECISION NO. IN75-2018 - Mod. #3
(40 FR 4809 - January 31, 1975)
Bartholomew County, Indiana

Change:				
Truck drivers:				
Group 1	7.45	12.50a	12.00a	b
Group 2	7.50	12.50a	12.00a	b
Group 3	7.55	12.50a	12.00a	b
Group 4	7.60	12.50a	12.00a	b
Group 5	7.65	12.50a	12.00a	b
Group 6	7.70	12.50a	12.00a	b
Group 7	7.80	12.50a	12.00a	b
Group 8	7.85	12.50a	12.00a	b
Group 9	7.90	12.50a	12.00a	b
Group 10	7.95	12.50a	12.00a	b
Group 11	8.10	12.50a	12.00a	b

MODIFICATIONS P. 5

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION NO. IN75-2019 - Mod. #3 (40 FR 6027 - February 7, 1975) Benton & Tippecanoe Counties, Indiana					
Change:					
Plasterers	$8.48	.40			
DECISION NO. IN75-2020 - Mod. #3 (40 FR 4812 - January 31, 1975) Dearborn County, Indiana					
Change:					
Truck drivers:					
Group 1	7.45	12.50a	12.00a	b	
Group 2	7.50	12.50a	12.00a	b	
Group 3	7.55	12.50a	12.00a	b	
Group 4	7.60	12.50a	12.00a	b	
Group 5	7.65	12.50a	12.00a	b	
Group 6	7.70	12.50a	12.00a	b	
Group 7	7.80	12.50a	12.00a	b	
Group 8	7.85	12.50a	12.00a	b	
Group 9	7.90	12.50a	12.00a	b	
Group 10	7.95	12.50a	12.00a	b	
Group 11	8.10	12.50a	12.00a	b	
DECISION NO. IN75-2024 - Mod. #3 (40 FR 6039 - February 7, 1975) LaPorte County, Indiana					
Change:					
Plumbers & Steamfitters:					
LaPorte City	9.60	.38	.40		.10
DECISION NO. IN75-2025 - Mod. #3 (40 FR 4815 - January 31, 1975) Marion County, Indiana					
Change:					
Truck drivers:					
Up to & incl. 3 tons & helpers	7.325	a	a	f	
Over 3 tons; semi-trailers; tandem (double bottom), winch trucks when used with winch	7.475	a	a	f	

MODIFICATIONS P. 6

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION NO. IN75-2025 (Cont'd)					
Change:					
Truck drivers (cont'd):					
Truck mechanics	$7.40	a	a	f	
Footnote:					
a. $19.50 per week per employee					
DECISION NO. IN75-2026 - Mod. #3 (40 FR 4817 - January 31, 1975) Monroe County, Indiana					
Change:					
Truck drivers:					
Group 1	7.45	12.50a	12.00a	b	
Group 2	7.50	12.50a	12.00a	b	
Group 3	7.55	12.50a	12.00a	b	
Group 4	7.60	12.50a	12.00a	b	
Group 5	7.65	12.50a	12.00a	b	
Group 6	7.70	12.50a	12.00a	b	
Group 7	7.80	12.50a	12.00a	b	
Group 8	7.85	12.50a	12.00a	b	
Group 9	7.90	12.50a	12.00a	b	
Group 10	7.95	12.50a	12.00a	b	
Group 11	8.10	12.50a	12.00a	b	
DECISION NO. IN75-2028 - Mod. #3 (40 FR 6049 - February 7, 1975) St. Joseph County, Indiana					
Change:					
Plumbers & Steamfitters	9.60	.38	40		.10
DECISION NO. IN75-2029 - Mod. #3 (40 FR 4820 - January 31, 1975) Vanderburgh County, Indiana					
Change:					
Carpenters:					
Carpenters & Soft floor layers	8.85	.40	.35		
Millwrights & Piledrivermen	9.10	.40	.35		
Plumbers & Steamfitters	10.73	.40	.60	10%	.04

MODIFICATIONS P. 7

DECISION NO. IN75-2030 - Mod. #3
(40 FR 6053 - February 7, 1975)
Vigo County, Indiana

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Cement masons	$8.00	.45	.25		
Plumbers & Steamfitters	10.30	.40	.75		.10

DECISION NO. IN75-2045 - Mod. #2
(40 FR 7828 - February 21, 1975)
Delaware County, Indiana

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Carpenters:					
Carpenters & Soft floor layers	8.35	.40	.25		.05
Millwrights	8.65	.40	.25		.05
Piledrivermen	8.55	.40	.25		.05
Truck drivers:					
Group 1	7.45	12.50a	12.00a	b	
Group 2	7.50	12.50a	12.00a	b	
Group 3	7.55	12.50a	12.00a	b	
Group 4	7.60	12.50a	12.00a	b	
Group 5	7.65	12.50a	12.00a	b	
Group 6	7.70	12.50a	12.00a	b	
Group 7	7 80	12.50a	12.00a	b	
Group 8	7.85	12.50a	12.00a	b	
Group 9	7.90	12.50a	12.00a	b	
Group 10	7.95	12.50a	12.00a	b	
Group 11	8.10	12.50a	12.00a	b	

DECISION NO. IN75-2085 - Mod. #1
(40 FR 20563 - May 9, 1975)
Grant County, Indiana

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Glaziers	8.23	d		.25+e	.04
Truck drivers:					
Group 1	7.45	12.50a	12.00a	b	
Group 2	7.50	12.50a	12.00a	b	
Group 3	7.55	12.50a	12.00a	b	
Group 4	7.60	12.50a	12.00a	b	
Group 5	7.65	12.50a	12.00a	b	

MODIFICATIONS P. 8

DECISION NO. IN75-2085 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Truck drivers (Cont'd):					
Group 6	$7.70	12.50a	12.00a	b	
Group 7	7.80	12.50a	12.00a	b	
Group 8	7.85	12.50a	12 00a	b	
Group 9	7.90	12.50a	12.00a	b	
Group 10	7.95	12.50a	12.00a	b	
Group 11	8.10	12.50a	12.00a	b	

Add:
Footnotes:

d. When an employee has been employed by an employer for 6 continuous months, the employer will contribute $5.00 per week toward his Hospital/Medical premiums if the employer does not have a preestablished Hospital/Medical plan. If an employee has met the 6 month qualification and is off work for any reason for over 30 continuous calendar days, the employer will not make the above $5.00 weekly contribution to the employee until the employee returns to work on a regular basis.

e. 6 paid holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; & Christmas Day provided such employees work the last scheduled day prior to and the next scheduled work day after the holiday unless permission for not working on such days is granted by the employer.

DECISION NO. IN75-2046 - Mod. #2
(40 FR 7831 - February 21, 1975)
Bartholomew, Boone, Brown, Clark, Clay, Crawford, Daviess Dearborn, Decatur, DuBois, Floyd, Fountain, Franklin, Gibson, Greene, Harrison, Hendricks, Jackson, Jefferson, Jennings, Knox, Lawrence, Martin, Monroe, Montgomery, Morgan, Ohio, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Ripley, Scott, Spencer Sullivan, Switzerland, Vanderburgh, Vermillion, Vigo, Warren, Warrick, & Washington Counties, Indiana

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Cement masons:					
Vermillion, Vigo, Clay, Parke, Putnam and the extreme Western Part of Owen	$8.00	.45	.25		
Line Construction:					
(Fountain, Warren and Vermillion Counties)					
Linemen - Groundman equipment operator (all crawler type equipment larger than D-4)	$9.57	.30	1%+.30		½ of 1%
Groundman - truck driver with winch	7.87	.30	1%+.30		½ of 1%
Groundman - truck driver without winch	7.36	.30	1%+.30		½ of 1%
Groundman	7.00	.30	1%+.30		½ of 1%

DECISION #IA75-4034--MOD. #5
(40-FR-4823--January 31, 1975)
Black Hawk County (City of Waterloo and abutting municipalities), Iowa

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CHANGE:					
Building Construction:					
Carpenters:					
Carpenters;Piledrivermen	$7.78	.38	.75		.02
Millwrights	8.18	.38	.75		.02

DECISION #IA75-4035--MOD. #3
(40-FR-4826--January 31, 1975)
Cerro Gordo County (City of Mason City), Iowa

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CHANGE:					
Building Construction:					
Asbestos Workers	$9.68	.58	.605		

DECISION #IA75-4041--MOD. #5
(40-FR-4841--January 31, 1975)
Polk County, Iowa

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CHANGE:					
Building Construction:					
Asbestos Workers	$9.68	.58	.605		
Bricklayers;Stonemasons	9.80	.35	.45		.02
Marble, Terrazzo, Tile Setters	9.595				

DECISION #IA75-4044--MOD. #3
(40-FR-4848--January 31, 1975)
Story County (City of Ames & abutting municipalities), Iowa

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CHANGE:					
Building Construction:					
Asbestos Workers	$9.68	.58	.605		

MODIFICATIONS P. 11

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #IA75-4074--MOD. #2 (40-FR-15295--April 4, 1975) Webster County (City of Fort Dodge), Iowa					
CHANGE:					
Building Construction:					
Asbestos Workers	$9.68	.58	.605		
DECISION #IA75-4046--MOD. #4 (40-FR-4852--January 31, 1975) Woodbury County (City of Sioux City and abutting municipalities), Iowa					
CHANGE:					
Building Construction:					
Ironworkers: Ornamental;Reinforcing;Structural	$8.785	.30	.25		.01
DECISION # FL75-1009 - Mod. #2 (40 FR 3882 - January 24, 1975) Orange County, Florida					
Change:					
Ironworkers:					
Structural & ornamental	8.13	.50	.33	.58	.05
Reinforcing	8.13	.50	.33	.58	.05
DECISION # FL75-1024 - Mod. #3 (40 FR-7801 - February 21, 1975) Escambia, Okaloosa, Santa Rosa and Walton Counties, Florida					
Change:					
Ironworkers:					
Structural and ornamental	8.77	.30	.35		.05
Reinforcing	8.77	.30	.35		.05

MODIFICATIONS P. 12

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #FL75-1033 - Mod. #2 (40 FR-14219 - March 28, 1975) Martin and Palm Beach Counties, Florida.					
Change:					
Ironworkers:					
Structural and ornamental	9.65	.45	.38	.50	.10
Reinforcing	9.65	.45	.38	.50	.10
DECISION # FL75-1034 Mod. #2 (40 FR 12970 - March 21, 1975) Pinellas County, Florida					
Change:					
Carpenters & Soft floor layers	8.315	.325	.25		.04
Millwrights	8.37	.45	.45		.04
Pilodrivermen	8.565	.325	.25		.04
Laborers:					
Common laborers	6.15	.30	.20		
Air tool Op. (jackhammer, vib)	6.30	.30	.20		
Mason tenders & Mortar mixers	6.30	.30	.20		
Pipelayers (concrete & clay)	6.30	.30	.20		
Plasterers' tenders	6.30	.30	.20		
Plasterers	8.36	.30	.50		.05
Plumbers & Steamfitters	9.13	.30	.70		.05
Sheet metal workers	8.71	.43	.35		.04
POWER EQUIPMENT OPERATORS:					
Group I	10.14	.375	.35		.05
Group II	9.155	.375	.35		.05
Group III	9.39	.375	.35		.05
Group IV	8.935	.375	.35		.05
Group V	7.125	.375	.35		.05
Group VI	7.385	.375	.35		.05
Group VII	6.895	.375	.35		.05

MODIFICATIONS P. 13

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION # FL75-1040 - Mod. #1 (40 FR-14223 - March 28, 1975) *Volusia County - (except Cape Kennedy, Kennedy Space Flight Center and Patrick Air Force Base only and including Melabar Radar Site), Florida					
Change:					
Sheet metal workers	8.44	.30	.30	.50	.04
Omit:					
Electricians	7.95	.30	1%		.5%
Cable splicers	8.20	.30	1%		.5%
Add:					
Electricians (except portion south of a line starting at a point on the Volusia-Lake County line west of Orange City and running east of this point to Orange City then southeast throught Oak Hill to the Atlantic Ocean):					
Electricians	8.28	.25	1%+.44		1%
Cable splicers	8.42	.25	1%+.44		1%
Electricians (Remaining portion of County):					
Electricians	8.65	.30	1%		.5%
Cable splicers	9.15	.30	1%		.5%

MODIFICATIONS P. 14

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION # AR-4064 - Mod. #2 (39 FR 42817 - December 6, 1974) Chatham County, Georgia					
Change:					
Asbestos workers	7.89	.35	.40		
Glaziers	6.35				
Painters:					
Brush	6.35				
Rollers	6.35				
Steel brush	6.85				
Tapers	6.60				
Stage work and window jack work	6.85				
Paperhangers	6.60				
Paint burners	6.60				
Spray painting and sandblasting	7.10				
DECISION # AR-4034 - Mod. #2 (39 FR 33158 - September 13, 1974) Boone, Campbell, Kenton and Pendleton Counties, Kentucky					
Change:					
Asbestos workers	10.91	.45	.85		.02
Boilermakers	10.25	.60	.80	.55	.01
Cement masons	10.395	.45	.60		.12
Electricians	10.80	.60	1%+.30		½ of 1%
Lathers	11.145		.25		.025
Pipefitters	10.80	.70	.975		.06
Plasterers	10.995		.45		.05
Plumbers & gas fitters	10.92	.65	.90		.05
Sheet metal workers	10.435	.76	.70		.02

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION ØIA75-4100 - Mod. Ø1 (40 FR 22745 - May 23, 1975) Statewide Louisiana					
Change:					
Ironworkers (Building Construction):					
Zone 2	$8.64	.30	.35		.015
Zone 4	8.50	.30	.35		.04
Laborers (Building Construction):					
Zone 3:					
Group 1	5.83	.15	.10		
Group 2	5.93	.15	.10		
Group 3	5.98	.15	.10		
Group 4	6.79	.15	.10		
Group 5	6.35	.15	.10		
Group 6	6.09	.15	.10		
Group 7	5.88	.15	.10		
Plumbers & Pipefitters:					
Zone 2	8.70	.465	.575		.035
DECISION NO. NV75-5057 - Mod. Ø1 (40 FR 20602 - May 9, 1975) Nevada Test Site Including Tonopah Test Range in Clark and Nye Counties, Nevada					
Change:					
Ironworkers:					
Reinforcing	$ 9.78	.88	1.375	1.03	.03
Ornamental; Structural	9.78	.88	1.375	1.03	.03
Power Equipment Operators: (Except Piledriving & Steel Erection)					
Group 7-A	7.22	.75	1.50	.30	
Group 7-B	7.11	.75	1.50	.30	
Group 7-C	6.87	.75	1.50	.30	

DECISION NO. NM75-4079 - Mod. Ø3 (40 FR 17517 - April 18, 1975) Statewide, New Mexico

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
OMIT:					
ELECTRICIANS' ZONE IV DEFINITION CABLE SPLICERS' ZONE III DEFINITION					
ELECTRICIANS:					
ZONE I					
Zone I-A	$8.40	.30	1%+.70		½%
Zone I-B	8.99	.30	1%+.70		½%
Zone I-C	9.49	.30	1%+.70		½%
Zone I-D	10.08	.30	1%+.70		½%
ZONE IV					
Zone 4-A	7.30		1%		1/10%
Zone 4-B	7.55		1%		1/10%
Zone 4-C	7.70		1%		1/10%
CABLE SPLICERS:					
ZONE I					
Zone I-A	9.24	.30	1%+.70		½%
Zone I-B	9.83	.30	1%+.70		½%
Zone I-C	10.33	.30	1%+.70		½%
Zone I-D	10.92	.30	1%+.70		½%
ZONE III					
Zone 3-A	7.65		1%		1/10%
Zone 3-B	7.90		1%		1/10%
Zone 3-C	8.05		1%		1/10%
CHANGE:					
ZONE I ELECTRICIANS' AND CABLE SPLICERS' DEFINITIONS TO READ:					
AREA 1					
Bernalillo, Santa Fe, Torrance, DeBaca, Guadalupe, Quay, San Miguel, Mora, Harding, Union, Colfax, Taos, Rio Arriba, Grant, Sandoval, Valencia, Socorro, Catron, Sierra and all of San Juan County excluding the Navajo Indian Reservation					
AREA 2					
Chaves, Curry, Lincoln and Roosevelt Counties					

MODIFICATIONS P. 17

DECISION NO. NM75-4079

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CHANGE CONTD:					
Electricians-Cable splicers - From nearest basing point cities, towns and mileage from main post office in the following towns:					
Albuquerque-15 miles from main post office					
Santa Fe-15 miles from main post office					
Las Vegas-8 miles from main post office					
Farmington-8 miles from main post office					
Raton-6 miles from main post office					
Tucumari-6 miles from main post office					
Aztec-6 miles from main post office					
Roswell-12 miles from main post office					
Ruidoso-12 miles from main post office					
Portales-12 miles from main post office					
Carrizozo-12 miles from main post office					
Clovis-12 miles from main post office					
Zone II - Electricians	$10.51	.30	1%+.70		½%
Zone II - Cable splicers	11.44	.30	1%+.70		½%
ZONE VI - ELECTRICIANS					
Zone 6-A	9.15	.30	1%		½%
Zone 6-B	9.79	.30	1%		½%
Zone 6-C	10.34	.30	1%		½%
Zone 6-D	10.98	.30	1%		½%
ZONE V CABLE SPLICERS					
Zone 5-A	10.07	.30	1%		½%
Zone 5-B	10.71	.30	1%		½%
Zone 5-C	11.26	.30	1%		½%
Zone 5-D	11.90	.30	1%		½%

MODIFICATIONS P. 18

DECISION NO. NM75-4079

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CHANGE CONTD:					
IRONWORKERS:					
Zone II	$8.64	.55	.60		.10
Zone III	9.23	.55	.60		.10
ADD:					
ELECTRICIANS (ZONE I)					
AREA-I					
I-A	9.30	.30	1%+.70		½%
I-B	9.95	.30	1%+.70		½%
I-C	10.51	.30	1%+.70		½%
I-D	11.16	.30	1%+.70		½%
AREA-2					
2-A	8.50	.30	1%+.70		½%
2-B	9.10	.30	1%+.70		½%
2-C	9.61	.30	1%+.70		½%
2-D	10.20	.30	1%+.70		½%
CABLE SPLICERS (ZONE I)					
AREA-I					
I-A	10.23	.30	1%+.70		½%
I-B	10.88	.30	1%+.70		½%
I-C	11.44	.30	1%+.70		½%
I-D	12.09	.30	1%+.70		½%
AREA-2					
2-A	9.35	.30	1%+.70		½%
2-B	9.95	.30	1%+.70		½%
2-C	10.46	.30	1%+.70		½%
2-D	11.05	.30	1%+.70		½%
DECISION NO. NY75-3042 - Mod. #1 (40 FR 16599 - April 11, 1975) Orange County, New York					
Change:					
Roofers:					
Pitch	$12.06	9%	4%+.86		
Composition & shingle	9.60	9%	4%+.86		
Asbestos, slate & tile	9.85	9%	4%+.86		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #OH75-2056 - Mod. #2 (40 FR 15301 - April 4, 1975) Statewide, Ohio					
Change:					
Laborers: (Heavy & Highway) Zone 2 Group V	$ 7.78	.50	.30		.02
DECISION NO. AR-80 - Mod. #5 (39 FR 41107 - November 22, 1974) Comanche County, Oklahoma					
Change:					
Elevator Constructors	$8.325	.445	.29	2½%+a+b	.02
Elevator constructors helpers	70%JR	.445	.29	2½%+a+b	.02
Truck Drivers:					
Group I	6.52				
Group II	6.52				
Group III	6.22				
Soft Floor layers:					
Resilient floor layers and Carpet layers	8.15	.45			
DECISION NO. AR-85 - Mod. #5 (39 FR 42801 - December 6, 1974) Garfield County, Oklahoma					
Change:					
Elevator Constructors	$8.325	.445	.29	2½%+a+b	.02
Elevator Constructors helpers	70%JR	.445	.29	2½%+a+b	.02
Soft Floor layers (Resilient floor layers & Carpet layers)	8.15	.45			
Truck Drivers:					
Group I	6.52				
Group II	6.52				
Group III	6.22				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION NO. OK75-4050 - Mod. #4 (40 FR 6115 - February 7, 1975) Tulsa & Creek Counties, Oklahoma					
Change:					
Elevator Constructors	$8.25	.445	.29	3%+a+b	.02
Painters:					
Brush	7.50		.25	.85	.02
High work & Stage	7.90		.25	.85	.02
Spray & sandblasting	8.15		.25	.85	.02
Hot or bituminous	8.80		.25	.85	.02
Sheetrock hand tools	7.50		.25	.85	.02
Sheetrock power tools	7.85		.25	.85	.02
Hazardous work	9.70		.25	.85	.02
Terrazzo workers	8.17		.10		
Terrazzo workers' & Tile layers helpers	6.81				
Terrazzo workers Helper floor machine operator	6.91				
Terrazzo workers helper base machine operator	7.11				
Tile setters	8.17		.10		

MODIFICATIONS P. 21

DECISION ØAR-2002 - Mod. Ø6
(39 FR 25892 - July 12, 1974)
Delaware County, Pennsylvania

Change:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Building Construction					
Laborers					
Stripping and dismantling concrete form work, loading, unloading, carrying and handling of all reinforced steel and steel mesh, handling lumber and other building materials, operating jackhammers, paving breakers and all other pneumatic tools building scaffolds, raking, shoveling and tamping of asphalt, spading and concrete pit work, grading, form pinning, shoring, demolition except burners, laying conduits and ducts, sheathing, lagging, laying non-metallic pipe and caulking, all other types of Laborers	$7.65	.75	.45		
Mason tender, power buggies, burners on demolition	7.75	.75	.45		
Wagon drill operator (single)	7.80	.75	.45		
Powdermen, wagon drill operator (multiple)	7.95	.75	.45		
Circular Caissons Excavation:					
Caisson groundmen	7.95	.75	.45		
Caisson bottom man	8.05	.75	.45		
Underpinning Excavation:					
Laborers, working at depth of 8 feet or under	7.95	.75	.45		
Yard workers	7.59	.75	.45		
Steamfitters	11.22	.57	.92		.10

MODIFICATIONS P. 22

DECISION NO. AR-2003 - Mod. Ø6
(39 FR 25895 - July 12, 1974)
Chester County, Pennsylvania

Change:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers:					
Stripping & dismantling concrete form work, loading, unloading, carrying & handling of all reinforced steel & steel mesh, handling lumber and other building materials, operating jackhammers, paving breakers & all other pneumatic tools, building scaffolds, raking, shoveling & tamping of asphalt, spading & concrete pit work, grading, form pinning, shoring, demolition except burners, laying conduits and ducts, sheathing, lagging, laying non-metallic pipe & caulking, all other types of Laborers	$7.65	.75	.45		
Mason tender, power buggies, burners on demolition	7.75	.75	.45		
Wagon drill operator (single)	7.80	.75	.45		
Powdermen, wagon drill operator (multiple)	7.95	.75	.45		
Circular Caissons Excavation:					
Caisson groundmen	7.95	.75	.45		
Caisson bottom man	8.05	.75	.45		
Underpinning Excavation:					
Laborers, working at depth of 8 feet or under	7.95	.75	.45		
Yard workers	7.59	.75	.45		
Plumbers & Steamfitters:					
Tedyffrin, E. Whitland, W. Whiteland, Easttown, Willistown, E. Goshen, W. Goshen, W. Chester, E. Bradford, Westtown, Birmingham, Twps. & Thornburg City	11.22	.57	.92		.10

MODIFICATIONS P. 23

DECISION NO. AR-2004 - Mod. #7
(39 FR 25899 - July 12, 1974)
Montgomery County, Pennsylvania

Change:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers:					
Stripping & dismantling concrete form work, loading, unloading, carrying & handling of all reinforced steel & steel mesh, handling lumber and other building materials, operating jackhammers, paving breakers & all other pneumatic tools, building scaffolds, raking, shoveling & tamping of asphalt, spading & concrete pit work, grading, form pinning, shoring, demolition except burners, laying conduits and ducts, sheathing, lagging, laying non-metallic pipe & caulking, all other types of Laborers	$ 7.65	.75	.45		
Mason tender, power buggies, burners on demolition	7.75	.75	.45		
Wagon drill operator (single)	7.80	.75	.45		
Powdermen, wagon drill operator (multiple)	7.95	.75	.45		
Circular Caissons Excavation: Caisson groundmen	7.95	.75	.45		
Caisson bottom man	8.05	.75	.45		
Underpinning Excavation: Laborers, working at depth of 8 feet or under	7.95	.75	.45		
Yard workers	7.59	.75	.45		
Steamfitters: Lower Marion, Springfield, Moreland, Horsham, Upper Dublin and Abington Townships	11.22	.57	.92		.10

MODIFICATIONS P. 24

DECISION #AR-2005 - Mod. #6
(39 FR 25902 - July 12, 1974)
Philadelphia County, Pennsylvania

Change:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers:					
Stripping and dismantling concrete form work, loading, unloading, carrying and handling of all reinforced steel and steel mesh, handling lumber and other building materials, operating jackhammers, paving breakers and all other pneumatic tools, building scaffold, raking, shoveling and tamping of asphalt, spading and concrete pit work, grading, form pinning, shoring, demolition except burners, laying conduits and ducts, sheathing, lagging, laying non-metallic pipe and caulking, all other types of laborers	$7.65	.75	.45		
Mason tender, power buggies, burners on demolition	7.75	.75	.45		
Wagon drill operator (single)	7.80	.75	.45		
Powdermen, wagon drill operator (multiple)	7.95	.75	.45		
Circular Caissons Excavation: Caisson groundmen	7.95	.75	.45		
Caisson bottom man	8.05	.75	.45		
Underpinning Excavation: Laborers, working at depth of 8 feet or under	7.95	.75	.45		
Yard workers	7.59	.75	.45		
Steamfitters	11.22	.57	.92		.10

MODIFICATIONS P. 25

DECISION #AR-2006 - Mod. #6
(39 FR 25905 - July 12, 1974)
Bucks, Chester, Delaware, Montgomery and Philadelphia Counties, Pennsylvania

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Laborers:					
Stripping and dismantling concrete form work, loading, unloading, carrying and handling of all reinforced steel and steel mesh, handling lumber and other building materials, operating jackhammers, paving breakers and all other pneumatic tools, building scaffolds, raking, shoveling and tamping or asphalt, spading and concrete pit work, grading, form pinning, shoring, demolition except burners, laying conduits and ducts, sheathing, lagging, laying non-metallic pipe and caulking, all other types of Laborers	$7.65	.75	.45		
Mason tender, power buggies, burners on demolition	7.75	.75	.45		
Wagon drill operator (single)	7.80	.75	.45		
Powdermen, wagon drill operator (multiple	7.95	.75	.45		
Circular Caissons Excavation:					
Caisson groundmen	7.95	.75	.45		
Caisson bottom man	8.05	.75	.45		
Underpinning Excavation:					
Laborers, working at depth of 8 feet or under	7.95	.75	.45		
Yard workers	7.59	.75	.45		

MODIFICATIONS P. 26

DECISION #AR-2028 - Mod. #3
(39 FR 33984 - September 20, 1974)
Bucks, Chester, Delaware, Montgomery and Philadelphia Counties, Pennsylvania

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Heavy and Highway Construction:					
Laborers:					
Powdermen, Multiple wagon drill operator	$7.90	.80	.45		
Finished surface asphalt rakers operators, pipelayers caulkers, conduct and duct layers	7.70	.80	.45		
Other pneumatic tools operators, laborers stripping concrete forms, carrying or handling lumber, steel and steel mesh and other concrete materials, form pinners, tool room men, mortar mixers, concrete pitmen and spaders, grade men, Asphalt shovelers, men working in shoring, men working in lagging, Laborers assisting in the setting of cut stone, granite or artificial stone, hod carriers, Scaffold builders	7.60	.80	.45		
Wagon drill operators	7.75	.80	.45		
Yard Workers:					
Laborers, Scale mixermen, Burnermen, Dustmen, Feeders	7.50	.80	.45		
Free Air Tunnels:					
Miners, Miners bore drivers, blasters, drillers, pneumatic shield operators welders and burners	8.15	.80	.45		
Miners' helpers, form setters	9.00	.80	.45		
Trackmen, Brakemen, Groutmen, Bottom shaft men, all other in free air tunnels	7.85	.80	.45		
Circular caisson excavation bottom men	8.00	.80	.45		
All other laborers on construction work, with the exception of workers in compressed air	7.60	.80	.45		
Underpinning excavation bottom men	7.90	.80	.45		

MODIFICATIONS P. 27

DECISION #AR-2099 - Mod. #5
(39 FR 44931-December 27, 1974)
Adams and York Counties, Pennsylvania

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Carpenters issued in Mod. #4, 40 FR 22740, dated May 23, 1975 to read:					
Carpenters					
Adams County	$8.78	.30	.35		.03

DECISION #PA75-3011 - Mod. #4
(40 FR 4781 - January 31, 1975)
Bucks County, Pennsylvania

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Laborers:					
Stripping and dismantling concrete form work, loading, unloading, carrying and handling of all reinforced steel and steel mesh, handling lumber and other building materials, operating jackhammers, paving breakers and all other pneumatic tools, building scaffolds, raking, shoveling and tamping of asphalt, spading and concrete pit work, grading, form pinning, shoring, demolition except burners, laying conduits and ducts, sheathing, lagging, laying non-metallic pipe and caulking, all other types of Laborers	$7.65	.75	.45		
Mason tender, power buggies, burners on demolition	7.75	.75	.45		
Wagon drill operator (single)	7.80	.75	.45		
Powdermen, wagon drill operator (multiple)	7.95	.75	.45		
Circular Caissons Excavation:					
Caisson groundmen	7.95	.75	.45		
Caisson bottom men	8.05	.75	.45		
Underpinning Excavation:					
Laborers, working at depth of 8 feet or under	7.95	.75	.45		
Yard workers	7.59	.75	.45		
Steamfitters	11.22	.57	.92		.10

MODIFICATIONS P. 28

DECISION #PA-75-3015 - Mod. #3
(40 FR 6974 - February 14, 1975)
Northampton County, Pennsylvania

Change:			
Carpenters	9.56	.30	.35
Laborers, Building:			
Unskilled laborers	6.10	.20	.40
Operator of jackhammer, paving breaking and other pneumatic and mechanical tools, wagon drills, and men handling dynamite, handling and using cutting and burning torches in the wrecking of buildings, laying of all clay, terra cotta, ironstone, vitrified concrete or nonmetallic pipe and the making of joints for same and cofferdams (below 10 feet)	6.85	.20	.40
Plasterer and Mason Tenders, scaffold builders, and handling of all materials to be used by plasterers and masons, brick and blocks loaded on pallets, cement finishers tenders, gunniting and molder-D, and sand blasters helpers	6.90	.20	.40
Barko Tamper Operator	7.10	.20	.40
Roofers:			
Composition, Slate & Tile	$ 9.50	.40	.35
Helpers	5.78	.40	.35

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #PA-75-3019 - Mod. #2 (40 FR 8753 - February 28, 1975) Lehigh County, Pennsylvania					
Change:					
Carpenters	9.56	.30	.35		
Laborers, building:					
Unskilled laborers	6.60	.25	.40		
Operator of jackhammer paving breaking & other pneumatic & mechanical tools, wagon drills, & men handling dynamite, handling & using, cutting & burning torches in the wrecking of buildings, laying of all clay, terra cotta, ironstone, vitrified concrete or non-metallic pipe & the making of joints for same & coffordams (below 10 feet)	6.85	.25	.40		
Plaster & mason tenders, scaffold builders, & handling of all materials to be used by plasterers & masons, brick & blocks loaded on pallets, cement finishers tenders, gunniting and molder-D, & sand blasters helpers	6.90	.25	.40		
Barko tamper operator	7.10	.25	.40		
Millwrights	9.96	.30	.35		
Marble Setters	8.34	.35	.80		
Marble Setters Helpers	6.90	.60	.75		
Roofers:					
Remainder of County:					
Composition & Slate	9.50	.40	.35		
Tile Setters	8.34	.35	.80		
Terrazo Workers	8.59	.35	.80		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #PA-75-3025 - Mod. #1 (40 FR 12982 - March 21, 1975) Luzerne County, Pennsylvania					
Change:					
Laborers (Hazleton)	$ 6.61	.25	.50		
Mason Tenders including Scaffold Builders	7.01	.25	.50		
Pneumatic, electrical & mechanical tool operators, 2" pumps-non metallic pipelaying and making joint clay, terra cotta, ironstone vitrified concrete, handling of burning torches asphalt or other hot materials, cement finishers and blasters helpers, power buggies, walk along hoist	6.71	.25	.50		
Plasterers tenders, blasters, and wagon drill operators	6.86	.25	.50		
Laborers: Remainder of County					
Unskilled laborers	7.77	.25	.50		
Semi skilled laborers, Pneumatic and other mechanical tool ops; 2" pump or under, handling and mixing of all material used by masons from stock pile to mason, Non-metallic pipelayer and making of joints, clay, terra cotta, ironstone, vitrified concrete, handling of burning torches asphalt or other hot material, cement finishers and blasters helpers	7.97	.25	.50		
Plasterers tenders, blaster, wagon drill ops.	8.09	.25	.50		
Mason tenders & scaffold builders	8.17	.25	.50		
Millwrights	9.86	.30	.35		.03
Soft Floor Layers	8.23	.30	.35		.03

MODIFICATIONS P. 31

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #TX75-4012 - Mod. #4 (40 FR 3175 - January 17, 1975) Jefferson & Orange Counties, Texas					
Change:					
Painters:					
Northern half of Jefferson County:					
Group 1:					
Commercial	$8.225				
Residential	7.975				
Group 2:					
Commercial	8.475				
Residential	8.225				
Group 3:					
Commercial	8.40				
Group 4:					
Commercial	8.65				
Residential	8.40				
DECISION #TX75-4096 - Mod. #1 (40 FR 21689 - May 16, 1975) Galveston & Harris Counties, Texas					
Change:					
Cement masons:					
Harris County	8.32	.49	.42		.05
Ironworkers	8.77	.55	.70		.075
DECISION #TX75-4101 - Mod. #1 (40 FR 22789 - May 23, 1975) Travis County, Texas					
Change:					
Plumbers & steamfitters	8.90	.30	.30		.05

MODIFICATIONS P. 32

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #TX75-4090 - Mod. #2 (40 FR 21679 - May 16, 1975) Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Swisher & Wheeler Counties, Texas					
Change:					
Bricklayers	$8.35		.20		
DECISION #TX75-4105 - Mod. #1 (40 FR 22797 - May 23, 1975) Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Swisher & Wheeler Counties, Texas					
Change:					
Bricklayers & stonemasons	8.35		.20		
Marble masons (exterior)	8.35		.20		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION ØTX75-4107 - Mod. #2 (40 FR 22801 - May 23, 1975) El Paso County, Texas					
Changes:					
Carpenters:					
Stationary radial arm power saw operator	$6.62	.45			.02
Glaziers	5.69	.30			.02
Painters:					
Brush; paperhangers; chipping & hand tools used for cleaning	5.78	.30			.02
Tapers, bedders, rollers 9" in width	5.78	.30			.02
Steel after erection, steam cleaning, buffing with power driven tools & torches	6.195	.30			.02
Spray, sandblasting, water-blasting, swing stage	6.485	.30			.02
Ames tools & taping machine	6.00	.30			.02
Soft floor layers	5.63	.30			.02
Decision ØMD-75-3003 - Mod. Ø 5 (40 FR 937 - January 3, 1975) Montgomery and Prince Georges Counties, Maryland; Arlington & Fairfax Counties, the city of Alexandria and Dulles International Airport, Virginia					
Changes:					
Painters:					
Brush, spray, paperhangers, tapers	$9.44	.41	.18		.06
Steel, sandblasting, swing stage, power brushing	9.94	.41	.18		.06
Soft floor layers	9.55	.50	.49		.07

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION ØWA75-5064 - Mod. #1 (40 FR 23695 - May 30, 1975) Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Mason, Pacific (North of the Wahkiakum County northern boundary extended due west to the Pacific Ocean), Pierce, Skagit, Snohomish, Thurston and Whatcom Counties, Washington					
Changes:					
Plumbers:					
(Single-family dwellings, duplexes, and apartment buildings up to and including three-story garden type) Whatcom, Snohomish and Skagit Counties	$6.00	.33	.30	.12	.10
(Single-family dwellings, duplexes, and apartment buildings up to and including two stories plus basement, limited to eight units) Kitsap County	6.00	.33	.30	.12	.10
All other residential work Kitsap County and that portion of Mason County encircled by Hood Canal from Belfair to Dewato	9.60	.33	.85	.60	.10
Clallam, Jefferson and King Counties	8.04	.52	.85	.63	.07
Grays Harbor, Island, the remainder of Mason County, Pacific (as defined), Pierce, Skagit, Snohomish, Thurston, and Whatcom Cos.	7.96	.33	.85	.49	.08
Decision ØDC-75-3002-Mod. Ø 6 (40 FR 948 - January 3, 1975) Washington, D. C.					
Changes:					
Painters:					
Brush, spray, paperhangers & tapers	$9.44	.41	.18		.06
Steel, sandblasting, swing stage, power brushing	9.94	.41	.18		.06
Soft floor layers	9.55	.50	.49		.07

Modification P. 35

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION # SC75-1055 - Mod. #1 (40 FR 22785 - May 23, 1975) Berkeley and Charleston Counties, South Carolina					
Omit:					
Ironworkers:					
Structural, ornamental & reinforcing	5.70	.35	.25		.05
Plumbers and Steamfitters	6.05				
Add:					
Ironworkers:					
Structural	6.70	.50	.45		.05
Reinforcing	5.95				
Plumbers & Pipefitters	7.50	.30	.20		

SUPERSEDEAS DECISION

STATE: California
DECISION NUMBER: CA75-5071
COUNTY: San Diego
DATE: Date of Publication
Supersedes Decision No. CA75-5020 dated April 4, 1975, in 40 FR 6916
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction and dredging.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$10.17	.78	.72		.045
BOILERMAKERS	10.85	.65	1.00	.50	.02
BRICKLAYERS; Stonemasons	9.80	.77	.98		.06
BRICK, BLOCK and STONEMASONS' TENDERS	7.69	.60	1.55	.50	
CARPENTERS:					
Carpenters	8.96	.56	.85	.50	.05
Piledrivermen	9.09	.56	.85	.50	.05
Millwrights; Pneumatic nailer; Hardwood floorlayers	9.21	.56	.85	.50	.05
CEMENT MASONS:					
Cement Masons	6.74	.55	.96	.75	.045
Cement Masons color work - Curb Machine Operator	6.865	.55	.96	.75	.045
Composition, Mastic or Epoxy Finishing Machine Operator	6.99	.55	.96	.75	.045
DYRWALL INSTALLERS	10.80	.56	.85	.50	.07
ELECTRICIANS:					
Electricians	9.97	.48	17%+.73		.02
Cable Splicers	10.27	.48	17%+.73		.02
ELEVATOR CONSTRUCTORS	10.76	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	9.69	.55	.60		
IRONWORKERS:					
Fence Erectors	8.89	.88	1.375	1.03	.03
Reinforcing	9.78	.88	1.375	1.03	.03
Ornamental; Structural	9.78	.88	1.375	1.03	.03
IRRIGATION AND LAWN SPRINKLERS	8.00	10%	16%	13%	3/4%
LATHERS (Northern portion of San Diego County from center of City of Del Mar)	10.50	.45	.90	.50	.05
LATHERS (Remainder of County)	10.81	.45	.70	.70	.02
LINE CONSTRUCTION:					
Linemen	9.97	.48	17%+.73		.02
Cable Splicers	10.27	.48	17%+.73		.02
MARBLE SETTERS	8.01	.55	.85	.60	
MARBLE SETTERS' HELPERS	6.89	.40	.65	.75	

DECISION NO. CA75-5071

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS:					
Brush; Paint burner	$8.77	.64	.80	.65	.07
Swing stage, brush; Spray; Iron, steel and bridge painter (ground work)	9.02	.64	.80	.65	.07
Paperhanger; Spray, swing stage; Sandblaster; Iron, steel and bridge, swing stage; Iron, steel and bridge, spray (ground); Riggers, climbing steel; Brush, climbing steel and bridge	9.27	.64	.80	.65	.07
Sandblaster, swing stage; Iron, Steel and bridge, spray swing stage; Spray, climbing steel and bridge	9.52	.64	.80	.65	.07
Steeplejack	10.17	.64	.80	.65	.07
Parking Lot Striping Work and/or Highway Markers:					
Traffic delineating device applicator	6.82	.40	.20	b	
Wheel stop installer; Traffic surface sandblaster; Striper; Traffic surface protective coating applicator	6.43	.40	.20	b	
Helper (Traffic surface sandblaster; Wheel stop installer; Traffic surface protective coating applicator; Striper)	5.43	.40	.20	b	
PLASTERERS	10.07	.45	1.00	.85	.06
PLASTERERS' TENDERS	9.78	.60	1.55	.50	
PLUMBERS; Steamfitters	10.24	10%	16%	13%	3/4%
ROOFERS	7.14	.40	.25	1.00	
SHEET METAL WORKERS	8.93	.74	1.20		
SOFT FLOOR LAYERS	8.33	.45	.90	.90	.06
SPRINKLER FITTERS	13.72	.50	.80		.08
TERRAZZO WORKERS	8.01	.55	.85	.60	
TILE SETTERS	8.01	.55	.85	.60	
RIGGERS; Welders - Receive rate prescribed for craft performing operation to which rigging or welding is incidental					

DECISION NO. CA75-5071

FOOTNOTES:

a. Employer contributes 4% of basic hourly rate for 5 years' service and 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. 6 Paid Holidays: A through F.

b. Employer contributes $.17 per hour to Holiday Fund plus $.10 per hour to Vacation Fund for one year's service, $.30 per hour after one year, but less than 5 years' service, $.40 per hour after 5 years' service, but less than 10 years and $.50 per hour after 10 years' service.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

DECISION NO. CA75-5071

LABORERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS, general construction; Gas and oil pipeline; Jet man; Tool shed checker; Using dry pack	$6.63	.60	1.47	.50	.13
CUTTING TORCH OPERATOR (demolition); Scaler	6.68	.60	1.47	.50	.13
GUINEA CHASER	6.71	.60	1.47	.50	.13
FINE GRADER ON HIGHWAYS, STREETS AND AIRPORTS PAVING (Sewer and drainage lines); Landscape Gardener and Nursery Man	6.73	.60	1.47	.50	.13
LABORER (packing rod steel and pans): Tank scaler and cleaner	6.755	.60	1.47	.50	.13
DRILLER'S HELPER (Caisson) including bellowers; Boring Machine	6.76	.60	1.47	.50	.13
WINDOW CLEANER; Chuck tender (except tunnels); Septic tank digger and installer (leadman)	6.78	.60	1.47	.50	.13
CESSPOOL DIGGER AND INSTALLER	6.81	.60	1.47	.50	.13
CONCRETE CURER; Impervious Membrane; Riprap stonepaver; Sandblaster (pot tender); Pipe-layer backup man, coating, grouting, making of joints, sealing, caulking diapering, and including rubber gasket joints; Pointing and any and all other services	6.82	.60	1.47	.50	.13

Page 5

DECISION NO. GA75-5071

LABORERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASPHALT RAKER, IRONER, SPREADER; Buggymobile man; Cement dumper (on 1 yard or larger mixers and handling bulk cement); Concrete saw man (excluding tractor type); Roto-scraper, chipping hammer; Concrete core cutter and form blower; Gas and oil pipeline wrapper; Pot tenders of pneumatic and electric tools, concrete pumps; Vibrating machine and similar mechanical tools not apparately classified herein; Tree climber using mechanical tools	6.84	.60	1.47	.50	.13
ROCK SLINGER; Scaler (using bos'n chair or safety belt or power tools)	6.89	.60	1.47	.50	.13
DRILLERS, all others where drilling is for use of explosives	6.92	.60	1.47	.50	.13
PIPELAYERS, METALLIC OR NON-METALLIC (including water sewage, solid, gas, air); Welding in connection with laborers' work	6.94	.60	1.47	.50	.13
GAS AND OIL PIPELINE WRAPPER (6" pipe and over)	6.97	.60	1.47	.50	.13
CRIBBER, SHORER, LAGGING, SHEETING, AND TRENCH BRACING; Hand-guided lagging hammer	6.99	.60	1.47	.50	.13
STEEL HEADERBOARD MAN	7.055	.60	1.47	.50	.13
DRILLERS - (all power drills, including jackhammer, whether core, diamond, wagon, track, multiple unit, and any and all types of mechanical drills; Sand-blaster (nozzleman)	7.08	.60	1.47	.50	.13

Page 6

DECISION NO. GA75-5071

LABORERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWDERMAN, BLASTERS	$7.115	.60	1.47	.50	.13
HEAD ROCK SLINGER	7.15	.60	1.47	.50	.13
LABORERS (Tunnel and Shaft Work)					
BULL GANG; Concrete crew (includes rodders and spreaders); Dumpmen; Grout crew; Muckers, (laborers) in short dry tunnels under streets, highways and similar placers; Trackmen; Swamper (brakeman and switchmen to tunnel work)	6.92	.60	1.47	.50	.13
CHUCKTENDER; Cable tender; Nipper; Steel form raiser and setters' helper; Vibratorman; Jackhammer; Pneumatic tools (except driller)	7.02	.60	1.47	.50	.13
GROUT GUNMEN	7.12	.60	1.47	.50	.13
BLASTERERS; Drillers; Cherry Pickermen; Kemper and other pneumatic concrete placer operators; Miners, in short dry tunnels under streets, highway and similar places; Miners, tunnel (hand or machine); Powdermen; Primerhouse; Timbermen; Retimbermen; (wood or steel); Steel form raisers and setters	7.17	.60	1.47	.50	.13
SHAFT AND RAISE MINER	7.42	.60	1.47	.50	.13
GUNITE WORKERS:					
Nozzlemen and Rodmen	7.36	.60	1.47	.50	.13
Gunmen	7.04	.60	1.47	.50	.13
Reboundmen	6.625	.60	1.47	.50	.13

Page 7

DECISION NO. CA75-5071

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PICKUPS (3/4 ton & under), Swampers and helpers; Traffic control pilot car (excl. moving heavy equipment)	$ 6.42	.70	.70	1.00	.05
WAREHOUSEMAN	6.67	.70	.70	1.00	.05
INDUSTRIAL LIFT	6.75	.70	.70	1.00	.05
DUMP (less than 8 yds.); Dump or flatbed (2 axle); Concrete pumping; Forklift (under 15,000 lbs.)	6.78	.70	.70	1.00	.05
DUMP (8 yds. & under 12); Dump or flatbed (3 axles); Bunkerman	6.83	.70	.70	1.00	.05
FORKLIFT (15,000 lbs. & over); Ross Carrier	6.90	.70	.70	1.00	.05
DUMP (12 yds. & under 16); Dump or flatbed (3 axles, with semi)	6.91	.70	.70	1.00	.05
WATER TRUCKS (2 axles); Erosion Control Nozzlemen; Pipeline drivers (incl. winch & all sizes); Road oil spreader, cement distributor or slurry; Road oil or slurry boatman; Prell truck	6.93	.70	.70	1.00	.05
DUMPCRETE (less than 6-1/2 yds.)	6.99	.70	.70	1.00	.05
EROSION CONTROL DRIVER; Water truck (3 axles)	7.05	.70	.70	1.00	.05
FUEL OR DYNAMITE AND EXPLOSIVES	7.08	.70	.70	1.00	.05
DUMP (16 yds. & under 25); Dump or flatbed (4 axle or more); Lowbed and trailer; Transit mix (under 8 yds.); Grout mixer; Dumpcrete (6-1/2 yds. & over); Dumpster	7.13	.70	.70	1.00	.05
DUMP (25 yds. & under 35)	7.18	.70	.70	1.00	.05

Page 8

DECISION NO. CA75-5071

TRUCK DRIVERS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DW 10's or DW 20's or Euclid type equipment; LeTourneau Pulls, Terra Cobras or similar type of equipment regardless of type of attachments when performing work in the teamsters' jurisdiction or PB or similar type of dump truck with loading attachments	$ 7.20	.70	.70	1.00	.05
TRUCK GREASER	7.21	.70	.70	1.00	.05
7 AXLES OR DOUBLE LOWBED or combination of vehicles when under permit load	7.255	.70	.70	1.00	.05
TRANSIT-MIX (8 yds. & over)	7.27	.70	.70	1.00	.05
TIREMAN	7.31	.70	.70	1.00	.05
DUMP (35 yds. & under 50)	7.33	.70	.70	1.00	.05
WATER PULL TANKERS; Welder; A-Frame or Swedish crane	7.40	.70	.70	1.00	.05
DUMP (50 yds. & under 65)	7.48	.70	.70	1.00	.05
TRUCK REPAIRMAN	7.50	.70	.70	1.00	.05
WELDER HELPER	7.62	.70	.70	1.00	.05
DUMP (65 yds. & over)	7.63	.70	.70	1.00	.05

DECISION NO. GA75-5071 Page 9

POWER EQUIPMENT OPERATORS
DREDGING
(Hydraulic Suction Dredges)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LEVERMAN	$9.53	.95	1.50	.30	.04
WATCH ENGINEER; Welder	9.01	.95	1.50	.30	.04
DECKMATE	8.59	.95	1.50	.30	.04
WINCHMAN (stern winch or dredge)	8.52	.95	1.50	.30	.04
BARGEMAN; Deckhand; Fireman; Oiler; Levechand	8.04	.95	1.50	.30	.04
DREDGING (Clam Shell Dredges)					
LEVERMAN	9.53	.95	1.50	.30	.04
WATCH ENGINEER	9.01	.95	1.50	.30	.04
DECKMATE	8.59	.95	1.50	.30	.04
BARGEMATE	8.52	.95	1.50	.30	.04
BARGEMAN; Deckhand; Fireman; Oiler	8.04	.95	1.50	.30	.04

DECISION NO. GA75-5071 Page 10

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1:	$8.13	.95	1.50	.30	.04
Group 2:	8.39	.95	1.50	.30	.04
Group 3:	8.64	.95	1.50	.30	.04
Group 4:	8.76	.95	1.50	.30	.04
Group 5:	8.96	.95	1.50	.30	.04
Group 6:	9.06	.95	1.50	.30	.04
Group 7:	9.17	.95	1.50	.30	.04
Group 8:	9.32	.95	1.50	.30	.04
Group 9:	9.43	.95	1.50	.30	.04

Group 1: Brakeman; Compressor engineer oiler; Generator; Heavy duty repairman helper; Pump; Signalman; Switchman

Group 2: Concrete mixer, skip type; Conveyor; Fireman; Generator, pump or compressor, 2 - 5 inclusive, hydrostatic pump, Plant operator, generator, pump or compressor; Skiploader - wheel type up to 3/4 yd. w/o attachments; Soils field technicians; Tar pot fireman; Temporary heating plant; Trenching machine oiler, Well point pump

Group 3: Elevator (inside); Ford Ferguson - w/drag; Helicopter radioman (ground); Oiler-crusher (asphalt or concrete plant); Power concrete curing machine operator; Power concrete saw, Power driven jumbo form setter; Stationary pipe wrapping and cleaning machine; Truck crane oiler

Group 4: Asphalt plant fireman; Boring machine; Chip spreading machine; Concrete pump; Concrete pump (truck mounted); Dinky locomotive or motorman (10 tons); Helicopter hoist; Helicopter radioman; Highline cableway signalman; Power sweeper; Screed; Rodman and chairman; Trenching machine (up to 6')

Group 5: A-frame winch truck; Asphalt plant or concrete batch plant; Asphalt spreading machine (spreader bar and similar); Bit sharpener; Boxman or mixerman (asphalt or concrete); Concrete joint machine (canal and similar type); Concrete planer; Drilling machine (water wells); Equipment greaser (mobile and grease rack); Ford Ferguson or similar type (w/drag attachments); Forklift (under 5 ton capacity); Hydra-hammer-Aero stomper; Hydrographic seeder machine (straw, pump, or seed); Instrumentman; Machine tool; Maginnis internal full slab vibrator; Mechanical berm, curb or gutter (concrete or asphalt), Mechanical finisher (concrete, Clary-Johnson-Bidwell or similar); Pavement breaker (truck mounted); Road oil mixing machine; Roller; Ross carrier (jobsite); Self-propelled tar pipelining machine; Skiploader (wheel or track type over 3/4 yd. up to and incl. 1-1/2 yds.); Slip form pump (power driven hydraulic lifting device for concrete forms); Stinger crane (Austin-Western or similar type); Traveling pipe wrapping, cleaning and bending machine; Truck type loader; Tugger hoist (1 drum)

Group 6: Asphalt or concrete plant engineer; Asphalt or concrete spreading (tamping or finishing); Asphalt paving machine (Barber Greene or similar type); Belt splicer or vulcanizer; BHL Lima Road Pactor, Wagner Pactor or similar; Bridge crane; Bridge type unloader and turntable; Cast-in-place pipe laying machine; Combination mixer and compressor (gunnite work); Concrete mixer-paving; Crane (up to and incl. 25 ton capacity - long boom pay applicable); Crushing plant; Deck engine; Drill doctor; Elevating grader; Forklift (over 5 tons); Gradeall; Grade checker; Grouting machine; Heading shield; Heavy duty repairman; Hoist (single drum-buck-hoist-Chicago boom and similar type);

Hoist (2 to 3 drum); Kolman belt loader and similar type; LeTourneau blob compactor or similar type; Lift mobile; Lift slab machine (Vagtborg and similar types); Material hoist (1 drum); Mucking machine (1/4 yd. rubber-tired, rail or track type); Piledriver; Pneumatic concrete placing machine (Hackley-Presswell or similar type); Pneumatic heading shield (Tunnel); Pumpcrete gun; Rotary drill (excl. Caisson type); Rubber-tired earth moving equipment (single engine-Caterpiller, Euclid, Athey wagon, Water Pulls and similar types with any and all attachments up to 50 cu. yds. struck), Rubber-tired scraper (self-loading paddle wheel type John Deére, 1040 and similar single unit); Skiploader (wheel or track type, over 1 1/2 yds. up to and incl. 6 1/2 yds.); Surface heaters and planer; Tractor-compressor-drill combination; Tractor, (Bulldozer, Tamper, Scraper and Push Tractor, single engine); Trenching machine (over 6' depth cap., manufacturers' rating); Tunnel locomotive (10 to 30 tons); Universal equipment (shovel, backhoe, dragline, clamshell, up to and incl. 1 cu. yd. MRC) (long boom pay applicable)

Group 7: Crane (over 25 tons up to and incl. 100 ton MRC) (long boom pay applicable); Derrick barge; Dual drum mixer; Hoist (2 or 3 drum w/boom attachment); Hoist (Stiff legs, Guy derricks or similar type up to 100 ton capacity - Oiler or long boom pay applicable); Loader (Athey, Euclid, Sierra or similar type); Monorail locomotive (Diesel, gas or electric); Motor patrol - Blade; Multiple engine tractor (Euclid and similar type, except Quad 9 Cat); Party chief; Rubber-tired earth moving equipment (Multiple engine, Euclid, Caterpillar and similar type up to 50 cu. yds. struck); Tractor (boom attachments - over 40' boom); Tractor loader (Crawler and wheel type over 6 1/2 yds.); Tower crane (2 operators required); Tower crane repairman; Universal equipment (Shovel, Backhoe, Dragline, Clamshell, over 1 cu. yd. MRC); Welder (heavy duty repairman) combination; Wood mixer and other similar Pugmill equipment

Group 8: Auto grader; Automatic slip form crane, over 100 tons (long boom pay applicable); Hoist (Stiff legs, Guy derricks or similar types, capable of hoisting over 100 tons - long boom pay applicable); Mass excavator (less than 750 cu. yds.); Mechanical finishing machine; Mobile form traveler; Motor patrol (multi-engine); Pipe mobile machine; Rubber-tired earth moving equipment (Multiple engine, Euclid, Caterpillar and similar type over 50 cy. struck); Rubber-tired scraper (pushing one another, w/o Push Cat, Push-Pull - $.50 p/h additional to base rate); Rubber-tired self-loading scraper (Paddle wheel - Auger type self-loading, 2 or more units); Tandem equipment (2 units); Tandem tractor (Quad or similar type); Tunnel mole boring machine

Group 9: Canal liner operator; Canal trimmer operator; Helicopter pilot; Highline cableway; Remote controlled earth moving equipment ($1.00 p/h additional to base rate); Wheel excavator operator (over 750 cy.)

SUPERSEDEAS DECISION

STATE: California COUNTY: San Diego
DECISION NUMBER: CA75-5072 DATE: Date of Publication
Supersedes Decision No. CA75-5021 dated April 4, 1975, in 40 FR 6922
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$ 10.17	.78	.72		.045
BOILERMAKERS	10.85	.65	1.00	.50	.02
BRICKLAYERS; Stonemasons	9.80	.77	.98		.06
BRICK, BLOCK & STONEMASONS' TENDERS	7.69	.60	1.55	.50	
CARPENTERS:					
Carpenters	8.96	.56	.85	.50	.05
Piledrivermen	9.09	.56	.85	.50	.05
Millwrights; Pneumatic nailer, Hardwood floorlayers	9.21	.56	.85	.50	.05
CEMENT MASONS:					
Cement masons	6.74	.55	.96	.75	.045
Cement masons color work - curb machine operator	6.865	.55	.96	.75	.045
Composition, mastic or epoxy finishing machine operator	6.99	.55	.96	.75	.045
DRYWALL INSTALLERS	10.80	.56	.85	.50	.07
ELECTRICIANS:					
Electricians	9.97	.48	1% + .73		.02
Cable Splicers	10.27	.48	1% + .73		.02
ELEVATOR CONSTRUCTORS	10.76	.445	.29	3% + a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3% + a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	9.69	.55	.60		
IRONWORKERS:					
Fence erectors	8.89	.88	1.375	1.03	.03
Reinforcing	9.78	.88	1.375	1.03	.03
Ornamental; Structural	9.78	.88	1.375	1.03	.03
IRRIGATION AND LAWN SPRINKLERS	8.00	10%	16%	13%	3/4%
LATHERS (Northern portion of San Diego County from center of City of Del Mar)	10.50	.45	.90	.50	.05
LATHERS (Remainder of County)	10.81	.45	.70	.70	.02
LINE CONSTRUCTION:					
Linemen	9.97	.48	1% + .73		.02
Cable Splicers	10.27	.48	1% + .73		.02
MARBLE SETTERS	8.01	.55	.85	.60	
MARBLE SETTERS' HELPERS	6.89	.40	.65	.75	

DECISION NO. CA75-5072

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS:					
Brush	$ 8.77	.64	.80	.65	.07
Spray; Swing stage, brush	9.02	.64	.80	.65	.07
Paperhangers; Spray, swing stage; Sandblaster	9.27	.64	.80	.65	.07
PLASTERERS	10.07	.45	1.00	.85	.06
PLASTERERS' TENDERS	9.78	.60	1.55	.50	
PLUMBERS; Steamfitters	10.24	10%	16%	13%	3/4%
ROOFERS	8.39	.40	.50	1.00	
SHEET METAL WORKERS	8.93	.74	1.20		
SOFT FLOOR LAYERS	8.33	.45	.90	.90	.06
SPRINKLER FITTERS	13.72	.50	.80		.08
TERRAZZO WORKERS	8.01	.55	.85	.60	
TILE SETTERS	8.01	.55	.85	.60	
RIGGERS; Welders - Receive rate prescribed for craft performing operation to which rigging or welding is incidental.					

FOOTNOTES:

a. Employer contributes 4% of basic hourly rate for 5 years' service and 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

DECISION NO. CA75-5072

LABORERS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS, general construction; Gas and oil pipeline; Jet man; Tool shed checker; Using dry pack	$ 6.63	.60	1.47	.50	.13
CUTTING TORCH OPERATOR (demolition); Scaler	6.68	.60	1.47	.50	.13
GUINEA CHASER	6.71	.60	1.47	.50	.13
FINE GRADER ON HIGHWAYS, STREETS AND AIRPORTS PAVING (Sewer and drainage lines); Landscape Gardener and Nursery Man	6.73	.60	1.47	.50	.13
LABORER (packing rod steel and pans); Tank scaler and cleaner	6.755	.60	1.47	.50	.13
DRILLER'S HELPER (Caisson) incl. bellowers; Boring Machine	6.76	.60	1.47	.50	.13
WINDOW CLEANER; Chuck tender (except tunnels); Septic tank digger and installer (leadman)	6.78	.60	1.47	.50	.13
CESSPOOL DIGGER AND INSTALLER	6.81	.60	1.47	.50	.13
CONCRETE CURER; Impervious membrane; Riprap stonepaver; Sandblaster (pot tender); Pipelayer backup man, coating, grouting, making of joints, sealing, caulking diapering, and including rubber gasket joints; Pointing and any and all other services	6.82	.60	1.47	.50	.13

LABORERS (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASPHALT RAKER, IRONER, SPREADER; Buggymobile man; Cement dumper (on 1 yard or larger mixers and handling bulk cement); Concrete saw man (excluding tractor type); Roto-scraper, chipping hammer; Concrete core cutter and form blower; Gas and oil pipeline wrapper; Pot tenders of pneumatic and electric tools, concrete pump; Vibrating machine and similar mechanical tools not separately classified herein; Tree climber using mechanical tools	$ 6.84	.60	1.47	.50	.13
ROCK SLINGER; Scaler (using bos'n chair or safety belt or power tools)	6.89	.60	1.47	.50	.13
DRILLERS, all others where drilling is for use of explosives	6.92	.60	1.47	.50	.13
PIPELAYER, METALLIC OR NON-METALLIC (including water sewage, solid, gas, air); Welding in connection with laborers' work	6.94	.60	1.47	.50	.13
GAS AND OIL PIPELINE WRAPPER (6" pipe and over)	6.97	.60	1.47	.50	.13
CRIBBER, SHORER, LAGGING, SHEETING AND TRENCH BRACING; Hand-guided lagging hammer	6.99	.60	1.47	.50	.13
STEEL HEADERBOARD MAN	7.055	.60	1.47	.50	.13
DRILLERS - (all power drills, including jackhammer, whether core, diamond, wagon, track, multiple unit, and any and all types of mechanical drills; Sandblaster (nozzleman)	7.08	.60	1.47	.50	.13
POWDERMAN, BLASTERS	7.115	.60	1.47	.50	.13
HEAD ROCK SLINGER	7.15	.60	1.47	.50	.13

CA75-5072

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PICKUPS (3/4 ton & under), Swampers and helpers; Traffic control pilot car (excl. moving heavy equipment)	$ 6.42	.70	.70	1.00	.05
WAREHOUSEMAN	6.67	.70	.70	1.00	.05
INDUSTRIAL LIFT	6.75	.70	.70	1.00	.05
DUMP (less than 8 yds.); Dump or flatbed (2 axle); Concrete pumping; Forklift (under 15,000 lbs.)	6.78	.70	.70	1.00	.05
DUMP (8 yds. & under 12); Dump or flatbed (3 axles); Bunkerman	6.83	.70	.70	1.00	.05
FORKLIFT (15,000 lbs. & over); Rose Carrier	6.90	.70	.70	1.00	.05
DUMP (12 yds. & under 16); Dump or flatbed (3 axles, with semi)	6.91	.70	.70	1.00	.05
WATER TRUCKS (2 axles); Erosion Control Nozzlemen; Pipeline drivers (incl. winch & all sizes); Road oil spreader, cement distributor or slurry; Road oil or slurry boatman; Prell truck	6.93	.70	.70	1.00	.05
DUMPCRETE (less than 6-1/2 yds.)	6.99	.70	.70	1.00	.05
EROSION CONTROL DRIVER; Water truck (3 axles)	7.05	.70	.70	1.00	.05
FUEL OR DYNAMITE AND EXPLOSIVES	7.08	.70	.70	1.00	.05
DUMP (16 yds. & under 25); Dump or flatbed (4 axle or more); Lowbed and trailer; Transit mix (under 8 yds.); Grout mixer; Dumpcrete (6-1/2 yds. & over); Dumpster	7.13	.70	.70	1.00	.05
DUMP (25 yds. & under 35)	7.18	.70	.70	1.00	.05

CA75-5072

TRUCK DRIVERS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DW 10's or DW 20's or Euclid type equipment; LaTourneau Pulls, Terra Cobras or similar type of equipment regardless of type of attachments when performing work in the teamsters' jurisdiction or PB or similar type of dump truck with loading attachments	$ 7.20	.70	.70	1.00	.05
TRUCK GREASER	7.21	.70	.70	1.00	.05
7 AXLES OR DOUBLE LOWBED or combination of vehicles when under permit load	7.255	.70	.70	1.00	.05
TRANSIT-MIX (8 yds. & over)	7.27	.70	.70	1.00	.05
TIREMAN	7.31	.70	.70	1.00	.05
DUMP (35 yds. & under 50)	7.33	.70	.70	1.00	.05
WATER PULL TANKERS; Welder; A-Frame or Swedish crane	7.40	.70	.70	1.00	.05
DUMP (50 yds. & under 65)	7.48	.70	.70	1.00	.05
TRUCK REPAIRMAN	7.50	.70	.70	1.00	.05
WELDER HELPER	7.62	.70	.70	1.00	.05
DUMP (65 yds. & over)	7.63	.70	.70	1.00	.05

CA75-5072

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1:	$8.13	.95	1.50	.30	.04
Group 2:	8.39	.95	1.50	.30	.04
Group 3:	8.64	.95	1.50	.30	.04
Group 4:	8.76	.95	1.50	.30	.04
Group 5:	8.96	.95	1.50	.30	.04
Group 6:	9.06	.95	1.50	.30	.04
Group 7:	9.17	.95	1.50	.30	.04
Group 8:	9.32	.95	1.50	.30	.04
Group 9:	9.43	.95	1.50	.30	.04

CA75-5072

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

Group 1: Brakeman; Compressor engineer oiler; Generator; Heavy duty repairman helper; Pump; Signalman; Switchman

Group 2: Concrete mixer, skip type; Conveyor; Fireman; Generator, pump or compressor, 2 - 5 inclusive, hydrostatic pump; Plant operator, generator, pump or compressor; Skiploader - wheel type up to 3/4 yd. w/o attachments; Soils field technicians; Tar pot fireman; Temporary heating plant; Trenching machine oiler; Well point pump

Group 3: Elevator (inside); Ford Ferguson - w/drag; Helicopter radioman (ground); Oiler-crusher (asphalt or concrete plant); Power concrete curing machine operator; Power concrete saw; Power driven jumbo form setter; Stationary pipe wrapping and cleaning machine; Truck crane oiler

Group 4: Asphalt plant fireman; Boring machine; Chip spreading machine; Concrete pump; Concrete pump (truck mounted); Dinky locomotive or motorman (10 tons); Helicopter hoist; Helicopter radioman; Highline cableway signalman; Power sweeper; Screed; Rodman and chairman; Trenching machine (up to 6')

Group 5: A-frame winch truck; Asphalt plant or concrete batch plant; Asphalt spreading machine (spreader bar and similar); Bit sharpener; Boxman or mixerman (asphalt or concrete); Concrete joint machine (canal and similar type); Concrete planer; Drilling machine (water wells); Equipment greaser (mobile and grease rack); Ford Ferguson or similar type (w/drag attachments); Forklift (under 5 ton capacity); Hydra-hammer-Aero stomper; Hydrographic seeder machine (straw, pump, or seed); Instrumentman; Machine tool; Maginnis internal full slab vibrator; Mechanical berm, curb or gutter (concrete or asphalt); Mechanical finisher (concrete, Clary-Johnson-Bidwell or similar); Pavement breaker (truck mounted); Road oil mixing machine; Roller; Ross carrier (jobsite); Self-propelled tar pipelining machine; Skiploader (wheel or track type over 3/4 yd. up to and incl. 1-1/2 yds.); Slip form pump (power driven hydraulic lifting device for concrete forms); Stinger crane (Austin-Western or similar type); Traveling pipe wrapping, cleaning and bending machine; Truck type loader; Tugger hoist (1 drum)

Group 6: Asphalt or concrete plant engineer; Asphalt or concrete spreading (tamping or finishing); Asphalt paving machine (Barber Greene or similar type); Belt splicer or vulcanizer; BHL Lima Road Pactor, Wagner Pactor or similar; Bridge crane; Bridge type unloader and turntable; Cast-in-place pipe laying machine; Combination mixer and compressor (gunnite work); Concrete mixer-paving; Crane (up to and incl. 25 ton capacity - long boom pay applicable); Crushing plant; Deck engine; Drill doctor; Elevating grader; Forklift (over 5 tons); Gradeall; Grade checker; Grouting machine; Heading shield; Heavy duty repairman; Hoist (single drum-buck-hoist-Chicago boom and similar type);

POWER EQUIPMENT OPERATORS (CONT'D):
(Except Piledriving and Steel Erection)

Hoist (2 to 3 drum); Kolman belt loader and similar type; LeTourneau blob compactor or similar type; Lift mobile; Lift slab machine (Vagtborg and similar types); Material hoist (1 drum); Mucking machine (1/4 yd. rubber-tired, rail or track type); Piledriver; Pneumatic concrete placing machine (Hackley-Presswell or similar type); Pneumatic heading shield (Tunnel); Pumpcrete gun; Rotary drill (excl. Caisson type); Rubber-tired earth moving equipment (single engine-Caterpillar, Euclid, Athey wagon, Water Pulls and similar types with any and all attachments up to 50 cu. yds. struck); Rubber-tired scraper (self-loading paddle wheel type John Deere, 1040 and similar single unit); Skiploader (wheel or track type, over 1 1/2 yds. up to and incl. 6 1/2 yds.); Surface heaters and planer; Tractor-compressor-drill combination; Tractor, (Bulldozer, Tamper, Scraper and Push Tractor, single engine); Trenching machine (over 6' depth cap., manufacturers' rating); Tunnel locomotive (10 to 30 tons); Universal equipment (shovel, backhoe, dragline, clamshell, up to and incl. 1 cu. yd. MRC) (long boom pay applicable)

Group 7: Crane (over 25 tons up to and incl. 100 ton MRC) (long boom pay applicable); Derrick barge; Dual drum mixer; Hoist (2 or 3 drum w/boom attachment); Hoist (Stiff legs, Guy derricks or similar type up to 100 ton capacity - Oiler or long boom pay applicable); Loader (Athey, Euclid, Sierra or similar type); Monorail locomotive (Diesel, gas or electric); Motor patrol - Blade; Multiple engine tractor (Euclid and similar type, except Quad 9 Cat); Party chief; Rubber-tired earth moving equipment (Multiple engine, Euclid, Caterpillar and similar type up to 50 cu. yds. struck); Tractor (boom attachments - over 40' boom); Tractor loader (Crawler and wheel type over 6 1/2 yds.); Tower crane (2 operators required); Tower crane repairman; Universal equipment (Shovel, Backhoe, Dragline, Clamshell, over 1 cu. yd. MRC); Welder (heavy duty repairman) combination; Wood mixer and other similar Pugmill equipment

Group 8: Auto grader; Automatic slip form crane, over 100 tons (long boom pay applicable); Hoist (Stiff legs, Guy derricks or similar types, capable of hoisting over 100 tons - long boom pay applicable); Mass excavator (less than 750 cu. yds.); Mechanical finishing machine; Mobile form traveler; Motor patrol (multi-engine); Pipe mobile machine; Rubber-tired earth moving equipment (Multiple engine, Euclid, Caterpillar and similar type over 50 cy. struck); Rubber-tired scraper (pushing one another, w/o Push Cat, Push-Pull - $.50 p/h additional to base rate); Rubber-tired self-loading scraper (Paddle wheel - Auger type self-loading, 2 or more units); Tandem equipment (2 units); Tandem tractor (Quad or similar type); Tunnel mole boring machine

Group 9: Canal liner operator; Canal trimmer operator; Helicopter pilot; Highline cableway; Remote controlled earth moving equipment ($1.00 p/h additional to base rate); Wheel excavator operator (over 750 cy.)

SUPERSEDEAS DECISION

DECISION NO. C075-5065

Page 2

STATE: Colorado COUNTY: El Paso
DECISION NUMBER: C075-5065 DATE: Date of Publication
Supersedes Decision No. C075-5049 dated April 11, 1975, in 40 FR 16518
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories) and heavy construction.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$ 9.01	.38	.72		
BOILERMAKERS	8.35	.60	1.00		.02
BRICKLAYERS; Stonemasons	8.50	.45	.50		.04
CARPENTERS:					
Zone 1 (0-30 miles from Post Office in Colorado Springs)	7.54	.48	.60	.40	.05
Zone 2 (30 miles and over from Post Office in Colorado Springs)	7.79	.48	.60	.40	.05
Millwrights	7.58	.48	.60	.40	.05
CEMENT MASONS:					
Cement Masons	6.75	.44	1.10	.60	.07
Working with composition materials and color; Working on scaffold, swing stage or temporary platform over 25' or above permanent floor, roof or solidly planked opening; All power troweling, floating or floor grinding machines	7.00	.44	1.10	.60	.07
ELECTRICIANS	9.07	.42	17%+.25		.01
ELEVATOR CONSTRUCTORS	8.63	.44	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.44	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.37				
IRONWORKERS	8.40	.55	.80		.06
MARBLE SETTERS	8.30	.56	.50	.25	.04
PAINTERS:					
Brush and roller; Tapers, Hand Texture	7.20	.50	.20		.03
Paperhangers; Steel	7.70	.50	.20		.03
Spray	7.80	.50	.20		.03
Steel Spray	8.30	.50	.20		.03
PLASTERERS	8.69				.01
PLUMBERS; Pipefitters	8.28	.55	.65	1.17	.05
ROOFERS	7.91	.42	.10		
SHEET METAL WORKERS	9.12	.30	.90		.07
SOFT FLOOR LAYERS	7.76	.35	.55	.30	.05
SPRINKLER FITTERS	9.25	.50	.70		.08
TERRAZZO WORKERS	8.30	.56	.50	.25	.04
TILE SETTERS	7.41	.45	.50		

FOOTNOTE:
a. Employer contributes 4% basic hourly rate for over 5 years' service; 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit.
Six Paid Holidays: A through F.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

LABORERS (Building Construction)	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
				H & W	Pensions	Vacation	App. Tr.
	Zone 1	Zone 2	Zone 3				
Group 1	$5.00	$5.45	$5.90	.42	.45		.07
Group 2							
Class A	5.00	5.45	5.90	.42	.45		.07
Class B	5.28	5.73	6.18	.42	.45		.07
Group 3	5.28	5.73	6.18	.42	.45		.07
Group 4	5.28	5.73	6.18	.42	.45		.07
Group 5	5.30	5.75	6.20	.42	.45		.07
Group 6	5.55	6.00	6.45	.42	.45		.07
Group 7	5.60	6.05	6.50	.42	.45		.07

ZONE 1: That area encompassed by 0 to 30 driving miles from the main Post Office in Colorado Springs.

ZONE 2: That area encompassed by 30 to 70 driving miles from the main Post Office in Colorado Springs.

ZONE 3: That area encompassed by 70 driving miles and over from the main Post Office in Colorado Springs.

DECISION NO. C075-5065 Page 3

LABORERS (Cont'd)
(Building Construction)

Group 1: General Building Laborer

Group 2: Laborers, underpinning and shoring...
Class A: 0' to 8' below working surface
Class B: 8' below working surface to any depth below working surface

Group 3: Power tool operators of all mechanical, air, gas, and electric tools including self-propelled buggies; Cement finishers tenders; Gunnite nozzleman; Sand blasters

Group 4: Pipelayers

Group 5: Laborers preparing and placing of stone or any other aggregate in sand bed to be used as exposed face of tiltup panels.

Group 6: Jackhammer operator underpinning and shoring over 12' below working surface; Bellers and stemmers on caisson work

Group 7: Mason tenders, brick and plaster

HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS	$7.19	.53	.60	.40	.05
UNDERGROUND CARPENTERS	7.39	.53	.60	.40	.05
Working on creosoted material, High work 40' above ground or floor on exposed scaffold or boatswains chair; Piledriving; Sawmen continuously assigned to 1½ HP saws at jobsite	7.49	.53	.60	.40	.05
CEMENT MASONS	6.22	.42	1.10	.30	.07

Page 4

DECISION NO. C075-5065

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PICKUPS; Helpers; Scalemen; Checkers; Spotters; Dumpman	$ 6.45	.40	.30	.30	
DUMP TRUCKS, to & including 6 cu. yds.; Sweeper; Flat Rack, single Axle; Liquid & Bulk Tankers, single Axle; Warehousemen; Washers; Greasemen; Servicemen; Ambulance drivers	6.55	.40	.30	.30	
DUMP TRUCKS, over 6 cu. yds. to & incl. 14 cu. yds.; Flat Rack, Tandem Axle; Battery Men; Mechanics' Helpers; Material Checkers; Cardex Men; Expeditors; Man haul shuttle truck or Bus	6.65	.40	.30	.30	
STRADDLE TRUCK; Lumber Carrier; Liquid & Bulk Tankers, Tandem Axle	6.70	.40	.30	.30	
FORK LIFT DRIVER; fuel truck; Grease truck; Combination fuel & grease	6.75	.40	.30	.30	
DISTRIBUTOR TRUCK DRIVER; Cement Mixer, Agitator Truck to & including 10 cu. yds.; Liquid & Bulk Tankers, semi or combination	6.80	.40	.30	.30	
MULTI-PURPOSE TRUCK; Specialty & Hoisting	6.85	.40	.30	.30	
DUMP TRUCKS over 14 cu. yds. to & including 29 cu. yds.; High Boy, Low Boy, Floats, Semi; Cab operated Distributor Truck Driver, Semi; Liquid & Bulk Tankers, Euclid, Electric, or similar; Truck Driver Dumptor type, Youngbuggy, Jumbo & similar type equipment	6.90	.40	.30	.30	
TRUCK DRIVER, Snow Plow	7.00	.40	.30	.30	

Page 5

DECISION NO. C075-5065

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CEMENT MIXER, Agitator Truck over 10 cu. yds., to & incl. 15 cu. yds.	$ 7.05	.40	.30	.30	
DUMP TRUCKS over 29 cu. yds. to & incl. 39 cu. yds.	7.15	.40	.30	.30	
CEMENT MIXER, Agitator Truck over 15 cu. yds.	7.30	.40	.30	.30	
DUMP TRUCKS over 39 cu. yds. to & incl. 54 cu. yds.; Tireman	7.35	.40	.30	.30	
MECHANIC	7.45	.40	.30	.30	
DUMP TRUCKS over 54 cu. yds. to & incl. 79 cu. yds.	7.55	.40	.30	.30	
HEAVY DUTY DIESEL, Mechanics, Body Men, Welders or Combination Men	7.65	.40	.30	.30	
DUMP TRUCKS over 79 cu. yds. to & incl. 104 cu. yds.	7.75	.40	.30	.30	
DUMP TRUCKS over 104 cu. yds.	7.95	.40	.30	.30	
LINE CONSTRUCTION - Colorado					
Cable Splicers	9.97	.35	1%		3/4%
Lineman Cableman	9.36	.35	1%		3/4%
Journeyman Lineman	9.29	.35	1%		3/4%
Line Equipment Operator	7.90	.35	1%		3/4%
Line Equipment Maintenance Man	7.90	.35	1%		3/4%
Groundmen	6.52	.35	1%		3/4%

Page 6

DECISION NO. C075-5065

LABORERS (Heavy Construction)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$4.80	.42	.45		.07
Group 2	4.85	.42	.45		.07
Group 3	4.93	.42	.45		.07
Group 4	4.95	.42	.45		.07
Group 5	4.97	.42	.45		.07
Group 6	5.08	.42	.45		.07
Group 7	5.18	.42	.45		.07
Group 8	5.25	.42	.45		.07
Group 9	5.38	.42	.45		.07
Group 10	5.43	.42	.45		.07
(Pipelines)					
All mainline sewers; Water mains; Gas, oil or any product pipeline Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.					
Group 1	4.80	.42	.45		.07
Group 2	4.85	.42	.45		.07
Group 3	5.02	.42	.45		.07
Group 4	5.04	.42	.45		.07
Group 5	5.13	.42	.45		.07
Group 5-A	5.18	.42	.45		.07
Group 6	5.25	.42	.45		.07
LABORERS (Tunnels)					
Group 1	4.80	.42	.45		.07
Group 2	5.40	.42	.45		.07
Group 3	5.50	.42	.45		.07
Group 4	5.58	.42	.45		.07
Group 5	5.65	.42	.45		.07
Group 6	5.80	.42	.45		.07
(SHAFTS, RAISES, MISSILES SILOS & ALL UNDERGROUND WORK OTHER THAN TUNNELS)					
Group 1	5.50	.42	.45		.07
Group 2	5.65	.42	.45		.07
Group 3	5.75	.42	.45		.07
Group 4	5.93	.42	.45		.07
Group 5	6.03	.42	.45		.07
Group 6	6.08	.42	.45		.07

LABORERS (Cont'd)
(Heavy Construction)

Group 1: Minimum laborer, including caissons to 8', carrying reinforcing rods; Work on cross culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence erectors; Metal mesh; Dowel bars; Tie bars and chairs in concrete paving; Nursery man including seeding; Mulching and planting of trees, shurbs and flowers; Stake chaser; Gabion baskets and tene mattresses

Group 2: Chuck tenders; Nippers, core and diamond drill helpers; Powderman helpers

Group 3: Hot asphalt laborer; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical)

Group 4: Multi-plate culvert pipe; Air, gas and electric tools operators; Barco hammers; Spaders; Electric hammer; Air tampers; Cutting torches on demolition work; Caissons 8' to 12'; Cofferdams; Power operated concrete buggies; Operators of concrete saws on pavement (other than gang saws); Timber and chain saws; Stresser or stretcherman on post tension or prestressed concrete on or off job site; Tool room man and checkers; Cement finisher helper; Sandblaster helper; Concrete processing material monitor; Spotters; Signalmen; Dumpmen; Transverse concrete conveyor operator, Mechanical grouters; Boring machines (air hydraulic); Automatic concrete power curbing machine; Jackhammer; Vibrators; Paving breakers; Frostproofing

Group 5: Any laborers performing bridge work over 40' above the ground or above a floor and working from a bos'n chair, swinging stage, life belt or block and tackle

Group 6: Gunniting and shotcrete helpers; Caissons over 12'; Cofferdams; Timbermen; Underpinning and shoring; Form setters and/or stringman on roads, highways, streets and airport runways; Distributor; Placing and hooking of landing mats; Bull float (hand operated) and center expansion machines; Sandblasters; Grade checkers if required by employer

Group 7: Powdermen and blasters; Gunnite nozzlemen; Shotcrete operator

Group 8: Pipelayer on truck pipe lines in connection with highway work

Group 9: Wagon drills and air tracks; Jackhammer operators in caissons over 12'; Bellers and stemmen; Licensed powdermen; Diamond and core drills powered by air

Group 10: Any work, other than on bridges, performed by laborers working from a bos'n chair, swinging stage, life belt or block and tackle as a safety requirement

LABORERS
(Pipelines)

All mainline sewers; Water mains; Gas, oil or any product pipelines; Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.

Group 1: Pipe plants and yards; Stringing or pipe or skids; Handling and signaling on line work

Group 2: Potman (not mechanical); Pipewrapper, Dopers, Jeep Holiday Detector Men, Bandage makers, Powdermen helpers

Group 3: Laborers working in trenches on all pipelines; Sewer, water, gas, oil, telephone conduit, pen stock, siphons, drainage lines, caulkers, yarners, fine graders, air, gas, electric and hydraulic tools, boring machines, hydraulic jacks, drills, tampers, etc.

Group 4: Sandblaster, powdermen and blasters, wiping of joint concrete pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers of pipe, inside and out

Group 5: (Relining Pipe)
Relining Pipe

Group 5-A: Mixer Man

Group 6: Pipelayer

LABORERS
(Tunnels)

Group 1: Outside laborers

Group 2: Minimum tunnel labor, dry house man

Group 3: Cable or hose tenders, chuck tenders, concrete laborers, dumpman, whirley pumps operators

Group 4: Helpers on shotcrete, gunniting and sandblasting; Helpers, core and diamond drills; Pot tender

Group 5: Cement finisher helper, applying of concrete processing materials

LABORERS (Cont'd)
(Tunnels)

Group 6: Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the miner's work; Tunnel liner plate setters; Vibrator men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and core drills; Cement finisher (underground); Shotcrete operator; Gunnite nozzlemen; Sandblaster; Pump concrete placement men

(SHAFTS, RAISES, MISSILE SILOS and ALL UNDERGROUND WORK OTHER THAN TUNNELS)

Group 1: Laborers, Topmen, Bottommen, and Cagers

Group 2: Chucktenders, Concrete laborers, Whirley pumps operators

Group 3: Helpers on shotcrete, gunniting and sandblasting; Helpers on core and diamond drills; Pot tenders; Cement finisher helpers; Applying of concrete processing material

Group 4: Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, including the placement of sheeting when required); All cutting and welding that is incidental to the miner's Work; Liner plate setters; Vibrator men, internal and external

Group 5: Diamond and core drill; Cement finisher (underground); Gunnite nozzlemen; Shotcrete operators; Sandblasters and pump concrete placement men

Group 6: Any employee performing work under ground from a bos'n chair, swinging stage, life bwlt or block and tackle

DECISION NO. C075-5065

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)					
Group 1	$6.40	.35	.59	.30	.06
Group 2	6.75	.35	.59	.30	.06
Group 3	7.10	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.55	.35	.59	.30	.06
(For work in Tunnels, Shafts, and Raises)					
Group 1	6.55	.35	.59	.30	.06
Group 2	6.90	.35	.59	.30	.06
Group 3	7.00	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.80	.35	.59	.30	.06

POWER EQUIPMENT OPERATORS
(Other than for work in Tunnels, Shafts and Raises)

Group 1: Air Compressor; Asphalt Screed; Oiler; Brakeman; Drill Operator - Smaller than Williams MF and similar; Helper to Heavy Duty Mechanic and/or Welder; Operators of 5 or more light plants, Welding Machines, Generators, single unit conveyor; Pumps; Vacuum well point system; tractor, under 70 HP with or without attachments

Group 2: Conveyor, handling building materials; Ditch Witch and similar trenching machine; Fireman or tank heater, road; Forklift; Haulage motor man; Pugmill; portable screening plant with or without a spray bar; screening plants, with classifier; self-propelled Roller, Rubber tired under 5 tons;

Group 3: Asphalt Plant; Backfiller, Bituminous spreader or laydown machine; Cableway signalman; caisson drill; Williams MF, similar and larger; C.M.I. and similar; Concrete Batching Plants; Concrete finish Machine; Concrete Gang Saws on concrete paving; Concrete Mixer, less than 1 yd.; Concrete Placement Pumps, under 8 inches; Distributors, bituminous surfaces; Drill, diamond or core; Drill Rigs, rotary, churn, or cable tool; Elevating Graders, Equipment Lubricating and service Engineer; Engineer Fireman; Grout Machine; Gunnite Machine; Hoists, 1 drum; Hydraulic Backhoes, wheel mounted under 3/4 yd.; Loader, Barber Green, etc.; Loader up to and including 6 cu. yds.; Machine Doctor; Mechanic; Motor Grader/Blade, rough; Road Stabilization Machine; Rollers, self-propelled, all types over 5 tons; Sandblasting Machine; single unit portable crusher, with or without washer; tie tamper, wheel mounted; Tractor, 70 HP and over with or without attachments; Trenching Machine Operator; Welder; winch on truck

Group 4: Cable Operated crane, track mounted; cable operated power shovels, Draglines, Clamshells, and backhoes, 5 cu. yds. and under; Concrete Mixer over 1 cu. yd.; Concrete Paver 34E or similar; Concrete placement pumps, 8 inches and over; crane, 50 tons and under; Hoist, 2 drums; Hydraulic Backhoe, 3/4 yd. and over; Loader, over 6 cu. yds.; Mechanic-welder, heavy duty; Mixer mobile; Motor Grader/blade, finish; Multiple unit portable crusher, with or without washer; Piledriver; Scrapers, single bowl under 40 cu. yds.; Self-propelled Hydraulic Crane; tractor with sideboom; truck mounted Hydraulic Crane

Group 5: Cable operated Power Shovels, Draglines, Clamshells and Backhoes over 5 cu. yds.; Crane, over 50 tons carrier mounted; Derrick; Electric rail type tower crane; Hoist, 3 drum or more; Quad Mine and similar push unit; Scrapers - single bowl including pups 40 cu. yds. and tandem bowls and over

Group 6: Cableway; Climbing tower Crane; Crawler or Truck Mounted Tower Crane; Wheel Excavator, Tower Crane, Truck type

POWER EQUIPMENT OPERATORS (Cont'd)
(for work in Tunnels, Shafts and Raises)

Group 1: Brakeman

Group 2: Motorman

Group 3: Compressor (900 CFM and over) serving Tunnels, Shafts and Raises

Group 4: Air Tractors; Grout Machine; Gunnite Machine; Jumbo Form; Mechanic; Welder

Group 5: Concrete Placement Pumps, 8" and over discharge; Mechanic-Welder, heavy duty; Mucking Machines and Front End Loaders, underground; Slusher; Mine Hoist Operator

Group 6: Mole

SUPERSEDEAS DECISION

STATE: Colorado

COUNTIES: Delta, Garfield, Gunnison, Mesa, Montrose and Pitkin

DECISION NUMBER: C075-5066

DATE: Date of Publication

Supersedes Decision C075-5047 dated April 11, 1975, in 40 FR 16504

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories) and heavy construction.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$ 9.01	.38	.72		
BOILERMAKERS	8.35	.60	1.00		.02
BRICKLAYERS; Stonemasons:					
Pitkin County	7.45	.45	.60	.25	.05
Remaining Counties	8.50	.45	.60	.25	.05
CARPENTERS:					
P.O. basing points in the Cities of Leadville, Fort Collins, Glenwood Springs, Grand Junction, Gunnison and Montrose					
Zone I (0-30 miles from nearest basing point)	7.54	.48	.60	.40	.05
Zone II (30-60 miles from nearest basing point)	7.79	.48	.60	.40	.05
Zone III (60 miles and over from nearest basing point)	8.04	.48	.60	.40	.05
CEMENT MASONS:					
Cement Masons	6.65	.44	1.10	.60	.07
Working with composition materials and color; Working on scaffold, swing stage or temporary platform over 25'; Power troweling and floor grinding machine	6.90	.44	1.10	.60	.07
ELECTRICIANS:					
Electricians	9.80	.42	1%		5/10%
Cable Splicers	10.05	.42	1%		5/10%
ELEVATOR CONSTRUCTORS	8.63	.44	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.44	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.37				
IRONWORKERS:					
Structural; Ornamental and Reinforcing	8.40	.55	.80		.06
MILLWRIGHTS	7.58	.48	.60	.40	.05

DECISION NO. C075-5066

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS:					
Brush and roller	$ 8.51	.50	.45		.04
Drywall finisher; Paperhangers	8.71	.50	.45		.04
Spray; Swingstage	8.99	.50	.45		.04
PLUMBERS	7.55	.50	.45	1.00	.10
ROOFERS	7.91	.42	.10		
SHEET METAL WORKERS	9.12	.30	.90		.07
SOFT FLOOR LAYERS	7.76	.35	.55	.30	.05
SPRINKLER FITTERS	9.25	.50	.70		.08

FOOTNOTE:

a. Employer contributes 4% of basic hourly rate for over 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit.

6 Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; E-Christmas Day.

DECISION NO. CO75-5066 Page 3

LABORERS (Building Construction)

Garfield and Pitkin Counties	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
				H & W	Pensions	Vacation	App. Tr.
	ZONE 1*	ZONE 2*	ZONE 3*				
Group 1	$ 5.80	$5.25	$5.70	.42	.45		.07
Group 2							
Class A	4.80	5.25	5.70	.42	.45		.07
Class B	5.08	5.53	5.98	.42	.45		.07
Group 3	4.95	5.40	5.85	.42	.45		.07
Group 4	5.28	5.73	6.18	.42	.45		.07
Group 5	5.00	5.45	5.90	.42	.45		.07
Group 6	5.12	5.57	6.02	.42	.45		.07
Group 7	5.60	6.05	6.50	.42	.45		.07

*ZONE 1: That area encompassed by 0 to 30 driving miles from the main Post Office in each of the following cities; Aspen, Glenwood, Springs, and Rifle.

*ZONE 2: That area encompassed by 20 to 70 driving miles from the main Post Office of above named cities.

*ZONE 3: That area encompassed by 70 driving miles and over from the main Post Office of above named cities.

Delta, Gunnison, Mesa & Montrose Counties	ZONE 1**	ZONE 2**	ZONE 3**				
Group 1	5.00	5.45	5.90	.42	.45		.07
Group 2							
Class A	5.00	5.45	5.90	.42	.45		.07
Class B	5.28	5.73	6.18	.42	.45		.07
Group 3	5.28	5.73	6.18	.42	.45		.07
Group 4	5.28	5.73	6.18	.42	.45		.07
Group 5	5.30	5.75	6.20	.42	.45		.07
Group 6	5.55	6.00	6.45	.42	.45		.07
Group 7	5.60	6.05	6.50	.42	.45		.07

**ZONE 1: That area encompassed by 0 to 30 driving miles from the main Post Office in each of the following cities; Grand Junction, Gunnison, Montrose, and Naturita.

**ZONE 2: That area encompassed by 30 to 70 driving miles from the main Post Office of above named cities.

**ZONE 3: That area encompassed by 70 driving miles and over from the main Post Office of above named cities.

DECISION NO. CO75-5066 Page 4

LABORERS (Cont'd) (Building Construction)

GROUP DESCRIPTION FOR ALL COUNTIES

Group 1: General Building Laborer

Group 2: Laborers, underpinning and shoring...
Class A: 0' to 8' below working surface
Class B: 8' below working surface to any depth below working surface

Group 3: Power tool operators of all mechanical, air, gas, and electric tools including self-propelled buggies; Cement finishers tenders; Gunnite nozzleman; Sand blasters

Group 4: Pipelayers

Group 5: Laborers preparing and placing of stone or any other aggregate in sand bed to be used as exposed face of tiltup panels.

Group 6: Jackhammer operator underpinning and shoring over 12' below working surface; Ballers and stemmers on caisson work

Group 7: Mason tenders, brick and plaster

HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS	7.19	.53	.60	.40	.05
UNDERGROUND CARPENTERS	7.39	.53	.60	.40	.05
Working on creosoted material, High work 40' above ground or floor on exposed scaffold or boatswains chair; Piledriving; Sawmen continuously assigned to 1½ HP saws at jobsite	7.49	.53	.60	.40	.05
CEMENT MASONS	6.22	.42	1.10	.30	.07

Page 5

DECISION NO. C075-5066

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PICKUPS; Helpers; Scalemen; Checkers; Spotters; Dumpmen	$ 6.45	.40	.30	.30	
DUMP TRUCKS, to & including 6 cu. yds.; Sweeper; Flat Rack, single Axle; Liquid & Bulk Tankers, single Axle; Warehousemen; Washers; Greasemen; Servicemen; Ambulance drivers	6.55	.40	.30	.30	
DUMP TRUCKS, over 6 cu. yds. to & incl. 14 cu. yds.; Flat Rack, Tandem Axle; Battery Men; Mechanics' Helpers; Material Checkers; Cardex Men; Expeditors; Man haul shuttle truck or Bus	6.65	.40	.30	.30	
STRADDLE TRUCK; Lumber Carrier; Liquid & Bulk Tankers, Tandem Axle	6.70	.40	.30	.30	
FORK LIFT DRIVER; fuel truck; Grease truck; Combination fuel & grease	6.75	.40	.30	.30	
DISTRIBUTOR TRUCK DRIVER; Cement Mixer, Agitator Truck to & including 10 cu. yds.; Liquid & Bulk Tankers, semi or combination	6.80	.40	.30	.30	
MULTI-PURPOSE TRUCK; Specialty & Hoisting	6.85	.40	.30	.30	
DUMP TRUCKS over 14 cu. yds. to & including 29 cu. yds.; High Boy, Low Boy, Floats, Semi; Cab operated Distributor Truck Driver, Semi; Liquid & Bulk Tankers, Euclid, Electric, or similar; Truck Driver Dumptor type, Youngbuggy, Jumbo & similar type equipment	6.90	.40	.30	.30	
TRUCK DRIVER, Snow Plow	7.00	.40	.30	.30	

Page 6

DECISION NO. C075-5066

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CEMENT MIXER, Agitator Truck over 10 cu. yds., to & incl. 15 cu. yds.	$ 7.05	.40	.30	.30	
DUMP TRUCKS over 29 cu. yds. to & incl. 39 cu. yds.	7.15	.40	.30	.30	
CEMENT MIXER, Agitator Truck over 15 cu. yds.	7.30	.40	.30	.30	
DUMP TRUCKS over 39 cu. yds. to & incl. 54 cu. yds.; Tireman	7.35	.40	.30	.30	
MECHANIC	7.45	.40	.30	.30	
DUMP TRUCKS over 54 cu. yds. to & incl. 79 cu. yds.	7.55	.40	.30	.30	
HEAVY DUTY DIESEL, Mechanics, Body Men, Welders or Combination Men	7.65	.40	.30	.30	
DUMP TRUCKS over 79 cu. yds. to & incl. 104 cu. yds.	7.75	.40	.30	.30	
DUMP TRUCKS over 104 cu. yds.	7.95	.40	.30	.30	
LINE CONSTRUCTION - Colorado					
Cable Splicers	9.97	.35	1%		3/4%
Lineman Cableman	9.36	.35	1%		3/4%
Journeyman Lineman	9.29	.35	1%		3/4%
Line Equipment Operator	7.90	.35	1%		3/4%
Line Equipment Maintenance Man	7.90	.35	1%		3/4%
Groundmen	6.52	.35	1%		3/4%

DECISION NO. C075-5066

LABORERS (Heavy Construction)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Group 1	$4.80	.42	.45		.07
Group 2	4.85	.42	.45		.07
Group 3	4.93	.42	.45		.07
Group 4	4.95	.42	.45		.07
Group 5	4.97	.42	.45		.07
Group 6	5.08	.42	.45		.07
Group 7	5.18	.42	.45		.07
Group 8	5.25	.42	.45		.07
Group 9	5.38	.42	.45		.07
Group 10	5.43	.42	.45		.07
(Pipelines) All mainline sewers; Water mains; Gas, oil or any product pipeline Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.					
Group 1	4.80	.42	.45		.07
Group 2	4.85	.42	.45		.07
Group 3	5.02	.42	.45		.07
Group 4	5.04	.42	.45		.07
Group 5	5.13	.42	.45		.07
Group 5-A	5.18	.42	.45		.07
Group 6	5.25	.42	.45		.07
LABORERS (Tunnels)					
Group 1	4.80	.42	.45		.07
Group 2	5.40	.42	.45		.07
Group 3	5.50	.42	.45		.07
Group 4	5.58	.42	.45		.07
Group 5	5.65	.42	.45		.07
Group 6	5.80	.42	.45		.07
(SHAFTS, RAISES, MISSILES SILOS & ALL UNDERGROUND WORK OTHER THAN TUNNELS)					
Group 1	5.50	.42	.45		.07
Group 2	5.65	.42	.45		.07
Group 3	5.75	.42	.45		.07
Group 4	5.93	.42	.45		.07
Group 5	6.03	.42	.45		.07
Group 6	6.08	.42	.45		.07

DECISION NO. C075-5066

LABORERS (Cont'd)
(Heavy Construction)

Group 1: Minimum laborer, including caissons to 8', carrying reinforcing rods; Work on cross culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence erectors; Metal mesh; Dowel bars; Tie bars and chairs in concrete paving; Nursery man including seeding; Mulching and planting of trees, shurbs and flowers; Stake chaser; Gabion baskets and tano mattresses

Group 2: Chuck tenders; Nippers, core and diamond drill helpers; Powderman helpers

Group 3: Hot asphalt laborer; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical)

Group 4: Multi-plate culvert pipe; Air, gas and electric tools operators; Barco hammers; Spaders; Electric hammer; Air tampers; Cutting torches on demolition work; Caissons 8' to 12'; Coffardams; Power operated concrete buggies; Operators of concrete saws on pavement (other than gang saws); Timber and chain saws; Stresser or stretcherman on post tension or pre-stressed concrete on or off job site; Tool room man and checkers; Cement finisher helper; Sandblaster helper; Concrete processing material monitor; Spotters; Signalmen; Dumpmen; Transverse concrete conveyor operator, Mechanical grouters; Boring machines (air hydraulic); Automatic concrete power curbing machine; Jackhammer; Vibrators; Paving breakers; Frost-proofing

Group 5: Any laborers performing bridge work over 40' above the ground or above a floor and working from a bos'n chair, swinging stage, life belt or block and tackle

Group 6: Gunniting and shotcrete helpers; Caissons over 12'; Coffardams; Timbermen; Underpinning and shoring; Form setters and/or stringman on roads, highways, streets and airport runways; Distributor; Placing and hooking of landing mats; Bull float (hand operated) and center expansion machines; Sandblasters; Grade checkers if required by employer

Group 7: Powdermen and blasters; Gunnite nozzlemen; Shotcrete operator

Group 8: Pipelayer on truck pipe lines in connection with highway work

Group 9: Wagon drills and air tracks; Jackhammer operators in caissons over 12'; Dellers and stemmen; Licensed powdermen; Diamond and core drills powered by air

Group 10: Any work, other than on bridges, performed by laborers working from a bos'n chair, swinging stage, life belt or block and tackle as a safety requirement

LABORERS
(Pipelines)

All mainline sewers; Water mains; Gas, oil or any product pipelines; Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.

Group 1: Pipe plants and yards; Stringing or pipe or skids; Handling and signaling on line work

Group 2: Potman (not mechanical); Pipewrapper, Dopers, Jeep Holiday Detector Men, Bandage makers, Powdermen helpers

Group 3: Laborers working in trenches on all pipelines; Sewer, water, gas, oil, telephone conduit, pen stock, siphons, drainage lines, caulkers, yarners, fine graders, air, gas, electric and hydraulic tools, boring machines, hydraulic jacks, drills, tampers, etc.

Group 4: Sandblaster, powdermen and blasters, wiping of joint concrete pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers of pipe, inside and out

Group 5: (Relining Pipe)
Relining Pipe

Group 5-A: Mixer Man

Group 6: Pipelayer

LABORERS
(Tunnels)

Group 1: Outside laborers

Group 2: Minimum tunnel labor, dry house man

Group 3: Cable or hose tenders, chuck tenders, concrete laborers, dumpman, whirley pumps operators

Group 4: Helpers on shotcrete, gunniting and sandblasting; Helpers, core and diamond drills; Pot tender

Group 5: Cement finisher helper, applying of concrete processing materials

LABORERS (Cont'd)
(Tunnels)

Group 6: Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the miner's work; Tunnel liner plate setters; Vibrator men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and core drills; Cement finisher (underground); Shotcrete operator; Gunnite nozzlemen; Sandblaster; Pump concrete placement men

(SHAFTS, RAISES, MISSILE SILOS and ALL UNDERGROUND WORK OTHER THAN TUNNELS)

Group 1: Laborers, Topmen, Bottommen, and Cagers

Group 2: Chucktenders, Concrete laborers, Whirley pumps operators

Group 3: Helpers on shotcrete, gunniting and sandblasting; Helpers on core and diamond drills; Pot tenders; Cement finisher helpers; Applying of concrete processing material

Group 4: Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, including the placement of sheeting when required); All cutting and welding that is incidental to the miner's Work; Liner plate setters; Vibrator men, internal and external

Group 5: Diamond and core drill; Cement finisher (underground); Gunnite nozzlemen; Shotcrete operators; Sandblasters and pump concrete placement men

Group 6: Any employee performing work under ground from a bos'n chair, swinging stage, life bwlt or block and tackle

DECISION NO. C075-5066

POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$6.40	.35	.59	.30	.06
Group 2	6.75	.35	.59	.30	.06
Group 3	7.10	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.55	.35	.59	.30	.06
(For work in Tunnels, Shafts, and Raises)					
Group 1	6.55	.35	.59	.30	.06
Group 2	6.90	.35	.59	.30	.06
Group 3	7.00	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.80	.35	.59	.30	.06

POWER EQUIPMENT OPERATORS
(Other than for work in Tunnels, Shafts and Raises)

Group 1: Air Compressor; Asphalt Screed; Oiler; Brakeman; Drill Operator - Smaller than Williams MF and similar; Helper to Heavy Duty Mechanic and/or Welder; Operators of 5 or more light plants, Welding Machines, Generators, single unit conveyor; Pumps; Vacuum well point system; tractor, under 70 HP with or without attachments

Group 2: Conveyor, handling building materials; Ditch Witch and similar trenching machine; Fireman or tank heater, road; Forklift; Haulage motor man; Pugmill; portable screening plant with or without a spray bar; screening plants, with classifier; self-propelled Roller, Rubber tired under 5 tons;

Group 3: Asphalt Plant; Backfiller, Bituminous spreader or laydown machine; Cableway signalman; caisson drill; Williams MF, similar and larger; C.M.I. and similar; Concrete Batching Plants; Concrete finish Machine; Concrete Gang Saws on concrete paving; Concrete Mixer, less than 1 yd.; Concrete Placement Pumps, under 8 inches; Distributors, bituminous surfaces; Drill, diamond or core; Drill Rigs, rotary, churn, or cable tool; Elevating Graders, Equipment Lubricating and service Engineer; Engineer Fireman; Grout Machine; Gunnite Machine; Hoists, 1 drum; Hydraulic Backhoes, wheel mounted under 3/4 yd.; Loader, Barber Green, etc.; Loader up to and including 6 cu. yds.; Machine Doctor; Mechanic; Motor Grader/Blade, rough; Road Stabilization Machine; Rollers, self-propelled, all types over 5 tons; Sandblasting Machine; single unit portable crusher, with or without washer; tie tamper, wheel mounted; Tractor, 70 HP and over with or without attachments; Trenching Machine Operator; Welder; winch on truck

Group 4: Cable Operated crane, track mounted; cable operated power shovels, Draglines, Clamshells, and backhoes, 5 cu. yds. and under; Concrete Mixer over 1 cu. yd.; Concrete Paver 34E or similar; Concrete placement pumps, 8 inches and over; crane, 50 tons and under; Hoist, 2 drums; Hydraulic Backhoe, 3/4 yd. and over; Loader, over 6 cu. yds.; Mechanic-welder, heavy duty; Mixer mobile; Motor Grader/blade, finish; Multiple unit portable crusher, with or without washer; Piledriver; Scrapers, single bowl under 40 cu. yds.; Self-propelled Hydraulic Crane; tractor with sideboom; truck mounted Hydraulic Crane

Group 5: Cable operated Power Shovels, Draglines, Clamshells and Backhoes over 5 cu. yds.; Crane, over 50 tons carrier mounted; Derrick; Electric rail type tower crane; Hoist, 3 drum or more; Quad Nine and similar push unit; Scrapers - single bowl including pups 40 cu. yds. and tandem bowls and over

Group 6: Cableway; Climbing tower Crane; Crawler or Truck Mounted Tower Crane; Wheel Excavator, Tower Crane, Truck type

DECISION NO. CO75-5066

POWER EQUIPMENT OPERATORS (Cont'd)
(for work in Tunnels, Shafts and Raises)

Group 1: Brakeman

Group 2: Motorman

Group 3: Compressor (900 CFM and over) serving Tunnels, Shafts and Raises

Group 4: Air Tractors; Grout Machine; Gunnite Machine; Jumbo Form; Mechanic; Welder

Group 5: Concrete Placement Pumps, 8" and over discharge; Mechanic-Welder, heavy duty; Mucking Machines and Front End Loaders, underground; Slusher; Mine Hoist Operator

Group 6: Mole

SUPERSEDEAS DECISION

STATE: Colorado COUNTY: Statewide
DECISION NUMBER: C075-5067 DATE: Date of Publication
Supersedes Decision No. C075-5050 dated April 11, 1975, in 40 FR 16524
DESCRIPTION OF WORK: Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS	$7.19	.53	.60	.40	.05
CEMENT MASONS:					
Denver Metropolitan Area	6.32	.42	1.10	.30	.07
Outside Denver Metropolitan Area	6.22	.42	1.10	.30	.07
ELECTRICIANS:					
Adams, Arapahoe, Boulder, Clear Creek, Denver, Douglas, Eagles, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Logan, Morgan, Phillips, Sedgwick, Summit, Washington, Weld, and Yuma Counties					
Electricians	10.24	.65	17%+.25		
Cable Splicers	10.49	.65	17%+.25		
Delta, Dolores, Garfield, Gunnison, Hinsdale, La Plata, Mesa, Moffat, Montezuma, Montrose, Ouray, Pitkins, Rio Blanco, Routt, San Juan and San Miguel Counties					
Electricians	9.80	.42	17%		5/10%
Cable Splicers	10.05	.42	17%		5/10%
Archuleta, Baca, Bent, Chaffee, Crowley, Custer, Fremont, Huerfano, Kiowa, Las Animas, Mineral, Otero, Prowers, Pueblo, and Rio Grande Counties					
Zone 1 (with 12 miles of Pueblo Main P. O.)					
Electricians	9.25	.42	17%+.25		1/10%
Cable Splicers	10.18	.42	17%+.25		1/10%
Zone 2 (12 to 20 miles from Pueblo Main P. O.) and (0 to 12 miles from P. O. in Canon City)					
Electricians	9.65	.42	17%+.25		1/10%
Cable Splicers	10.58	.42	17%+.25		1/10%
Zone 3 (20 to 40 miles from Pueblo Main P. O.)					
Electricians	10.00	.42	17%+.25		1/10%
Cable Splicers	10.93	.42	17%+.25		1/10%

DECISION NO. C075-5067

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ELECTRICIANS: (Cont'd)					
Zone 4 (40 miles and over from Pueblo Main P. O.)					
Electricians	$10.75	.42	17%+.25		1/10%
Cable Splicers	11.68	.42	17%+.25		1/10%
Electricians on electricians contracts less than $5,000 in Zones 3 and 4	6.91	.42	17%+.25		1/10%
Cheyenne, Elbert, El Paso, Kit Carson, Lincoln, Park and Teller Counties					
Electricians	9.07	.32	17%+.25		.01
IRONWORKERS.	8.40	.55	.80		.06
PAINTERS:					
Adams, Arapahoe, Boulder, Clear Creek, Delta, Denver, Douglas, Eagle, Elbert, Garfield, Gilpin, Grand, Gunnison, Jackson, Jefferson, Lake, Larimer, Logan, Mesa, Moffat, Montrose, Morgan, Park (Northern half), Phillips, Pitkin, Rio Blanco, Routt, Sedgwick, Summit, Washington, and Weld Counties					
Brush	8.51	.50	.45		.03
Spray, Swing Stage	8.89	.50	.45		.03
Baca, Bent, Crowley, Custer, Huerfano, Kiowa, Las Animas, Otero, Prowers, and Pueblo Cos.					
Brush	6.28	.30			.02
Structural Steel; Spray	6.78	.30			.02
Spray Steel	7.38	.30			.02
Archuleta, Chaffee, Cheyenne, Dolores, El Paso, Fremont, Hinsdale, Kit Carson, La Plata, Lincoln, Mineral, Montezuma, Ouray, Park (Southern half), Rio Grande, Saguache, San Juan, San Miguel and Teller Counties					
Brush	7.20	.50	.20		.03
Spray	7.80	.50	.20		.03
Steel	7.70	.50	.20		.03
Steel Spray	8.30	.50	.20		.03
PILEDRIVERMEN	7.29	.48	.60	.40	.05

Page 3

DECISION NO. C075-5067

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PICKUPS; Helpers; Scalemen; Checkers; Spotters; Dumpmen	$ 6.45	.40	.30	.30	
DUMP TRUCKS, to & including 6 cu. yds.; Sweeper; Flat Rack, single Axle; Liquid & Bulk Tankers, single Axle; Warehousemen; Washers; Greasemen; Servicemen; Ambulance drivers	6.55	.40	.30	.30	
DUMP TRUCKS, over 6 cu. yds. to & incl. 14 cu. yds.; Flat Rack, Tandem Axle; Battery Men; Mechanics' Helpers; Material Checkers; Cardex Men; Expeditors; Man haul shuttle truck or Bus	6.65	.40	.30	.30	
STRADDLE TRUCK; Lumber Carrier; Liquid & Bulk Tankers, Tandem Axle	6.70	.40	.30	.30	
FORK LIFT DRIVER; fuel truck; Grease truck; Combination fuel & grease	6.75	.40	.30	.30	
DISTRIBUTOR TRUCK DRIVER; Cement Mixer, Agitator Truck to & including 10 cu. yds.; Liquid & Bulk Tankers, semi or combination	6.80	.40	.30	.30	
MULTI-PURPOSE TRUCK; Specialty & Hoisting	6.85	.40	.30	.30	
DUMP TRUCKS over 14 cu. yds. to & including 29 cu. yds.; High Boy, Low Boy, Floats, Semi; Cab operated Distributor Truck Driver, Semi; Liquid & Bulk Tankers, Euclid, Electric, or similar; Truck Driver Dumptor type, Youngbuggy, Jumbo & similar type equipment	6.90	.40	.30	.30	
TRUCK DRIVER, Snow Plow	7.00	.40	.30	.30	

Page 4

DECISION NO. C075-5067

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CEMENT MIXER, Agitator Truck over 10 cu. yds., to & incl. 15 cu. yds.	$ 7.05	.40	.30	.30	
DUMP TRUCKS over 29 cu. yds. to & incl. 39 cu. yds.	7.15	.40	.30	.30	
CEMENT MIXER, Agitator Truck over 15 cu. yds.	7.30	.40	.30	.30	
DUMP TRUCKS over 39 cu. yds. to & incl. 54 cu. yds.; Tireman	7.35	.40	.30	.30	
MECHANIC	7.45	.40	.30	.30	
DUMP TRUCKS over 54 cu. yds. to & incl. 79 cu. yds.	7.55	.40	.30	.30	
HEAVY DUTY DIESEL, Mechanics, Body Men, Welders or Combination Men	7.65	.40	.30	.30	
DUMP TRUCKS over 79 cu. yds. to & incl. 104 cu. yds.	7.75	.40	.30	.30	
DUMP TRUCKS over 104 cu. yds.	7.95	.40	.30	.30	
LINE CONSTRUCTION - Colorado					
Cable Splicers	9.97	.35	1%		3/4%
Lineman Cableman	9.36	.35	1%		3/4%
Journeyman Lineman	9.29	.35	1%		3/4%
Line Equipment Operator	7.90	.35	1%		3/4%
Line Equipment Maintenance Man	7.90	.35	1%		3/4%
Groundmen	6.52	.35	1%		3/4%

DECISION NO. C075-5067

LABORERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$4.80	.42	.45		.07
Group 2	4.85	.42	.45		.07
Group 3	4.93	.42	.45		.07
Group 4	4.95	.42	.45		.07
Group 5	4.97	.42	.45		.07
Group 6	5.08	.42	.45		.07
Group 7	5.18	.42	.45		.07
Group 8	5.25	.42	.45		.07
Group 9	5.38	.42	.45		.07
Group 10	5.43	.42	.45		.07
(Pipelines)					
All mainline sewers; Water mains; Gas, oil or any product pipeline; Pond stocks; Siphones or drainage lines; Pipe plants and yards not in connection with highway construction.					
Group 1	4.80	.42	.45		.07
Group 2	4.85	.42	.45		.07
Group 3	5.02	.42	.45		.07
Group 4	5.04	.42	.45		.07
Group 5	5.13	.42	.45		.07
Group 5-A	5.18	.42	.45		.07
Group 6	5.25	.42	.45		.07
LABORERS (Tunnels)					
Group 1	4.80	.42	.45		.07
Group 2	5.40	.42	.45		.07
Group 3	5.50	.42	.45		.07
Group 4	5.58	.42	.45		.07
Group 5	5.65	.42	.45		.07
Group 6	5.80	.42	.45		.07
(SHAFTS, RAISES, MISSILE SILOS & ALL UNDERGROUND WORK OTHER THAN TUNNELS)					
Group 1	5.50	.42	.45		.07
Group 2	5.65	.42	.45		.07
Group 3	5.75	.42	.45		.07
Group 4	5.93	.42	.45		.07
Group 5	6.03	.42	.45		.07
Group 6	6.08	.42	.45		.07

LABORERS

Group 1: Minimum laborer, including cassions to 8', carrying reinforcing rods; Work on cross culberts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence erectors; Metal mesh; Dowel bars; Tie bars and chairs in concrete paving; Nursery man including seeding; Mulching and plating of trees, shrubs and flowers; Stake chaser; Gabion baskets and teno mattresses

Group 2: Chuck tenders; Nippers, core and diamond drill helpers; Powderman helpers

Group 3: Hot asphalt laborer; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical)

Group 4: Multi-plate culvert pipe; Air, gas and electric tools operators; Barco hammers; Spaders; Electric hammers; Air tampers; Cutting torches on demolition work; Caissons 8' to 12'; Cofferdams; Power operated concrete buggies; Operators of concrete saws on pavement (other than gang saws); Timber and chain saws; Stresser or stretcherman on post tension or prestressed concrete on or off jobsite; Tool room man and checkers; Cement finisher helper; Sandblaster helper; Concrete processing material monitor; Spotters; Signalmen; Dumpmen; Transverse concrete conveyor operator, mechanical grouters; Boring machines (air hydraulic); Automatic concrete power curbing machine; Jackhammer; Vibrators; Paving breakers; Frostproofing

Group 5: Any laborers performing bridge work over 40' above the ground or above a floor and working from a bos'n chair, swinging stage, lift belt or block and tackle

Group 6: Gunniting and shotcrete helpers; Caissons over 12'; Cofferdams; Timbermen; Underpinning and shoring; Form setters and/or stringman on roads, highways, streets and airport runways; Distributor; Placing and hooking of landing mats; Bullfloat (hand operated) and center expansion machines; Sandblasters; Grade checker if required by employer

Group 7: Powderman and blasters; Gunnite nozzlemen; Shotcrete operator

Group 8: Pipelayer on truck pipe lines in connection with highway work

Group 9: Wagon drills and air tracks; Jackhammer operators in caissons over 12'; Bellers and stemmen; Licensed powdermen; Diamond and core drills powered by air

Group 10: Any work, other than on bridges, performed by laborers working from a bos'n chair, swinging stage, life belt or block and tackle as a safety requirement

DECISION NO. C075-5067

LABORERS
(Pipelines)

All mainline sewers; Water mains; Gas, oil or any product pipelines; Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.

Group 1: Pipe plants and yards; Stringing of pipe or skids; Handling and signaling on line work

Group 2: Potman (not mechanical); Pipewrapper, Dopers, Jeep Holiday Detector Men, Bandage makers, Powdermen helpers

Group 3: Laborers working in trenches on all pipelines; Sewer, water, gas, oil, telephone conduit, pen stock, siphons, drainage lines, caulkers, yarners, fine graders, air, gas, electric and hydraulic tools, boring machines, hydraulic jacks, drills, tampers, etc.

Group 4: Sandblaster, powdermen and blasters, wiping of joint concrete pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers or pipe, inside and out

Group 5: (Relining pipe)
Relining pipe

Group 5-A: Mixer man

Group 6: Pipelayer

LABORERS
(TUNNELS)

Group 1: Outside laborers

Group 2: Minimum tunnel labor, dry houseman

Group 3: Cable or hose tenders, chuck tenders, concrete laborers, dumpman, whirley pumps operators

Group 4: Helpers on shotcrete, gunniting and sandblasting; Helpers, core and diamond drills; Pot tender

Group 5: Cement finisher helper, applying of concrete processing materials

DECISION NO. C075-5067

LABORERS (Cont'd)
(Tunnels)

Group 6: Callapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the miner's work; Tunnel liner plate setters; Vibrator men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and core drills; Cement finisher (underground); Shotcrete operator; Gunnite nozzlemen; Sandblaster; Pipe concrete placement men

(SHAFTS, RAISES, MISSILE SILOS and ALL UNDERGROUND WORK OTHER THAN TUNNELS)

Group 1: Laborers, Topmen, Bottommen, and Cagers

Group 2: Chucktenders, Concrete laborers, Whirley pumps operators

Group 3: Helpers on shotcrete, gunniting and sandblasting; Helpers on core and diamond drills; Pot tenders; Cement finisher helpers; Applying of concrete processing material

Group 4: Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, including the placement of sheeting when required); All cutting and welding that is incidental to the miner's work; Liner plate setters; Vibrator men, internal and external

Group 5: Diamond and core drill; Cement finisher (underground); Gunnite nozzlemen; Shotcrete operators; Sandblasters and pump concrete placement men

Group 6: Any employee performing work under ground from a bos'n chair, swinging stage, life belt or block and tackle

DECISION NO. C075-5067

POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$6.40	.35	.59	.30	.06
Group 2	6.75	.35	.59	.30	.06
Group 3	7.10	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.55	.35	.59	.30	.06
(For work in Tunnels, Shafts, and Raises)					
Group 1	6.55	.35	.59	.30	.06
Group 2	6.90	.35	.59	.30	.06
Group 3	7.00	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.80	.35	.59	.30	.06

POWER EQUIPMENT OPERATORS
(Other than for work in Tunnels, Shafts and Raises)

Group 1: Air Compressor; Asphalt Screed; Oiler; Brakeman; Drill Operator - Smaller than Williams MF and similar; Helper to Heavy Duty Mechanic and/or Welder; Operators of 5 or more light plants, Welding Machines, Generators, single unit conveyor; Pumps; Vacuum well point system; tractor, under 70 HP with or without attachments

Group 2: Conveyor, handling building materials; Ditch Witch and similar trenching machine; Fireman or tank heater, road; Forklift; Haulage motor man; Pugmill; portable screening plant with or without a spray bar; screening plants, with classifier; self-propelled Roller, Rubber tired under 5 tons;

Group 3: Asphalt Plant; Backfiller, Bituminous spreader or laydown machine; Cableway signalman; caisson drill; Williams MF, similar and larger; C.M.I. and similar; Concrete Batching Plants; Concrete finish Machine; Concrete Gang Saws on concrete paving; Concrete Mixer, less than 1 yd.; Concrete Placement Pumps, under 8 inches; Distributors, bituminous surfaces; Drill, diamond or core; Drill Rigs, rotary, churn, or cable tool; Elevating Graders, Equipment Lubricating and service Engineer; Engineer Fireman; Grout Machine; Gunnite Machine; Hoists, 1 drum; Hydraulic Backhoes, wheel mounted under 3/4 yd.; Loader, Barber Green, etc.; Loader up to and including 6 cu. yds.; Machine Doctor; Mechanic; Motor Grader/Blade, rough; Road Stabilization Machine; Rollers, self-propelled, all types over 5 tons; Sandblasting Machine; single unit portable crusher, with or without washer; tie tamper, wheel mounted; Tractor, 70 HP and over with or without attachments; Trenching Machine Operator; Welder; winch on truck

Group 4: Cable Operated crane, track mounted; cable operated power shovels, Draglines, Clamshells, and backhoes, 5 cu. yds. and under; Concrete Mixer over 1 cu. yd.; Concrete Paver 34E or similar; Concrete placement pumps, 8 inches and over; crane, 50 tons and under; Hoist, 2 drums; Hydraulic Backhoe, 3/4 yd. and over; Loader, over 6 cu. yds.; Mechanic-welder, heavy duty; Mixer mobile; Motor Grader/blade, finish; Multiple unit portable crusher, with or without washer; Piledriver; Scrapers, single bowl under 40 cu. yds.; Self-propelled Hydraulic Crane; tractor with sideboom; truck mounted Hydraulic Crane

Group 5: Cable operated Power Shovels, Draglines, Clamshells and Backhoes over 5 cu. yds.; Crane, over 50 tons carrier mounted; Derrick; Electric rail type tower crane; Hoist, 3 drum or more; Quad Nine and similar push unit; Scrapers - single bowl including pups 40 cu. yds. and tandem bowls and over

Group 6: Cableway; Climbing tower Crane; Crawler or Truck Mounted Tower Crane; Wheel Excavator, Tower Crane, Truck type

DECISION NO. C075-5067

POWER EQUIPMENT OPERATORS (Cont'd)
(for work in Tunnels, Shafts and Raises)

Group 1: Brakeman

Group 2: Motorman

Group 3: Compressor (900 CFM and over) serving Tunnels, Shafts and Raises

Group 4: Air Tractors; Grout Machine; Gunnite Machine; Jumbo Form; Mechanic; Welder

Group 5: Concrete Placement Pumps, 8" and over discharge; Mechanic-Welder, heavy duty; Mucking Machines and Front End Loaders, underground; Slusher; Mine Hoist Operator

Group 6: Mole

SUPERSEDEAS DECISION

Page 2

STATE: Colorado

COUNTIES: Adams, Arapahoe, Boulder, Clear Creek, Denver, Douglas, Eagle, Elbert, Gilpin, Grand, Jefferson, Lake, Larimer, Morgan, Park, Summit and Weld

DECISION NUMBER: C075-5068

DATE: Date of Publication

Supersedes Decision No. C075-5048 dated April 11, 1975, in 40 FR 16510

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories) and heavy construction

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$9.01	.38	.72		
BOILERMAKERS	8.35	.60	1.00		.02
BRICKLAYERS; Stonemasons:					
Eagle County	7.45	.45	.60	.25	.05
Boulder and Grand Counties	8.35	.45	.50		.05
Elbert, Lake and Park Counties	8.50	.45	.50		.04
Larimer County	8.80	.45	.50	.25	.05
Remaining Counties	8.25	.45	.60	.25	.05
CARPENTERS:					
Adams, Arapahoe, Boulder, Clear Creek, Denver, Douglas, Elbert, Grand, Gilpin, Jefferson, and Park (Northern area) Counties					
Area (a) Denver Metropolitan Area including Louisville, Golden, Boulder and Longmont basing points					
Zone I (0 to 20 miles)	8.135	.48	.60	.40	.05
Zone II (20 to 50 miles)	9.15	.48	.60	.40	.05
Zone III (50 miles and over)	10.17	.48	.60	.40	.05
Morgan and Weld Counties:					
Area (b) Denver Northeastern Area of Colorado incl. Greeley, Loveland and Fort Morgan basing points					
Zone I (0 to 20 miles)	8.135	.48	.60	.40	.05
Zone II (20 to 50 miles)	9.15	.48	.60	.40	.05
Zone III (50 miles and over)	10.17	.48	.60	.40	.05
Larimer County (S. E. portion within Loveland basing point, Zone I)	8.135	.48	.60	.40	.05
Larimer (Remainder of County), Eagle, Lake, Park (south 40 miles) and Summit Counties					
Zone I (0-30 miles from P. O. in Leadville or Fort Collins)	7.54	.48	.60	.40	.05

DECISION NO. C075-5068

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS: (Cont'd)					
Zone II (30-60 miles from P.O. in Leadville or Fort Collins)	$7.79	.48	.60	.40	.05
Zone III (All work outside of the 60 mile radius from P. O. in Leadville or Fort Collins)	8.04	.48	.60	.40	.05
CEMENT MASONS:					
Eagle and Summit Counties:					
Cement Masons	6.75	.44	1.10	.60	.07
Working with composition materials and color; Working on scaffold, swing stage or temporary platform over 25'; Power troweling and floor grinding machine	7.00	.40	1.10	.60	.07
Remaining Counties (including Elbert County, except S. E. corner and N½ of Park County)					
Cement Masons	7.00	.44	1.10	.60	.07
Working with composition materials and color; Working on scaffold, swing stage or temporary platform over 25'; Power troweling and floor grinding machine	7.25	.44	1.10	.60	.07
ELECTRICIANS:					
Electricians (Elbert and Park Counties)	9.07	.42	17%+.25		
Electricians (Remaining Cos.)	10.24	.65	17%+.25		
Cable Splicers (Remaining Cos.)	10.49	.65	17%+.25		
ELEVATOR CONSTRUCTORS	8.63	.44	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.44	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.37				
IRONWORKERS	8.40	.55	.80		.06
MARBLE MASONS	8.30	.56	.50	.25	.04
MILLWRIGHTS	7.58	.48	.60	.40	.05

DECISION NO. C075-5068

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS:					
Park County (Southern half)					
Brush, roller, taper, hand texture	$7.20	.50	.20		.03
Steel and paperhanger	7.70	.50	.20		.03
Spray	7.80	.50	.20		.03
Steel Spray	8.30	.50	.20		.03
Remaining Counties including N½ of Park County*					
Brush and roller	8.51	.50	.45		.04
Drywall finisher; Paperhanger	8.71	.50	.45		.04
Spray; Swing stage	8.99	.50	.45		.04
PLASTERERS	8.69				.01
PLUMBERS; Pipefitters:					
Southern portions of Douglas, Elbert and Park Counties (See ** below)	8.28	.55	.65	1.17	.05
Boulder County	8.60	.55	.65	.50	.05
Larimer County	8.60	.55	.65	.50	.05
Remaining Counties (including Northern portions of Douglas, Elbert and Park Counties)	8.60	.55	.65	.50	.05
ROOFERS:					
Eagle and Southern portions of Lake, Jefferson, Park, Douglas, and Elbert Counties (See**below)	7.91	.42	.10		
Remaining Counties including Northern portions of Lake, Park, Jefferson, Douglas and Elbert Counties	8.25	.55			.08
SHEET METAL WORKERS	9.12	.30	.90		.07
SOFT FLOOR LAYERS	7.76	.35	.55	.30	.05
SPRINKLER FITTERS	9.25	.50	.70		.08
TERRAZZO WORKERS	8.30	.56	.50	.25	.04
TILE SETTERS:					
Elbert, Lake, and Park Counties	7.41	.45	.50		
Remaining Counties	8.30	.56	.50	.25	.04
TILE, MARBLE, & TERRAZZO HELPERS					
*Park County dividing line: A line from the S.W. corner of Jefferson County to the S.E. corner of Lake County					
Helpers					
Floor Grinder	6.22	.56	.50	.40	
Base Grinder	6.37	.56	.50	.40	
	6.92	.56	.50	.40	

DECISION NO. C075-5068

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
**Area south of an east-west line from west border of Lake County to a point 2 miles north of the city of Leadville to a point 1/2 miles north of the City of Limon at the west border of Lincoln County					

FOOTNOTE:

a. Employer contribures 4% basic hourly rate for over 5 years service and 2% baisc hourly rate for 6 months to 5 years service as Vacation Pay Credit. Six Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Idnependence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

DECISION NO. C075-5068

LABORERS (Building Construction)	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
				H & W	Pensions	Vacation	App. Tr.
AREA A	ZONE 1	ZONE 2	ZONE 3				
Group 1	$ 5.00	$ 5.45	$ 5.90	.42	.45		.07
Group 2:							
Class A	5.00	5.45	5.90	.42	.45		.07
Class B	5.28	5.73	6.18	.42	.45		.07
Group 3	5.28	5.73	6.18	.42	.45		.07
Group 4	5.50	5.95	6.40	.42	.45		.07
Group 5	5.30	5.75	6.20	.42	.45		.07
Group 6	5.55	6.00	6.45	.42	.45		.07
Group 7	5.60	6.05	6.50	.42	.45		.07
AREA B							
Group 1	4.80	5.25	5.70	.42	.45		.07
Group 2:							
Class A	4.80	5.25	5.70	.42	.45		.07
Class B	5.08	5.53	5.98	.42	.45		.07
Group 3	4.95	5.40	5.85	.42	.45		.07
Group 4	5.28	5.73	6.18	.42	.45		.07
Group 5	5.00	5.45	5.90	.42	.45		.07
Group 6	5.12	5.57	6.02	.42	.45		.07
Group 7	5.60	6.05	6.50	.42	.45		.07

AREA A

Adams, Arapahoe, Boulder, Denver, Lake, Larimer and Summit Counties. Douglas and Jefferson Counties lying north of the south line of Township 7 south; Elbert County lying west of the east line of Range 65 West and North of the south line of Township 7 South. Weld County lying south and west of the following described line: Beginning at the northwest corner of Township 4 North, Range 68 West of the 6th p.m.; thence east along the north line of said Township six (6) miles, more or less, to the east line of said Township; thence south along the east line of said Township three (3) miles, more or less, to the southeast corner of Section 13, Township 4 North, Range 68 West; thence east along the eastwest center line of Township 4 North, Range 67 West, six (6) miles, more or less, to the east line of said Township; thence south along the east line of Range 67 West, being the east lines of Township 4 North, 3 North, 2 North, and 1 North, Range 67 West, sixteen (16) miles to the southeast corner of Section 1, Township 1 North, Range 67 West; thence east and parallel to the Base Line twelve (12) miles, more or less, to the southeast corner of Section 1, Township 1 North, Range 65 West; thence south along the east line of Range 65 West, five (5) miles, more or less, to the Base Line being the south line of Weld County.

DECISION NO. C075- 5068

LABORERS (Cont'd)
(Building Construction)

AREA A (Cont'd)

Zone 1: That area encompassed by 0 to 30 driving miles from the main Post Office in each of the following Cities: Boulder, Denver, Dillon, Englewood, Fort Collins, Golden, Greeley and Leadville

Zone 2: That area encompassed by 30 to 70 driving miles from the main Post Office of above named Cities

Zone 3: That area encompassed by 70 driving miles and over from the main Post Office of above named Cities

AREA B

Douglas, Elbert, Jefferson, and Weld Counties lying outside of the area as described in Area A, and all of Clear Creek, Eagle, Gilpin, Grand, Morgan, and Park Counties.

Zone 1: That area encompassed by 0 to 30 driving miles from the main Post Office in each of the following Cities: Eagle, Fort Morgan, Golden Grandby, Greeley and Vail.

Zone 2: That area encompassed by 30 to 70 driving miles from main Post Office of above named Cities

Zone 3: That area encompassed by 70 driving miles and over from the main Post Office in above named Cities

LABORERS (Cont'd)
(Building Construction)

GROUP DESCRIPTION FOR AREAS A AND B

Group 1: General Building Laborer

Group 2: Laborers, underpinning and shoring...
Class A: 0' to 8' below working surface
Class B: 8' below working surface to any depth below working surface

Group 3: Power tool operators of all mechanical, air, gas, and electric tools including self-propelled buggies; Cement finishers tenders; Gunnite nozzleman; Sand blasters

Group 4: Pipelayers

Group 5: Laborers preparing and placing of stone or any other aggregate in sand bed to be used as exposed face of tiltup panels.

Group 6: Jackhammer operator underpinning and shoring over 12' below working surface; Bellers and stemmers on caisson work

Group 7: Mason tenders, brick and plaster

HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS	7.19	.53	.60	.40	.05
UNDERGROUND CARPENTERS	7.39	.53	.60	.40	.05
Working on creosoted material, High work 40' above ground or floor on exposed scaffold or boatswains chair; Piledriving; Sawmen continuously assigned to 1½ HP saws at jobsite	7.49	.53	.60	.40	.05
CEMENT MASONS:					
Construction (outside Denver Metropolitan Area)	6.22	.42	1.10	.30	.07
Construction (Denver Metropolitan Area)	6.32	.42	1.10	.30	.07

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PICKUPS; Helpers; Scalemen; Checkers; Spotters; Dumpmen	$ 6.45	.40	.30	.30	
DUMP TRUCKS, to & including 6 cu. yds.; Sweeper; Flat Rack, single Axle; Liquid & Bulk Tankers, single Axle; Warehousemen; Washers; Greasemen; Servicemen; Ambulance drivers	6.55	.40	.30	.30	
DUMP TRUCKS, over 6 cu. yds. to & incl. 14 cu. yds.; Flat Rack, Tandem Axle; Battery Men; Mechanics' Helpers; Material Checkers; Cardex Men; Expeditors; Man haul shuttle truck or Bus	6.65	.40	.30	.30	
STRADDLE TRUCK; Lumber Carrier; Liquid & Bulk Tankers, Tandem Axle	6.70	.40	.30	.30	
FORK LIFT DRIVER; fuel truck; Grease truck; Combination fuel & grease	6.75	.40	.30	.30	
DISTRIBUTOR TRUCK DRIVER; Cement Mixer, Agitator Truck to & including 10 cu. yds.; Liquid & Bulk Tankers, semi or combination	6.80	.40	.30	.30	
MULTI-PURPOSE TRUCK; Specialty & Hoisting	6.85	.40	.30	.30	
DUMP TRUCKS over 14 cu. yds. to & including 29 cu. yds.; High Boy, Low Boy, Floats, Semi; Cab operated Distributor Truck Driver, Semi; Liquid & Bulk Tankers, Euclid, Electric, or similar; Truck Driver Dumptor type, Youngbuggy, Jumbo & similar type equipment	6.90	.40	.30	.30	
TRUCK DRIVER, Snow Plow	7.00	.40	.30	.30	

Page 9

DECISION NO. C075-5068

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CEMENT MIXER, Agitator Truck over 10 cu. yds., to & incl. 15 cu. yds.	$ 7.05	.40	.30	.30	
DUMP TRUCKS over 29 cu. yds. to & incl. 39 cu. yds.	7.15	.40	.30	.30	
CEMENT MIXER, Agitator Truck over 15 cu. yds.	7.30	.40	.30	.30	
DUMP TRUCKS over 39 cu. yds. to & incl. 54 cu. yds.; Tireman	7.35	.40	.30	.30	
MECHANIC	7.45	.40	.30	.30	
DUMP TRUCKS over 54 cu. yds. to & incl. 79 cu. yds.	7.55	.40	.30	.30	
HEAVY DUTY DIESEL, Mechanics, Body Men, Welders or Combination Men	7.65	.40	.30	.30	
DUMP TRUCKS over 79 cu. yds. to & incl. 104 cu. yds.	7.75	.40	.30	.30	
DUMP TRUCKS over 104 cu. yds.	7.95	.40	.30	.30	
LINE CONSTRUCTION - Colorado					
Cable Splicers	9.97	.35	1%		3/4%
Lineman Cableman	9.36	.35	1%		3/4%
Journeyman Lineman	9.29	.35	1%		3/4%
Line Equipment Operator	7.90	.35	1%		3/4%
Line Equipment Maintenance Man	7.90	.35	1%		3/4%
Groundman	6.52	.35	1%		3/4%

Page 10

DECISION NO. C075-5068

LABORERS (Heavy Construction)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$4.80	.42	.45		.07
Group 2	4.85	.42	.45		.07
Group 3	4.93	.42	.45		.07
Group 4	4.95	.42	.45		.07
Group 5	4.97	.42	.45		.07
Group 6	5.08	.42	.45		.07
Group 7	5.18	.42	.45		.07
Group 8	5.25	.42	.45		.07
Group 9	5.38	.42	.45		.07
Group 10	5.43	.42	.45		.07
(Pipelines)					
All mainline sewers; Water mains; Gas, oil or any product pipeline Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.					
Group 1	4.80	.42	.45		.07
Group 2	4.85	.42	.45		.07
Group 3	5.02	.42	.45		.07
Group 4	5.04	.42	.45		.07
Group 5	5.13	.42	.45		.07
Group 5-A	5.18	.42	.45		.07
Group 6	5.25	.42	.45		.07
LABORERS (Tunnels)					
Group 1	4.80	.42	.45		.07
Group 2	5.40	.42	.45		.07
Group 3	5.50	.42	.45		.07
Group 4	5.58	.42	.45		.07
Group 5	5.65	.42	.45		.07
Group 6	5.80	.42	.45		.07
(SHAFTS, RAISES, MISSILES SILOS & ALL UNDERGROUND WORK OTHER THAN TUNNELS)					
Group 1	5.50	.42	.45		.07
Group 2	5.65	.42	.45		.07
Group 3	5.75	.42	.45		.07
Group 4	5.93	.42	.45		.07
Group 5	6.03	.42	.45		.07
Group 6	6.08	.42	.45		.07

LABORERS (Cont'd)
(Heavy Construction)

Group 1: Minimum laborer, including caissons to 8', carrying reinforcing rods; Work on cross culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence erectors; Metal mesh; Dowel bars; Tie bars and chairs in concrete paving; Nursery man including seeding; Mulching and planting of trees, shurbs and flowers; Stake chaser; Gabion baskets and teno mattresses

Group 2: Chuck tenders; Nippers, core and diamond drill helpers; Powderman helpers

Group 3: Hot asphalt laborer; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical)

Group 4: Multi-plate culvert pipe; Air, gas and electric tools operators; Barco hammers; Spaders; Electric hammer; Air tampers; Cutting torches on demolition work; Caissons 8' to 12'; Cofferdams; Power operated concrete buggies; Operators of concrete saws on pavement (other than gang saws); Timber and chain saws; Streeser or stretcherman on post tension or prestressed concrete on or off job site; Tool room man and checkers; Cement finisher helper; Sandblaster helper; Concrete processing material monitor; Spotters; Signalmen; Dumpmen; Transverse concrete conveyor operator, Mechanical grouters; Boring machines (air hydraulic); Automatic concrete power curbing machine; Jackhammer; Vibrators; Paving breakers; Frostproofing

Group 5: Any laborers performing bridge work over 40' above the ground or above a floor and working from a bos'n chair, swinging stage, life belt or block and tackle

Group 6: Gunniting and shotcrete helpers; Caissons over 12'; Cofferdams; Timbermen; Underpinning and shoring; Form setters and/or stringman on roads, highways, streets and airport runways; Distributor; Placing and hooking of landing mats; Bull float (hand operated) and center expansion machines; Sandblasters; Grade checkers if required by employer

Group 7: Powdermen and blasters; Gunnite nozzlemen; Shotcrete operator

Group 8: Pipelayer on truck pipe lines in connection with highway work

Group 9: Wagon drills and air tracks; Jackhammer operators in caissons over 12';Bellers and stemmen; Licensed powdermen; Diamond and core drills powered by air

Group 10: Any work, other than on bridges, performed by laborers working from a bos'n chair, swinging stage, life belt or block and tackle as a safety requirement

LABORERS
(Pipelines)

All mainline sewers; Water mains; Gas, oil or any product pipelines; Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.

Group 1: Pipe plants and yards; Stringing or pipe or skids; Handling and signaling on line work

Group 2: Potman (not mechanical); Pipewrapper, Dopers, Jeep Holiday Detector Men, Bandage makers, Powdermen helpers

Group 3: Laborers working in trenches on all pipelines; Sewer, water, gas, oil, telephone conduit, pen stock, siphons, drainage lines, caulkers, yarners, fine graders, air, gas, electric and hydraulic tools, boring machines, hydraulic jacks, drills, tampers, etc.

Group 4: Sandblaster, powdermen and blasters, wiping of joint concrete pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers of pipe, inside and out

Group 5: (Relining Pipe)
Relining Pipe

Group 5-A: Mixer Man

Group 6: Pipelayer

LABORERS
(Tunnels)

Group 1: Outside laborers

Group 2: Minimum tunnel labor, dry house man

Group 3: Cable or hose tenders, chuck tenders, concrete laborers, dumpman, whirley pumps operators

Group 4: Helpers on shotcrete, gunniting and sandblasting; Helpers, core and diamond drills; Pot tender

Group 5: Cement finisher helper, applying of concrete processing materials

DECISION NO. C075-5068 Page 13

LABORERS (Cont'd)
(Tunnels)

Group 6: Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the miner's work; Tunnel liner plate setters; Vibrator men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and core drills; Cement finisher (underground); Shotcrete operator; Gunnite nozzlemen; Sandblaster; Pump concrete placement men

(SHAFTS, RAISES, MISSILE SILOS and ALL UNDERGROUND WORK OTHER THAN TUNNELS)

Group 1: Laborers, Topmen, Bottommen, and Cagers

Group 2: Chucktenders, Concrete laborers, Whirley pumps operators

Group 3: Helpers on shotcrete, gunniting and sandblasting; Helpers on core and diamond drills; Pot tenders; Cement finisher helpers; Applying of concrete processing material

Group 4: Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, including the placement of sheeting when required); All cutting and welding that is incidental to the miner's Work; Liner plate setters; Vibrator men, internal and external

Group 5: Diamond and core drill; Cement finisher (underground); Gunnite nozzlemen; Shotcrete operators; Sandblasters and pump concrete placement men

Group 6: Any employee performing work under ground from a bos'n chair, swinging stage, life belt or block and tackle

DECISION NO. C075-5068

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)					
Group 1	$6.40	.35	.59	.30	.06
Group 2	6.75	.35	.59	.30	.06
Group 3	7.10	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.55	.35	.59	.30	.06
(For work in Tunnels, Shafts, and Raises)					
Group 1	6.55	.35	.59	.30	.06
Group 2	6.90	.35	.59	.30	.06
Group 3	7.00	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.80	.35	.59	.30	.06

POWER EQUIPMENT OPERATORS
(Other than for work in Tunnels, Shafts and Raises)

Group 1: Air Compressor; Asphalt Screed; Oiler; Brakeman; Drill Operator - Smaller than Williams MF and similar; Helper to Heavy Duty Mechanic and/or Welder; Operators of 5 or more light plants, Welding Machines, Generators, single unit conveyor; Pumps; Vacuum well point system; tractor, under 70 HP with or without attachments

Group 2: Conveyor, handling building materials; Ditch Witch and similar trenching machine; Fireman or tank heater, road; Forklift; Haulage motor man; Pugmill; portable screening plant with or without a spray bar; screening plants, with classifier; self-propelled Roller, Rubber tired under 5 tons;

Group 3: Asphalt Plant; Backfiller, Bituminous spreader or laydown machine; Cableway signalman; caisson drill; Williams MF, similar and larger; C.M.I. and similar; Concrete Batching Plants; Concrete finish Machine; Concrete Gang Saws on concrete paving; Concrete Mixer, less than 1 yd.; Concrete Placement Pumps, under 8 inches; Distributors, bituminous surfaces; Drill, diamond or core; Drill Rigs, rotary, churn, or cable tool; Elevating Graders, Equipment Lubricating and service Engineer; Engineer Fireman; Grout Machine; Gunnite Machine; Hoists, 1 drum; Hydraulic Backhoes, wheel mounted under 3/4 yd.; Loader, Barber Green, etc.; Loader up to and including 6 cu. yds.; Machine Doctor; Mechanic; Motor Grader/Blade, rough; Road Stabilization Machine; Rollers, self-propelled, all types over 5 tons; Sandblasting Machine; single unit portable crusher, with or without washer; tie tamper, wheel mounted; Tractor, 70 HP and over with or without attachments; Trenching Machine Operator; Welder; winch on truck

Group 4: Cable Operated crane, track mounted; cable operated power shovels, Draglines, Clamshells, and backhoes, 5 cu. yds. and under; Concrete Mixer over 1 cu. yd.; Concrete Paver 34E or similar; Concrete placement pumps, 8 inches and over; crane, 50 tons and under; Hoist, 2 drums; Hydraulic Backhoe, 3/4 yd. and over; Loader, over 6 cu. yds.; Mechanic-welder, heavy duty; Mixer mobile; Motor Grader/blade, finish; Multiple unit portable crusher, with or without washer; Piledriver; Scrapers, single bowl under 40 cu. yds.; Self-propelled Hydraulic Crane; tractor with sideboom; truck mounted Hydraulic Crane

Group 5: Cable operated Power Shovels, Draglines, Clamshells and Backhoes over 5 cu. yds.; Crane, over 50 tons carrier mounted; Derrick; Electric rail type tower crane; Hoist, 3 drum or more; Quad Nine and similar push unit; Scrapers - single bowl including pups 40 cu. yds. and tandem bowls and over

Group 6: Cableway; Climbing tower Crane; Crawler or Truck Mounted Tower Crane; Wheel Excavator, Tower Crane, Truck type

POWER EQUIPMENT OPERATORS (Cont'd)
(for work in Tunnels, Shafts and Raises)

Group 1: Brakeman

Group 2: Motorman

Group 3: Compressor (900 CFM and over) serving Tunnels, Shafts and Raises

Group 4: Air Tractors; Grout Machine; Gunnite Machine; Jumbo Form; Mechanic; Welder.

Group 5: Concrete Placement Pumps, 8" and over discharge; Mechanic-Welder, heavy duty; Mucking Machines and Front End Loaders, underground; Slusher; Mine Hoist Operator

Group 6: Mole

SUPERSEDEAS DECISION

STATE: Colorado

COUNTIES: Las Animas, Otero and Pueblo

DECISION NUMBER: CO75-5069

DATE: Date of Publication

Supersedeas Decision No. CO75-5046 dated April 11, 1975, in 40 FR 16498

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories) and heavy construction.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$ 9.01	.38	.72		
BOILERMAKERS	8.35	.60	1.00		.02
BRICKLAYERS	8.62	.45	.50		.04
CARPENTERS	7.54	.48	.60	.40	.05
CEMENT MASONS	6.65	.44	1.10	.60	.07
ELECTRICIANS:					
Zone I (0-12 miles from P.O.)					
Electricians	9.25	.42	17%+.25		1/10%
Cable Splicers	10.18	.42	17%+.25		1/10%
Zone II (12-20 miles from P.O.)					
Electricians	9.65	.42	17%+.25		1/10%
Cable Splicers	10.58	.42	17%+.25		1/10%
Zone III (20-40 miles from P.O.)					
Electricians	10.00	.42	17%+.25		1/10%
Cable Splicers	10.93	.42	17%+.25		1/10%
Zone IV (Over 40 miles from P.O.)					
Electricians	10.75	.42	17%+.25		1/10%
Cable Splicers	11.68	.42	17%+.25		1/10%
Electrical contracts less than $5,000 in Zones III and IV	6.91	.42	17%+.25		1/10%
ELEVATOR CONSTRUCTORS	8.63	.44	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.44	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.37				
IRONWORKERS:					
Structural; Ornamental and Reinforcing	8.40	.55	.80		.06
MARBLE & TILE SETTERS, TERRAZZO WORKERS	8.30	.56	.50	.25	.04
MILLWRIGHTS	7.58	.48	.60	.40	.05
PAINTERS:					
Brush, Roller, Taper, Hand Texture	6.28	.30			.03
Steel; Paperhangers	6.78	.30			.03
Spray, Tapers using Automatic tools	6.88	.30			.03
Spray steel	7.38	.30			.03

DECISION NO. CO75-5069

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PLASTERERS	$ 8.69				.01
PLUMBERS:					
Zone I (0-15 miles from P. O.)	9.40	.55	.65		.05
Zone II (15-20 miles from P. O.)	9.97	.55	.65		.05
Zone III (20-40 miles from P. O.)	10.15	.55	.65		.05
Zone IV (Over 40 miles from P.O.)	10.775	.55	.65		.05
ROOFERS	7.91	.42	.10		
SHEET METAL WORKERS	9.12	.30	.90		.07
SOFT FLOOR LAYERS (Las Animas Co.)	7.76	.35	.55	.30	.05
SOFT FLOOR LAYERS (Pueblo County)	7.00	.35	.55	.20	.05
SPRINKLER FITTERS	9.25	.50	.70		.08

FOOTNOTE:

a. Employer contributes 4% of basic hourly rate for over 5 years' service and 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. 6 Paid Holidays:

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

Page 3

DECISION NO. C075-5069

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PICKUPS; Helpers; Scalemen; Checkers; Spotters; Dumpmen	$ 6.45	.40	.30	.30	
DUMP TRUCKS, to & including 6 cu. yds.; Sweeper; Flat Rack, single Axle; Liquid & Bulk Tankers, single Axle; Warehousemen; Washers; Greasemen; Servicemen; Ambulance drivers	6.55	.40	.30	.30	
DUMP TRUCKS, over 6 cu. yds. to & incl. 14 cu. yds.; Flat Rack, Tandem Axle; Battery Men; Mechanics' Helpers; Material Checkers; Cardex Men; Expeditors; Man haul shuttle truck or Bus	6.65	.40	.30	.30	
STRADDLE TRUCK; Lumber Carrier; Liquid & Bulk Tankers, Tandem Axle	6.70	.40	.30	.30	
FORK LIFT DRIVER; fuel truck; Grease truck; Combination fuel & grease	6.75	.40	.30	.30	
DISTRIBUTOR TRUCK DRIVER; Cement Mixer, Agitator Truck to & including 10 cu. yds.; Liquid & Bulk Tankers, semi or combination	6.80	.40	.30	.30	
MULTI-PURPOSE TRUCK; Specialty & Hoisting	6.85	.40	.30	.30	
DUMP TRUCKS over 14 cu. yds. to & including 29 cu. yds.; High Boy, Low Boy, Floats, Semi; Cab operated Distributor Truck Driver, Semi; Liquid & Bulk Tankers, Euclid, Electric, or similar; Truck Driver Dumptor type, Youngbuggy, Jumbo & similar type equipment	6.90	.40	.30	.30	
TRUCK DRIVER, Snow Plow	7.00	.40	.30	.30	

Page 4

DECISION NO. C075-5069

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CEMENT MIXER, Agitator Truck over 10 cu. yds., to & incl. 15 cu. yds.	$ 7.05	.40	.30	.30	
DUMP TRUCKS over 29 cu. yds. to & incl. 39 cu. yds.	7.15	.40	.30	.30	
CEMENT MIXER, Agitator Truck over 15 cu. yds.	7.30	.40	.30	.30	
DUMP TRUCKS over 39 cu. yds. to & incl. 54 cu. yds.; Tireman	7.35	.40	.30	.30	
MECHANIC	7.45	.40	.30	.30	
DUMP TRUCKS over 54 cu. yds. to & incl. 79 cu. yds.	7.55	.40	.30	.30	
HEAVY DUTY DIESEL, Mechanics, Body Men, Welders or Combination Men	7.65	.40	.30	.30	
DUMP TRUCKS over 79 cu. yds. to & incl. 104 cu. yds.	7.75	.40	.30	.30	
DUMP TRUCKS over 104 cu. yds.	7.95	.40	.30	.30	
LINE CONSTRUCTION - Colorado					
Cable Splicers	9.97	.35	1%		3/4%
Lineman Cableman	9.36	.35	1%		3/4%
Journeyman Lineman	9.29	.35	1%		3/4%
Line Equipment Operator	7.90	.35	1%		3/4%
Line Equipment Maintenance Man	7.90	.35	1%		3/4%
Groundmen	6.52	.35	1%		3/4%

DECISION NO. C075-5069

LABORERS (Building Construction)

	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
				H & W	Pensions	Vacation	App. Tr.
	ZONE 1	ZONE 2	ZONE 3				
Group 1	$ 5.00	$5.45	$5.90	.42	.45		.07
Group 2:							
Class A	5.00	5.45	5.90	.42	.45		.07
Class B	5.28	5.73	6.18	.42	.45		.07
Group 3	5.28	5.73	6.18	.42	.45		.07
Group 4	5.28	5.73	6.18	.42	.45		.07
Group 5	5.30	5.75	6.20	.42	.45		.07
Group 6	5.55	6.00	6.45	.42	.45		.07
Group 7	5.60	6.05	6.50	.42	.45		.07

ZONE 1: That area encompassed by 0 to 30 driving miles from the main Post Office in each of the following Cities: Pueblo and Trinidad.

ZONE 2: That area encompassed by 30 to 70 driving miles from the main Post Office in the above named Cities

ZONE 3: That area encompassed by 70 driving miles and over from the main Post Office in the above named Cities

DECISION NO. C075-5069

LABORERS (cont'd)
(Building Construction)

GROUP DESCRIPTION

Group 1: General Building Laborer

Group 2: Laborers, underpinning and shoring...
Class A: 0' to 8' below working surface
Class B: 8' below working surface to any depth below working surface

Group 3: Power tool operators of all mechanical, air, gas, and electric tools including self-propelled buggies; Cement finishers tenders; Gunnite nozzleman; Sand blasters

Group 4: Pipelayers

Group 5: Laborers preparing and placing of stone or any other aggregate in sand bed to be used as exposed face of tiltup panels.

Group 6: Jackhammer operator underpinning and shoring over 12' below working surface; Ballers and stemmers on caisson work

Group 7: Mason tenders, brick and plaster

HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS	$7.19	.53	.60	.40	.05
UNDERGROUND CARPENTERS	7.39	.53	.60	.40	.05
Working on creosoted material, High work 40' above ground or floor on exposed scaffold or boatswains chair; Piledriving; Sawmen continuously assigned to 1½ HP saws at jobsite	7.49	.53	.60	.40	.05
CEMENT MASONS	6.22	.42	1.10	.30	.07

DECISION NO C075-5069

LABORERS (Heavy Construction)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$4.80	.42	.45		.07
Group 2	4.85	.42	.45		.07
Group 3	4.93	.42	.45		.07
Group 4	4.95	.42	.45		.07
Group 5	4.97	.42	.45		.07
Group 6	5.08	.42	.45		.07
Group 7	5.18	.42	.45		.07
Group 8	5.25	.42	.45		.07
Group 9	5.38	.42	.45		.07
Group 10	5.43	.42	.45		.07
(Pipelines) All mainline sewers; Water mains; Gas, oil or any product pipeline Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.					
Group 1	4.80	.42	.45		.07
Group 2	4.85	.42	.45		.07
Group 3	5.02	.42	.45		.07
Group 4	5.04	.42	.45		.07
Group 5	5.13	.42	.45		.07
Group 5-A	5.18	.42	.45		.07
Group 6	5.25	.42	.45		.07
LABORERS (Tunnels)					
Group 1	4.80	.42	.45		.07
Group 2	5.40	.42	.45		.07
Group 3	5.50	.42	.45		.07
Group 4	5.58	.42	.45		.07
Group 5	5.65	.42	.45		.07
Group 6	5.80	.42	.45		.07
(SHAFTS, RAISES, MISSILES SILOS & ALL UNDERGROUND WORK OTHER THAN TUNNELS)					
Group 1	5.50	.42	.45		.07
Group 2	5.65	.42	.45		.07
Group 3	5.75	.42	.45		.07
Group 4	5.93	.42	.45		.07
Group 5	6.03	.42	.45		.07
Group 6	6.08	.42	.45		.07

DECISION NO. C075-5069

LABORERS (Cont'd)
(Heavy Construction)

Group 1: Minimum laborer, including caissons to 8', carrying reinforcing rods; Work on cross culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence erectors; Metal mesh; Dowel bars; Tie bars and chairs in concrete paving; Nursery man including seeding; Mulching and planting of trees, shurbs and flowers; Stake chaser; Gabion baskets and teno mattresses

Group 2: Chuck tenders; Nippers, core and diamond drill helpers; Powderman helpers

Group 3: Hot asphalt laborer; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical)

Group 4: Multi-plate culvert pipe; Air, gas and electric tools operators; Barco hammers; Spaders; Electric hammer; Air tampers; Cutting torches on demolition work; Caissons 8' to 12'; Cofferdams; Power operated concrete buggies; Operators of concrete saws on pavement (other than gang saws); Timber and chain saws; Streeser or stretcherman on post tension or prestressed concrete on or off job site; Tool room man and checkers; Cement finisher helper; Sandblaster helper; Concrete processing material monitor; Spotters; Signalmen; Dumpmen; Transverse concrete conveyor operator, Mechanical grouters; Boring machines (air hydraulic); Automatic concrete power curbing machine; Jackhammer; Vibrators; Paving breakers; Frostproofing

Group 5: Any laborers performing bridge work over 40' above the ground or above a floor and working from a bos'n chair, swinging stage, life belt or block and tackle

Group 6: Gunniting and shotcrete helpers; Caissons over 12'; Cofferdams; Timbermen; Underpinning and shoring; Form setters and/or stringman on roads, highways, streets and airport runways; Distributor; Placing and hooking of landing mats; Bull float (hand operated) and center expansion machines; Sandblasters; Grade checkers if required by employer

Group 7: Powdermen and blasters; Gunnite nozzlemen; Shotcrete operator

Group 8: Pipelayer on truck pipe lines in connection with highway work

Group 9: Wagon drills and air tracks; Jackhammer operators in caissons over 12';Bellers and stemmen; Licensed powdermen; Diamond and core drills powered by air

Group 10: Any work, other than on bridges, performed by laborers working from a bos'n chair, swinging stage, life belt or block and tackle as a safety requirement

DECISION NO. C075-5069

LABORERS
(Pipelines)

All mainline sewers; Water mains; Gas, oil or any product pipelines; Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.

Group 1: Pipe plants and yards; Stringing or pipe or skids; Handling and signaling on line work

Group 2: Potman (not mechanical); Pipewrapper, Dopers, Jeep Holiday Detector Men, Bandage makers, Powdermen helpers

Group 3: Laborers working in trenches on all pipelines; Sewer, water, gas, oil, telephone conduit, pen stock, siphons, drainage lines, caulkers, yarners, fine graders, air, gas, electric and hydraulic tools, boring machines, hydraulic jacks, drills, tampers, etc.

Group 4: Sandblaster, powdermen and blasters, wiping of joint concrete pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers of pipe, inside and out

Group 5: (Relining Pipe)
Relining Pipe

Group 5-A: Mixer Man

Group 6: Pipelayer

LABORERS
(Tunnels)

Group 1: Outside laborers

Group 2: Minimum tunnel labor, dry house man

Group 3: Cable or hose tenders, chuck tenders, concrete laborers, dumpman, whirley pumps operators

Group 4: Helpers on shotcrete, gunniting and sandblasting; Helpers, core and diamond drills; Pot tender

Group 5: Cement finisher helper, applying of concrete processing materials

DECISION NO. C075-5069

LABORERS (Cont'd)
(Tunnels)

Group 6: Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the miner's work; Tunnel liner plate setters; Vibrator men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and core drills; Cement finisher (underground); Shotcrete operator; Gunnite nozzlemen; Sandblaster; Pump concrete placement men

(SHAFTS, RAISES, MISSILE SILOS and ALL UNDERGROUND WORK OTHER THAN TUNNELS)

Group 1: Laborers, Topmen, Bottommen, and Cagers

Group 2: Chucktenders, Concrete laborers, Whirley pumps operators

Group 3: Helpers on shotcrete, gunniting and sandblasting; Helpers on core and diamond drills; Pot tenders; Cement finisher helpers; Applying of concrete processing material

Group 4: Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, including the placement of sheeting when required); All cutting and welding that is incidental to the miner's Work; Liner plate setters; Vibrator men, internal and external

Group 5: Diamond and core drill; Cement finisher (underground); Gunnite nozzlemen; Shotcrete operators; Sandblasters and pump concrete placement men

Group 6: Any employee performing work under ground from a bos'n chair, swinging stage, life belt or block and tackle

DECISION NO. C075-5069

POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$6.40	.35	.59	.30	.06
Group 2	6.75	.35	.59	.30	.06
Group 3	7.10	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.55	.35	.59	.30	.06
(For work in Tunnels, Shafts, and Raises)					
Group 1	6.55	.35	.59	.30	.06
Group 2	6.90	.35	.59	.30	.06
Group 3	7.00	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.80	.35	.59	.30	.06

POWER EQUIPMENT OPERATORS
(Other than for work in Tunnels, Shafts and Raises)

Group 1: Air Compressor; Asphalt Screed; Oiler; Brakeman; Drill Operator - Smaller than Williams MF and similar; Helper to Heavy Duty Mechanic and/or Welder; Operators of 5 or more light plants, Welding Machines, Generators, single unit conveyor; Pumps; Vacuum well point system; tractor, under 70 HP with or without attachments

Group 2: Conveyor, handling building materials; Ditch Witch and similar trenching machine; Fireman or tank heater, road; Forklift; Haulage motor man; Pugmill; portable screening plant with or without a spray bar; screening plants, with classifier; self-propelled Roller, Rubber tired under 5 tons;

Group 3: Asphalt Plant; Backfiller, Bituminous spreader or laydown machine; Cableway signalman; caisson drill; Williams MF, similar and larger; C.M.I. and similar; Concrete Batching Plants; Concrete finish Machine; Concrete Gang Saws on concrete paving; Concrete Mixer, less than 1 yd.; Concrete Placement Pumps, under 8 inches; Distributors, bituminous surfaces; Drill, diamond or core; Drill Rigs, rotary, churn, or cable tool; Elevating Graders, Equipment Lubricating and service Engineer; Engineer Fireman; Grout Machine; Gunnite Machine; Hoists, 1 drum; Hydraulic Backhoes, wheel mounted under 3/4 yd.; Loader, Barber Green, etc.; Loader up to and including 6 cu. yds.; Machine Doctor; Mechanic; Motor Grader/Blade, rough; Road Stabilization Machine; Rollers, self-propelled, all types over 5 tons; Sandblasting Machine; single unit portable crusher, with or without washer; tie tamper, wheel mounted; Tractor, 70 HP and over with or without attachments; Trenching Machine Operator; Welder; winch on truck

Group 4: Cable Operated crane, track mounted; cable operated power shovels, Draglines, Clamshells, and backhoes, 5 cu. yds. and under; Concrete Mixer over 1 cu. yd.; Concrete Paver 34E or similar; Concrete placement pumps, 8 inches and over; crane, 50 tons and under; Hoist, 2 drums; Hydraulic Backhoe, 3/4 yd. and over; Loader, over 6 cu. yds.; Mechanic-welder, heavy duty; Mixer mobile; Motor Grader/blade, finish; Multiple unit portable crusher, with or without washer; Piledriver; Scrapers, single bowl under 40 cu. yds.; Self-propelled Hydraulic Crane; tractor with sideboom; truck mounted Hydraulic Crane

Group 5: Cable operated Power Shovels, Draglines, Clamshells and Backhoes over 5 cu. yds.; Crane, over 50 tons carrier mounted; Derrick; Electric rail type tower crane; Hoist, 3 drum or more; Quad Nine and similar push unit; Scrapers - single bowl including pups 40 cu. yds. and tandem bowls and over

Group 6: Cableway; Climbing tower Crane; Crawler or Truck Mounted Tower Crane; Wheel Excavator, Tower Crane, Truck type

DECISION NO. C075-5069

POWER EQUIPMENT OPERATORS (Cont'd)
(for work in Tunnels, Shafts and Raises)

Group 1: Brakeman

Group 2: Motorman

Group 3: Compressor (900 CFM and over) serving Tunnels, Shafts and Raises

Group 4: Air Tractors; Grout Machine; Gunnite Machine; Jumbo Form; Mechanic; Welder

Group 5: Concrete Placement Pumps, 8" and over discharge; Mechanic-Welder, heavy duty; Mucking Machines and Front End Loaders, underground; Slusher; Mine Hoist Operator

Group 6: Mole

SUPERSEDEAS DECISION

STATE: Illinois COUNTIES: See Below
DECISION NO: IL75-2079 DATE: Date of Publication
Supersedes Decision No. AR-3056, dated August 21, 1974, in 39 FR 28018
DESCRIPTION OF WORK: Heavy and Highway Construction

COUNTIES: Bureau, Carroll, Henry, Lee, JoDaviess, Ogle, Rock Island, Stephenson, Whiteside & Winnebago

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS & PILEDRIVERMEN:					
*Bureau County	$9.50	.45	.35		.03
Carroll, Stephenson & JoDaviess Counties	9.685	.30	.35		
Lee County	9.885	.45			
Whiteside County	9.635	.35	.35		
Rock Island & Henry Cos; Oregon & South thereof in Ogle County	9.485	.35	.50		
Winnebago County; North of Oregon in Ogle County	9.635	.25	.45		
CEMENT MASONS:					
Bureau County	9.00		.50		
Carroll, JoDaviess, Lee, Ogle & Stephenson Cos; Whiteside County excluding Erie & SW thereof	8.00	.30	.50		
Rock Island County; Western ½ of Henry County & Erie & SW thereof in Whiteside County	8.27	.40	.35		
Eastern ½ of Henry County	9.69		.20		
Winnebago County	7.25	.25	.45		
ELECTRICIANS:					
Winnebago, Ogle, Lee & Stephenson Cos; Twps. of Warren, Rush, Nora, Stockton, Wards Grove, Pleasant Valley & Berrenman in JoDaviess County; Twps. of Cherry Grove, Shannon, Rock Creek, Lima, Wysox & Elkhorn Grove in Carroll Co., Twps. of Genesee, Jordan, Hopkins, Sterling, Hume, Montgomery, Tampico & Hahnaman in Whiteside Co.	9.60	.30	1%+.20		1%
Remainder of JoDaviess County	8.37	.30	1%		1%
Bureau County; Twps. of Walnut, Ohio, Lamoille, Clarion, Bureau, Dover, Berlin & Westfield	11.10	.30	1%+.20	.57	.2%
Henry County; Twps. of Annawan, Burns, Cambridge, Galva, Kawanee, Weller & Wethersfield; Bureau Co; Twps. of Arispe, Concord, Fairfield, Gold, Greenville, Hall, Indiantown, Leepertown, Macon, Manilus, Milo, Mineral, Neponset, Princeton, Selby, Wheatland & Wyanet	9.50	.30	1%+.20		.25%

DECISION NO. IL75-2079

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ELECTRICIANS (CONT'D)					
Rock Island & Whiteside Counties; Cities of Chadwick, Mt. Carroll, Savanna & Thompson in Carroll Co., Savanna Ord. Plant in JoDaviess Co., & Remainder of Henry County	$9.25	.32	5.5%		.03
IRONWORKERS:					
Bureau County	10.62	.50	.375		.02
Henry & Rock Island Cos; Thompson & Savanna & Vicinity in Carroll County; E. Dubuque, Galena & Hanover & Vicinities in JoDaviess County, & the Western ½ of Whiteside County	9.75	.40	.375		.07
Lee, Ogle, Stephenson & Winnebago Counties; Eastern ½ of Whiteside Co., & Remainder of Carroll and JoDaviess Counties	10.15	.40	.375		.05
LABORERS:					
Henry County:					
Unskilled	7.33	.30	.20		.035
Semi-Skilled	7.53	.30	.20		.035
Skilled	7.73	.30	.20		.035
LINEMEN:					
Bureau Co; Portion S. of Alba, Cambridge & Cornwall Twps. in Henry County:					
Linemen	9.66	.35	1%		.25%
Groundman Equip. Opr.-Class 1	9.01	.35	1%		.25%
Groundman Truck Driver:					
W/Winch	6.74	.35	1%		.25%
WO/Winch	6.42	.35	1%		.25%
Groundman Class "A"	6.13	.35	1%		.25%
Winnebago, Stephenson, Ogle & Lee Counties; Portion of Co. east of Derinda, Elizabeth, Guilford & Seals Mound Twps. in JoDaviess Co., Portion east of Clyde, Lydon, Mt. Pleasant & Prophetstown, Twps. in Whiteside Co;, Fairhaven, Freedom & Salem Twps. in Carrol Co:					
Linemen & Digger Operator	9.25	.35	1%		.25%
Groundman Equip. & Tractor Opr.	6.28	.35	1%		.25%
Groundman	6.06	.35	1%		.25%

DECISION NO. IL75-2079

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LINEMEN (CONT'D)					
Rock Island County & Remainder of Henry, JoDaviess, Whiteside & Carroll Counties:					
Linemen & Technicians	$8.50	.35	1%		½ of 1%
Cable Splicers	8.56	.35	1%		½ of 1%
Dynamiter	7.26	.35	1%		½ of 1%
Groundman Truck Driver:					
W/Winch	6.10	.35	1%		½ of 1%
WO/Winch	5.90	.35	1%		½ of 1%
Groundman:					
Over 6 months	5.90	.35	1%		½ of 1%
Less than 6 months	4.51	.35	1%		½ of 1%
PAINTERS:					
Winnebago & Stephenson Counties:					
Brush & Roller	7.80	.30			
Spray	8.70	.30			
Rock Island, Bureau, JoDaviess & Henry Counties:					
Brush & Roller	7.62	.40	.40		.09
Structural Steel & Spray	7.87	.40	.40		.09
Bridges	8.62	.40	.40		.09
Lee, Carroll, Ogle & Whiteside Co:					
Brush	6.95				
Structural Steel & Spray	7.30				
TRUCK DRIVERS:					
Stephenson & Winnebago Cos., JoDaviess Co.(W. of Rt. 028) & Carroll Co., (S. of Rt. 072 & W. of Rt. 078):					
2-3 Axle Trucks	6.55	.25	.15		
4-Axle Trucks	6.70	.25	.15		
5-Axle Trucks	6.90	.25	.15		
6-Axle Trucks	7.10	.25	.15		
Lee Co; Ogle Co.,(E. of Rt. 051)					
2-3 Axle Trucks	6.60	a15.00	a19.00		
4-Axle Trucks	6.75	a15.00	a19.00		
5-Axle Trucks	6.95	a15.00	a19.00		
6-Axle Trucks	7.15	a15.00	a19.00		

FOOTNOTE: a. Per Week Per Employee.

DECISION NO. IL75-2079

LABORERS: BUREAU COUNTY

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
UNSKILLED	$ 7.42	.30	.20		.035
SEMI-SKILLED	7.62	.30	.20		.035
SKILLED	7.82	.30	.20		.035

LABORERS: BUREAU COUNTY

UNSKILLED: Common Laborer; Carpenter tenders; tool cribmen; firemen or salamander tenders; flagmen; gravel box men; dumpmen & spotters; form handlers; material handlers; fencing laborers; cleaning lumber; pit men; material checkers; dispatchers; landscapers; unloading explosives; laying of sod; planting of trees; asphalt plant laborers; wrecking laborers; writer of scale tickets; fire shop laborers; fireproofing laborers; janitors; wrecking-dismantling buildings; wallmen & housemovers; driving of stakes; stringlines for all machinery

SEMI-SKILLED: Handling of materials treated with oil, creosote, asphalt or any other foreign material, track laborers; cement handlers; chloride handlers; the unloading and laborers w/steel workers & rebars; concrete workers (wet); tunnel helpers in free air; batch dumpers; mason. & plasterer tenders & material wheelers; kettlemen & tarmen; tank cleaners; plastic installers; scaffold workers; motorized buggies or motorized units used for wet concrete or handling of building materials; laborers w/dewatering systems; all sewer workers plus depth; rod & chainmen with land surveyors; vibrator operators; mortar mixer operator; cement silica, clay, fly ash, lime & plasters; handlers (bulk or bag); cofferdam workers plus depth; (on concrete paving) placing, cutting & trying or reinforcing; deck hand; dredge hand & shore laborers; bankmen on floating plant; asphalt workers w/machine; asphalt raker; grade checker

SKILLED: Dynamite man or blasters; caisson workers plus depth; gunnite nozzle men; leadman on sewer work; welders; cutters; burners; torchmen; chain saw operator; jackhammer & drill operators; layout man; steel form setters (street & highway); air tamping hammerman; signal man on crane, concrete saw operator; screenman on asphalt pavers; laborers tending masons w/hot materials are used; multiple concrete dust-leadmen; lutemen; curb asphalt machine operator; ready-mix sealmen; portable or temporary plant; laborers handling masterplate or similar materials; laser beam operator; coring machine operator

DECISION NO. IL75-2079

LABORERS: ROCK ISLAND COUNTY

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
UNSKILLED	$ 7.12	.30	.50		.035
SEMI-SKILLED	7.37	.30	.50		.035
SKILLED	7.62	.30	.50		.035

LABORERS: ROCK ISLAND COUNTY

UNSKILLED Common Laborer; Carpenter Tender; Rod & Chain Man; Flagman; Gravel Box Men; Dumpmen & Spotters; Form Handlers; Material Handlers; Fencing Laborers; Cleaning Lumber; Material Checkers; Dispatchers; Landscapers; Unloading Explosives; Laying of Sod; Planting of Trees, Removal of Trees, Asphalt Plant Laborers; Wrecking Laborers; Writers of Scale Ticket, Scaleman (Permanent-Portable or Temporary Plant); Deck Hand

SEMI-SKILLED Laying & Jointing of Telephone Conduit; Darco & Jackhammer Operator; Operator on Power Tools used under the jurisdiction of Laborers; Cement Jumper; Puddler; Form setter Helper; Power & Hand Saw (when clearing timber); Center Strip; Reinforcing in Concrete ; Wire Mesh; Concrete Saw; Mortar Mixer; Prime Mover or any mechanical devise taking the place of concrete buggy or wheelbarrow; Sand Point Setter; Asphalt Kettleman; Mastic Asphalt Mixerman or other preparations used on joints; Sheeting hammer Drivers (2-Men) Backup Man or Joint Man with Pipelayer; Laborer in ditch or tunnel on sewer and water main & telephone conduit Gas Distribution Men; Pipe Setter on Laterals, Drain Tiles, Culvert Pipe, & Storm Sewer Connections to Catch Basins, Manholes or Maine Line; Handling of Materials treated with oil, creosote, asphalt and/or any foreign material harmfull to skin or clothing Chloride Handlers; the Unloading & Laborers w/steel Workers and Re-Bars; Tunnel Helpers in Free Air; Batch Dumpers; Tank Cleaners; Cofferdam Workers; Bankmen on Floating Plant

SKILLED String or Wireline (1 man); Head Form Setter; Dynamite Man; Asphalt Raker; Tunnel Miner; Pipelayer on Sewer & Water Main; Gunnite Nozzle Man; Welders; Cutters; Burners and Torchman; Screedman on Asphalt Pavers; Luteman; Curb Asphalt Machine Operator; Laser Beam Operator; Concrete Burning Machine Operator; Coring Machine Operator; Head Grade Man

DECISION NO. IL75-2079

LABORERS: WINNEBAGO, LEE, OGLE, STEPHENSON, WHITESIDE, CARROLL & JODAVIESS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I	$ 7.15	.30	.20		.035
CLASS II	7.35	.30	.20		.035
CLASS III	7.45	.30	.20	—	.035

LABORERS: WINNEBAGO, LEE, OGLE, STEPHENSON, WHITESIDE, CARROLL & JODAVIESS

CLASS I Common Laborers, Carpenter Tenders, Tool Cribmen, Fireman or Salamander Tenders, Flagmen, Gravel Box Men, Dumpmen & Spotters, Form Handlers, Material Handlers, Fencing Laborers, Cleaning Lumber, Pit men, Material Checkers, Dispatchers, Landscapers, Unloading Explosives, Laying of Sod, Planting of Trees, Removal of Trees, Asphalt Plant Laborers, Wrecking Laborers, Writer of Scale Tickets, Fire Shop Laborers, Fireproofing Laborers, Janitors, Driving of Stakes, Stringlines for all machinery, Rod & Chainmen with Technical Engineers, with Land Surveyors, Asphalt Workers with Machine & Layers, Grade Checker, Singal Man on Crane, Coring Machine Operator, Concrete Workers (Wet), On Concrete Paving, Placing, Cutting and Tying or Reinforcing Steel Form Setters-Street & Highway

CLASS II Scaffold Workers, Handling of materials treated with any foreign matter harmful to skil or lcothing, Bulk Cement Handlers, Unloading of Re-bars, Tunnel Helpers in Free Air, Batch Dumpers, Mason Tenders, Kettle and Tar Men, Tank Cleaners, Plastic Installers, Motorized Buggies or Motorized Unit used for wet concrete or handling of Building Materials, Vibrator Operators, Mortar Mixer Operators, Cement Silica, Clay Fly Ash, Line & Plasters, Handlers (Bulk or Bag) Deck Hand, Dredge Hand & Shore Laborers, Bankmen on Floating Plant, Power Tools, Material Selector (Firebrick or Castable Material) Chain saw Operators, Air Tamping Hammerman, Concrete Saw Operator, Front End Man on Chip Spreader, Luteman, Asphalt Raker

CLASS III Jackhammer and Drill Operators, Laborers with De-Watering Systems, Bottom Sewer Workers Plus Depth, Cofferdam Workers plus depth, Caisson Workers pu plus depth, Gunnite Nozzle Men, Leadman on Sewer Work, Welders, Cutters, Burners and Torchmen, Layout Man and/or Tile Layer, Sreenman on Asphalt Pavers, Laborers Tending Masons with Hot Material, Multiple Concrete Duct-Leadman, Curb Asphalt Machine Operator, Ready-Mix Scalemen, Permanant, Portable on Temporary Plant, Laser Beam Operator, Concrete Burning Machine Operator, Underpinning and Shoring of Building, Pump Men

DECISION NO. IL75-2079

POWER EQUIPMENT OPERATORS: ROCK ISLAND & THE WESTERN ½ OF HENRY COUNTY

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class 1	$9.10	.40	.50		.08
Class 2	9.00	.40	.50		.08
Class 3	8.90	.40	.50		.08
Class 4	7.75	.40	.50		.08
Class 5	6.65	.40	.50		.08
Class 6	7.50	.40	.50		.08

POWER EQUIPMENT OPERATORS: ROCK ISLAND & WESTERN ½ OF HENRY COUNTY

Class 1: All hoists or steel erecting equipment used to hoist or erect iin conjunction with the crew of a specialty trade

Class 2: Craned, shovel, clamshell, dragline, backhoe, derrick, tower crane, cableway, concrete spreader (servicing two pavers), asphalt spreader, asphalt mixer plant engineer, dipper operator, dipper dredge craneman, dual purpose truck (boom or winch), leverman or engineman (hydraulic dredge), mechanic, paving mixer with tower attached (two operators required), pile driver, boom tractor, stationary, portable or floating mixing plant, trenching machine, cleaning and priming machine, endloader (one half cubic yard or over, on basement excavation work), backfiller (throw bucket), locomotive engineer, Qualified welder, tow or push boat concrete paver, seaman trav-L-plant or similar machines, CMI autograder or similar machines, slip form paver, caisson augering machine, mucking machine, asphalt heater-planer unit hydraulic cranes

Class 3: Athey, Barber-Green, euclid or hasis loader, asphalt pug mill, fireman and drier, concrete pump, concrete spreader (servicing one paver), bulldozer, endloader (other than mentioned above), forklift, elevating grader, group equipment greaser, letourneapull and similar machines, DW-10, straddle carrier, hyster winch and similar machines, motor patrol, power blade push cat, tractor pulling elevating grader or power blade, tractor operating scoop or scraper, tractor with power attachment, roller on asphalt or blacktop, single drum hoist, Jaeger mix and place machine, pipe bending machine, welding machines (3 or 4), fuller kenyon cement pump or similar machines, automatic cement and gravel batch plants (one stop set-up), Seaman pulvimixer or similar machines, propelled sheep foot roller or compactor (used in conjunction with a grading spreader), mud jack, underground boring machine (over 8"), apsco spreader or similar machine

DECISION NO. IL75-2079

POWER EQUIPMENT OPERATORS: (CONT'D)
ROCK ISLAND & WESTERN ½ OF HENRY COUNTY

Class 4: Asphalt booster, fireman and pump operator at asphalt plant, compressor (500 cu. ft. and over), concrete finishing machine, form grader with roller on earth, mixers (3 bag to 16E), power operated bull float, tractor without power attachment, Dope pot (agitating motor), Dope chop machine, distributor (back end), Flexaplane or similar machines, portable machine fireman, Hydrohammer, power winch on paving work, self-propelled roller or compactor (other than provided for above), pump operator crusher operator, trench machine (20 H.P. and under), power sub grader (on forms), or similar machines, asphalt spreader screed operator, conveyor.

Class 5: Oiler, mechanic's helper, water pump (pumping water to paver), mechanical heater (other than steam boiler) belt machine, small outboard motor boat

Class 6: Air compressor (275 c.f.m. or over) driver on truck crane or similar machines, light plant, mixers (1 or 2 bags), power batching machine (cement auger or conveyor), boiler (engineer or fireman, water pumps, welding machine, mechanical broom, automatic cement and gravel batch plants (two or three stop set-up), small backhoes or endloaders) self-propelled curing machine

DECISION NO. IL75-2079

POWER EQUIPMENT OPERATORS: EASTERN ½ OF HENRY CO. & REMAINDER OF BUREAU CO.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$8.895	.45	.55		.05
Group 2	8.695	.45	.55		.05
Group 3	8.42	.45	.55		.05
Group 4	8.145	.45	.55		.05
Group 5	8.035	.45	.55		.05

POWER EQUIPMENT OPERATORS: EASTERN ½ OF HENRY CO. & REMAINDER OF BUREAU CO.

Group 1: Crane, hydro crane, shovels, crane type backfiller, tower cranes-mobile and crawler and stationary derricks and hoist (3-drum); Dragline, Dragline, Drott Yumbo and similar types considered as cranes, backhoe, derrick boats, pile driver and skid rigs, clam shells, locomotive cranes, road pavers - single drum, dual drum and tri batcher, motor patrols and power blades - Dumore, elevating similar types, mechanics central concrete mixing plant operator, blacktop plant operators and plant engineers, grad-all, caisson rigs - requires oiler, skimmerscoopkerhing scooper, dredges (all types) hop-toe-crane type (require oiler), Escalated rate on crane and derricks booms, $.01 per hour, per ft., over 80' including jib all cherry pickers, cherry pickers (over 15 tons require oiler), work boat, Ross carrier, helicopter, dozen and tournadozer

Group 2: Asphalt heater and planter combination (used to plant streets), trench machines, pump crete - belt crete - seqeeze crete - screw type pumps and gysum, bulker and pump, dinkeys, tournapulls-all, and similar types, multiple unit earth movers, $.25 per hour for each scoop over one scoops (all sizes), pushcats, endloaders (all types), side booms, P-H one-pass soil cement machines and similar types, wheel tractors (industrial or farm-type with dozer hoe - end loader or other attachments, backfillers, asphalt surfacing machines euclid loader, fork lifts, formless finishings, jeep w/ditching machine or other attachments, tuneluger, rock crusher, automatic cement and gravel batching mobile drills (soil testing) and similar types, pugmill with pump, flaherty spreader or similar types (require oiler), heavy equipment greaser (top greaser on spread), power launches, boring machine, C.M.I. and similar types (require oiler), all (1) and (2) drum hoists, dewatering system, straw blower, hydro-seeder, boring machine, hydro-boom, starting engineer on pipeline, F.W.D. and similar types

DECISION NO. IL75-2079

POWER EQUIPMENT OPERATORS (CONT'D) EASTERN ½ OF HENRY CO. & REMAINDER OF BUREAU CO.

Group 3: Apsco spreader or similar types, tractors (track-type) without power units pulling rollers, rollers on asphalt - breck or macadam, concrete breakers, concrete spreaders, center stripper, cement finishing machines, vibro tampers (all similar types) self-propelled, mechanical bull floats, mixers over three bag to 27E, winch and boom trucks, tractor pulling power blade or elevating grader, Porter Rex rail, Clary screed, mule pulling rollers, pugmill without pump, Barber Greene or similar loaders, track-type tractors with power unit attached (minimum fireman, screed man on laydown machine, and spray machine on paving

Group 4: Power subgrader, oil distributor, straight tractor, tract-air (without attachments), curb machines, paver ditch machines, truck crane oiler, and truck type hoptoe oilers

Group 5: Herman Nelson Heater, Dravo, Warner, Silent glo and similar types, one engineer will operate 1-5 and after 5, two operators will be required, self-propelled concrete saws, assistant heavy equipment greaser crawler crane and skid oilers, rollers 5 ton and under on earth and gravel, form graders, pump (1) or (2), light plant (1) or (2), generator (1) or (2), conveyor (1) or (2), welding machine (1) or (2) mixer 3 bags and under, and bulk cement plant

DECISION NO. IL75-2079

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I	$ 9.90	.50	.70	.20	.05
CLASS II	9.35	.50	.70	.20	.05
CLASS III	8.70	.50	.70	.20	.05
CLASS IV	7.70	.50	.70	.20	.05
CLASS V	6.70	.50	.70	.20	.05

POWER EQUIPMENT OPERATORS: REMAINDER OF COUNTIES

CLASS I Asphalt plant, asphalt heater & planer combination, asphalt spreader, autograde, belt loader, caisson rigs, central redimix plant, concrete breaker (truck mounted), concrete conveyor, concrete paver over 27E cu. ft., concrete placer, concrete tube float, cranes, all attachments, cranes, Linden, Peco & machines of a like nature, derricks, traveling, dredges, euclid loader, elevating type, gradall, & machines of a like nature, derricks, all, derrick boats, derricks, travelling, dredges, euclid loader, elevating type, gradall, and machines of a like nature, grader, elevating hoists, 1,2 & 3 drum, locomotives, all, mucking machine, 1 cu. yd. & over, mucking machine, under 1 cu. yd., piledrivers & skid rig, pre-stress machine, pump cretes dual ram (requiring frequent lubrication & water), rock drill crane type, slip form paver, straddle buggies, tractor w/boom, tractaire w/ attachments, trenching machine, underground boring &/or mining machine under 5 ft., wheel excator widener (Apsco)

CLASS II Mechanic-welder, batch plant, bituminous mixer, bulldozer, combination backhoe front endloader machine, concrete breaker or hydro-hammer, concrete grinding machine, concrete mixer or paver 7S Series to & including 27 cu. ft., concrete spreader, concrete curing machine, burlap machine, belting machine & sealing machine, finishing machine, concrete grader, motor patrol auto patrol, form grader, pull grader, subgrader, highlift shovels or front endloader, hydraulic boom trucks (all attachments), locomotives, dinky, pump cretes; Squeeze cretes; screw type pumps Gypsum bulker & pump, rock drill (self-propelled), roto-tiller, scaman, etc. self-propelled scoops; tractor drawn, self-propelled compactor, spreader, chipstone, etc., scraper, tank car heater, tractor, push, pulling sheeps,foot, disc., compactor, etc. tug boats

DECISION NO IL75-2079

POWER EQUIPMENT OPERATORS (CONT'D) REMAINDER OF COUNTIES

CLASS III Boilers, boiler & throttle valve, brooms, all power propelled, cement supply tender, compressor & throttle valve, concrete mixer (2 bags & over) conveyor, portable, fireman on boiler, forklift trucks, greaser engineer, grouting machine hoists, automatic, hoists, all elevators, hoists, tugger, single drum, jeep diggers, pipe power saw, concrete, power-driven, pug mills, rollers, all, steam generators, stone crushers, stump machine, winch trucks with "A" frame, work boats, tamper, form motor driven

CLASS IV Air Compressors, all, generators, heaters, mechanical, light plants, all (1 through 5), pumps, all, pumps well points, tractaire, welding machines (2 through 6)

CLASS V Oilers

DECISION NO. IL75-2079

TRUCK DRIVERS : REMAINDER OF COUNTIES

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$8.85	.50	a14.00		
GROUP II	9.25	.50	a14.00		
GROUP III	9.45	.50	a14.00		

TRUCK DRIVERS

GROUP I:

Drivers on 2 axle trucks hauling less than 9 tons, air compressor and welding machine including those pulled by separate units, truck driver helpers, warehouseman, mechanic helpers, greasers & tiremen, pick-up trucks when hauling materials, tools, or men to and from and on the jobs site; Fork lifts up to 6,000 lbs., capacity.

GROUP II:

2 or 3 exle trucks hauling more than 9 ton, but hauling less than 16 tons; A-frame winch trucks, hydrolifts trucks, or similar equipment when used for tranportation purposes; Fork lifts over 6,000 lb. capacity; winch trucks; 4-axle combination units; ticket writers

GROUP III:

2-3 or 4 axle trucks hauling 16 ton or more, drivers on oil distributors, water pulls, mechanics & working foreman; 5-axle or more combination, units; dispatchers.

FOOTNOTES:

a.-Per Week Per Employee.

SUPERSEDEAS DECISION

STATE: Illinois
DECISION NO: IL75-2080
COUNTIES: See Below
DATE: Date of Publication
Supersedes Decision No. AR-3057, dated August 2, 1974, in 39 FR 28022.
DESCRIPTION OF WORK: Heavy and Highway Construction

COUNTIES: Fulton, Hancock, Henderson, Knox, McDonough, Mercer, Peoria, Stark & Tazewell

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS & PILEDRIVERMEN:					
Henderson & Warren Cos; Western 2/3 of Hancock County:					
Carpenters	$7.44	.45	.40		.01
Piledrivermen	7.97	.45	.40		.01
McDonough County & the Eastern 1/3 of Hancock County:					
Carpenters	8.275		.25		.02
Piledrivermen	8.525		.25		.02
Knox County:					
Carpenters & Piledrivermen	7.65	.45	.25		.02
Mercer County:					
Carpenters	9.485	.35	.50		.02
Piledrivermen	8.56	.35	.50		.02
Stark County, Peoria County excluding area South of Rt. 0116 West of US Route 024, & East Peoria in Tazewell County:					
Carpenters	8.51	.35	.40		.02
Piledrivermen	8.81	.35	.40		.02
Fulton County & Peoria County South of Route 0116 & West of US 024; Remainder of Tazewell County:					
Carpenters	8.36	.35	.25		.02
Piledrivermen	8.61	.35	.25		.02
CEMENT MASONS:					
Fulton, Peoria & Tazewell Cos.	9.40	.40	.40		.05
Hancock & McDonough Counties	9.20				
Mercer Co.; Northern ½ of Henderson County	8.27	.40	.35		
Southern ½ of Henderson County	8.05				
Knox & Warren Counties	7.60	.15	.25		
Stark County	9.69		.20		
ELECTRICIANS:					
Peoria & Tazewell Cos; Twps. of Essex Valley & W. Jersey in Stark County, Remainder of Fulton County	9.17	.30	1%+.30		1%
Remainder of Stark County	10.25	.30	1%+.30		.25%

Page 2

DECISION NO. IL75-2080

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ELECTRICIANS (CONT'D)					
Knox, Warren & Henderson Counties; Twps. of Ohio Grove, Suez & North Henderson in Mercer County; Twps. of Blandinsville, Prarie City, Emmet, Tennessee, Scotland, Sciota, Bushnell, Macomb, Colchester, New Salem, Walnut Grove, Hire, Mound & Chalmers in McDonough County; Twps. of Union, Lee, Cass, Ellisville, Deerfield, Young, Hickory & Harris in Fulton Co.	$8.65	.30	1%+.20		¼ of 1%
Hancock County & Twps. of Lamoine, Bethel, Industry & Eldorado in McDonough County	9.35	.30	1%+.30		.2%
Remainder of Mercer County	9.25	.32	5.5%		.03
IRONWORKERS:					
Fulton County, Vicinity of Astoria, Marbleton & Summum	9.40	.40	.40		.05
Knox County, within Galesburg & all Area north of City	9.75	.40	.375		.07
Peoria, Stark & Tazewell Counties & Remainder of Fulton & Knox Cos.	9.025	.40	.475		
Hancock, Henderson, McDonough, Mercer & Warren Counties; All Area W. & SW of Galesburg in Knox County	8.54	.40	.30		
LABORERS:					
Hancock, Henderson, Knox, Stark, McDonough & Warren Counties:					
Unskilled	7.33	.30	.20		.035
Semi-Skilled	7.53	.30	.20		.035
Skilled	7.73	.30	.20		.035
Peoria County & City of E. Peoria in Tazewell County:					
Roads, Driveways & Alley Const: Bricklayer, Carpenter & Cement Mason Tenders; All other Excavating Work & Labor during all Concrete by Concrete by hand method	6.95	.30	.35		.035

Page 3

DECISION NO. IL75-2080

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS (CONT'D)					
Stripping Concrete Forms with composite Crew of Carpenters & Laborers; Rig Men; Jackhammer & Drill Opr., (Open) All power operated tools; Asphalt Kettlemen & carriers; Powdermen helper	$7.075	.30	.35		.035
Power Wheelbarrow or Buggies	7.125	.30	.35		.035
Gunnite Pumpman; Puddlers; Vibrator man; Asphalt Raker; Bricksetters; Gunnite Nozzleman; Powderman; Rip Rapping	7.325	.30	.35		.035
Tunnel & Subways (Free Air):					
Top Laborer	6.95	.30	.35		.035
Bell Men(Top & Bottom) All Laborers in Tunnel	7.075	.30	.35		.035
Drill & Powdermen; Muckers	7.325	.30	.35		.035
Tunnel Miners	7.425	.30	.35		.035
Caisson (Free Air):					
Caisson Top Man Helper	6.95	.30	.35		.035
Caisson Top Man	7.075	.30	.35		.035
Caisson Miners & Muckers	7.425	.30	.35		.035
Open Sewer & Trenches:					
Top Man & all other Excavating	6.95	.30	.35		.035
Bottom Man who does immediate grading	7.075	.30	.35		.035
Tile Layer & Caulker	7.325	.30	.35		.035
Cribbing, Jackman & Hydraulic Jackman in Trench	7.425	.30	.35		.035
Levee & Heavy Grading:					
All Other Laborers	6.95	.30	.35		.035
Spotters; Dump Man; Cutman	7.075	.30	.35		.035
Pipeline:					
All Other Laborers; Rollers; Scales & Spotters	6.95	.30	.35		.035
Spacers	7.225	.30	.35		.035
Signal Men on Rigs; Rig Men; Kettlemen & Carriers; Men Handling Hot Stuff; Men who do immediate grading for laying of pipe or digging Bell Holes	7.075	.30	.35		.035

Page 4

DECISION NO. IL75-2080

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS: (CONT'D)					
Fulton County & Remainder of Tazewell County:					
Unskilled Laborers; Carpenter Tenders, Mason Tenders, Tunnel Labor(Free Air) Landscapers, Wrecking Laborers; Plasterer Tenders	$7.05	.30	.25		.035
Semi-Skilled Laborers; Cement Handlers; Kettle & Tarmen; Sewer Workers(excluding Pipelayer & Helper)Vibrator Oprs; Mortar Mixer Opr; Plaster Handlers(Bulk or Bag) Cofferdam Workers; Work on Concrete, Paving, Placing, Cutting & Tying of Reinforcing; Jackhammer & Drill Oprs; Chain Saw Oprs; Caisson Top Man	7.25	.30	.25		.035
Skilled Laborers; Caisson or Tunnel Miners & Muckers; Gunnite Nozzlemen; Tile & Pipelayers; Steel Form Setters (Street & Highway) Concrete Saw Operator; Asphalt Pavers; Underpinning & Shoring of Buildings; Cribbing & Jackman in Trench & Hydraulic Jackman	7.45	.30	.25		.035
LINEMEN:					
Peoria, Tazewell, Stark, Fulton, Hancock, Henderson, Knox & McDonough Counties; Twps. of North Henderson & Suez in Mercer Co:					
Linemen	9.66	.35	1%		.25%
Groundman Equip. Opr.- Class 1	9.01	.35	1%		.25%
Groundman Truck Driver:					
W/Winch	6.74	.35	1%		.25%
WO/Winch	6.42	.35	1%		.25%
Groundman Class "A"	6.13	.35	1%		
Remainder of Mercer County:					
Linemen & Technicians	8.50	.35	1%		½ of 1%
Cable Splicers	8.56	.35	1%		½ of 1%
Dynamiter	7.26	.35	1%		½ of 1%
Groundman Truck Driver:					
W/Winch	6.10	.35	1%		½ of 1%
WO/Winch	5.90	.35	1%		½ of 1%

DECISION NO. IL75-2080

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LINEMEN (CONT'D)					
Groundman:					
Over 6 Months	$5.90	.35	1%		½ of 1%
Less Than 6 Months	4.51	.35	1%		½ of 1%
PAINTERS:					
Peoria, Stark, Tazewell & Fulton Counties:					
Brush	8.05	.40	.30		
Bridge Work & Spray	8.45	.40	.30		
Warren & Mercer Counties:					
Brush & Roller	7.62	.40	.40		
Structural Steel & Spray	7.87	.40	.40		
Bridges	8.62	.40	.40		
Knox & Henderson Counties:					
Brush	6.38	.25	.15		
Structural Steel	6.63	.25	.15		
McDonough & Hancock Counties:					
Brush & Structural Steel	7.00				
Spray	7.35				

DECISION NO. IL75-2080

LABORERS: MERCER COUNTY	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
UNSKILLED	$ 7.12	.30	.50		.035
SEMI-SKILLED	7.37	.30	.50		.035
SKILLED	7.62	.30	.50		.035

LABORERS: MERCER COUNTY

UNSKILLED Common Laborer; Carpenter Tender; Rod & Chain Man; Flagman; Gravel Box Men; Dumpmen & Spotters; Form Handlers; Material Handlers; Fencing Laborers; Cleaning Lumber; Material Checkers; Dispatchers; Landscapers; Unloading Explosives; Laying of Sod; Planting of Trees, Removal of Trees, Asphalt Plant Laborers; Wrecking Laborers; Writers of Scale Ticket, Scaleman (Permanent-Portable or Temporary Plant); Deck Hand

SEMI-SKILLED Laying & Jointing of Telephone Conduit; Darco & Jackhammer Operator; Operator on Power Tools used under the jurisdiction of Laborers; Cement Jumper; Puddler; Form setter Helper; Power & Hand Saw (when clearing timber); Center Strip; Reinforcing in Concrete ; Wire Mesh; Concrete Saw; Mortar Mixer; Prime Mover or any mechanical device taking the place of concrete buggy or wheelbarrow; Sand Point Setter; Asphalt Kettleman; Mastic Asphalt Mixerman or other preparations used on joints; Shooting hammer Drivers (2-Men) Backup Man or Joint Man with Pipelayer; Laborer in ditch or tunnel on sewer and water main & telephone conduit Gas Distribution Man; Pipe Setter on Laterals, Drain Tiles, Culvert Pipe, & Storm Sewer Connections to Catch Basins, Manholes or Mains Line; Handling of Materials treated with oil, creosote, asphalt and/or any foreign material harmfull to skin or clothing Chloride Handlers; the Unloading & Laborers w/steel Workers and Re-Bars; Tunnel Helpers in Free Air; Batch Dumpers; Tank Cleaners; Cofferdam Workers; Bankmen on Floating Plant

SKILLED String or Wireline (1 man); Head Form Setter; Dynamite Man; Asphalt Raker; Tunnel Miner; Pipelayer on Sewer & Water Main; Gunnite Nozzle Man; Welders; Cutters; Burners and Torchman; Screedman on Asphalt Pavers; Luteman; Curb Asphalt Machine Operator; Laser Beam Operator; Concrete Burning Machine Operator; Coring Machine Operator; Head Grade Man

DECISION NO. IL75-2080

POWER EQUIPMENT OPERATORS:
MERCER COUNTY

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class 1	$9.45	.40	.50		.08
Class 2	9.45	.40	.50		.08
Class 3	9.45	.40	.50		.08
Class 4	8.05	.40	.50		.08
Class 5	8.50	.40	.50		.08
Class 6	7.00	.40	.50		.08

POWER EQUIPMENT OPERATORS: MERCER COUNTY

Class 1: All hoists or steel erecting equipment used to hoist or erect iin conjunction with the crew of a specialty trade

Class 2: Craned, shovel, clamshell, dragline, backhoe, derrick, tower crane, cableway, concrete spreader (servicing two pavers), asphalt spreader, asphalt mixer plant engineer, dipper operator, dipper dredge craneman, dual purpose truck (boom or winch), leverman or engineman (hydraulic dredge), mechanic, paving mixer with tower attached (two operators required), pile driver, boom tractor, stationary, portable or floating mixing plant, trenching machine, cleaning and priming machine, endloader (one half cubic yard or over, on basement excavation work), backfiller (throw bucket), locomotive engineer, Qualified welder, tow or push boat concrete paver, seaman trav-L-plant or similar machines, CMI autograder or similar machines, slip form paver, caisson augering machine, mucking machine, asphalt heater-planer unit hydraulic cranes

Class 3: Athey, Barber-Green, euclid or hasis loader, asphalt pug mill, fireman and drier, concrete pump, concrete spreader (servicing one paver), bulldozer, endloader (other than mentioned above), forklift, elevating grader, group equipment greaser, letourneapull and similar machines, DW-10, straddle carrier, hyster winch and similar machines, motor patrol, power blade push cat, tractor pulling elevating grader or power blade, tractor operating scoop or scraper, tractor with power attachment, roller on asphalt or blacktop, single drum hoist, Jaeger mix and place machine, pipe bending machine, welding machines (3 or 4), fuller kenyon cement pump or similar machines, automatic cement and gravel batch plants (one stop set-up), Seaman pulvimixer or similar machines, propelled sheep foot roller or compactor (used in conjunction with a grading spreader), mud jack, underground boring machine (over 8"), apsco spreader or similar machine

DECISION NO. IL75-2080

POWER EQUIPMENT OPERATORS: (CONT'D)
MERCER COUNTY

Class 4: Asphalt booster, fireman and pump operator at asphalt plant, compressor (500 cu. ft. and over), concrete finishing machine, form grader with roller on earth, mixers (3 bag to 16E), power operated bull float, tractor without power attachment, Dope pot (agitating motor), Dope chop machine, distributor (back end), Flexaplane or similar machines, portable machine fireman, Hydrohammer, power winch on paving work, self-propelled roller or compactor (other than provided for above), pump operator crusher operator, trench machine (20 H.P. and under), power sub grader (on forms), or similar machines, asphalt spreader screed operator, conveyor.

Class 5: Oiler, mechanic's helper, water pump (pumping water to paver), mechanical heater (other than steam boiler) belt machine, small outboard motor boat

Class 6: Air compressor (275 c.f.m. or over) driver on truck crane or similar machines, light plant, mixers (1 or 2 bags), power batching machine (cement auger or conveyor), boiler (engineer or fireman, water pumps, welding machine, mechanical broom, automatic cement and gravel batch plants (two or three stop set-up), small backhoes or endloaders) self-propelled curing machine

DECISION NO. IL75-2080

POWER EQUIPMENT OPERATORS: REMAINDING COUNTIES

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$8.895	.45	.55		.05
Group 2	8.695	.45	.55		.05
Group 3	8.42	.45	.55		.05
Group 4	8.145	.45	.55		.05
Group 5	8.035	.45	.55		.05

POWER EQUIPMENT OPERATORS: REMAINDING COUNTIES

Group 1: Crane, hydro crane, shovels, crane type backfiller, tower cranes-mobile and crawler and stationary derricks and hoist (3-drum); Dragline, Dragline, Drott Yumbo and similar types considered as cranes, backhoe, derrick boats, pile driver and skid rigs, clam shells, locomotive cranes, road pavers - single drum, dual drum and tri batcher, motor patrols and power blades - Dumore, elevating similar types, mechanics central concrete mixing plant operator, blacktop plant operators and plant engineers, grad-all, caisson rigs - requires oiler, skimmerscoopkerhing scooper, dredges (all types) hop-toe-crane type (require oiler), Escalated rate on crane and derricks booms, $.01 per hour, per ft., over 80' including jib all cherry pickers, cherry pickers (over 15 tons require oiler), work boat, Ross carrier, helicopter, dozen and tournadozer

Group 2: Asphalt heater and planter combination (used to plant streets), trench machines, pump crete - belt crete - seqeeze crete - screw type pumps and gysum, bulker and pump, dinkeys, tournapulls-all, and similar types, multiple unit earth movers, $.25 per hour for each scoop over one scoops (all sizes), pushcats, endloaders (all types), side booms, P-H one-pass soil cement machines and similar types, wheel tractors (industrial or farm-type with dozer hoe - end loader or other attachments, backfillers, asphalt surfacing machines euclid loader, fork lifts, formless finishings, jeep w/ditching machine or other attachments, tuneluger, rock crusher, automatic cement and gravel batching mobile drills (soil testing) and similar types, pugmill with pump, flaherty spreader or similar types (require oiler), heavy equipment greaser (top greaser on spread), power launches, boring machine, C.N.I. and similar types (require oiler), all (1) and (2) drum hoists, dewatering system, straw blower, hydro-seeder, boring machine, hydro-boom, starting engineer on pipeline, F.W.D. and similar types

DECISION NO. IL75-2080

POWER EQUIPMENT OPERATORS: (CONT'D)
REMAINDING COUNTIES

Group 3: Apsco spreader or similar types, tractors (track-type) without power units pulling rollers, rollers on asphalt - breck or macadam, concrete breakers, concrete spreaders, center stripper, cement finishing machines, vibro tampers (all similar types) self-propelled, mechanical bull floats, mixers over three bag to 27E, winch and boom trucks, tractor pulling power blade or elevating grader, Porter Rex rail, Clary screed, mule pulling rollers, pugmill without pump, Barber Greene or similar loaders, track-type tractors with power unit attached (minimum fireman, screed man on laydown machine, and spray machine on paving

Group 4: Power subgrader, oil distributor, straight tractor, tract-air (without attachments), curb machines, paver ditch machines, truck crane oiler, and truck type hoptoe oilers

Group 5 Herman Nelson Heater, Dravo, Warner, Silent glo and similar types, one engineer will operate 1-5 and after 5, two operators will be required, self-propelled concrete saws, assistant heavy equipment greaser crawler crane and skid oilers, rollers 5 ton and under on earth and gravel, form graders, pump (1) or (2), light plant (1) or (2), generator (1) or (2), conveyor (1) or (2), welding machine (1) or (2) mixer 3 bags and under, and bulk cement plant

DECISION NO. IL75-2030

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$8.85	.50	a14.00		
GROUP II	9.25	.50	a14.00		
GROUP III	9.45	.50	a14.00		

TRUCK DRIVERS

GROUP I:
Drivers on 2 axle trucks hauling less than 9 tons, air compressor and welding machine including those pulled by separate units, truck driver helpers, warehouseman, mechanic helpers, greasers & tiremen, pick-up trucks when hauling materials, tools, or men to and from and on the jobs site; Fork lifts up to 6,000 lbs., capacity.

GROUP II:
2 or 3 exle trucks hauling more than 9 ton, but hauling less than 16 tons; A-frame winch trucks, hydrolifts trucks, or similar equipment when used for transportation purposes: Fork lifts over 6,000 lb. capacity; winch trucks; 4-axle combination units; ticket writers

GROUP III:
2-3 or 4 axle trucks hauling 16 ton or more, drivers on oil distributors, water pulls, mechanics & working foreman; 5-axle or more combination units; dispatchers.

FOOTNOTES:
a.-Per Week Per Employee.

SUPERSEDEAS DECISION

STATE: Illinois
DECISION NO: IL75-2081
COUNTIES: See Below
DATE: Date of Publication
Supersedea Decision No. AR-3058, dated August 2, 1974, in 39 FR 14198
DESCRIPTION OF WORK: Heavy and Highway Construction

COUNTIES: Champaign, Clark, Coles, Cumberland, DeWitt, Douglas, Edgar, Macon, Moultrie, Piatt, Shelby & Vermilion

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS & PILEDRIVERMEN:					
Champaign County, N.E. ½ of Piatt County, N. of US Rt. Ø36 in Douglas County	$8.715	.30	.60		.08
Macon County, S.W. ½ of Piatt County, N. of Rt. Ø133 in Moultrie County, Mowaqua & N. thereof in Shelby County	8.90	.325	.375		.02
Clark, Cumberland, Coles, Edgar & Remainder of Moultrie & Shelby Counties	8.40	.45	.30		.07
Vermilion County	8.79	.45	.25		.02
DeWitt County	8.47	.35	.40		.02
CEMENT MASONS:					
Macon County, Clinton & S. thereof in DeWitt County, S. of Monticello in Piatt County, N.E. Cor. of Moultrie County, Lovington, Bethany & Mowaqua in Shelby Co.	8.725	.325	.275		
Champaign, Douglas, Clark, Coles, Cumberland, Edgar & Vermilion Counties, Monticello & N. thereof in Piatt County, Remainder of Shelby & Moultrie Counties	9.025	.30			.025
ELECTRICIANS:					
Clark & Edgar Counties	9.40	.20	1%+.30		.02
Vermilion County	9.47	.30	1%+.30		.25%
Twps. of Waynesville, Wilson & Rutledge in DeWitt County	9.35	.40	1%+.30		.2%
Cumberland, Coles & Douglas Counties, Twps. of Bowdie, Burbon, Arcola & Sargent in Moultrie County, Twps. of Lowe, Jonathon Creek, Whitley & East Nelson in Shelby County	9.15	.30	1%+.20		.2%
Champaign County, Northern ½ of Douglas County, Twps. of Blue Ridge, Sangamon & Monticello in DeWitt County	9.40	.30	1%+.20		.4%

Page 2

DECISION NO. IL75-2081

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ELECTRICIANS (CONT'D)					
Macon County, Twps. of Wapella, Barnett, Clintonia, Harp, DeWitt, Turnbridge, Texas, Creek & Nixon in DeWitt County, Twps. of Goose Creek, Willow Branch, Corro Gordo, Bement & Unity in Piatt County, Twps. of Garrett & that portion of Tuscola lying west of the city of Tuscola & the Illinois Central Railroad Tracks in Douglas County, Twps. of Mowaqua, Penn, Flat Branch, Pickaway, Todds Point, Rural, Ridge, Okaw, Tower Hill, Rose, Shelbyville, Oconee, Cold Spring, Lakewood, Clarkburg, Herrick, Dry Point & Holland in Shelby Co., Twps. of Dora, Lovington, Narrowbone & Sullivan at the Illinois Masonic Home & Farm in East Nelson in Moultrie Co.	$9.54	.30	1%+.25		.4%
IRONWORKERS:					
Champaign, Coles, Cumberland, Douglas, Edgar, Moultrie, Piatt & Vermilion Counties	8.70	.40	.60		.08
Western ½ of DeWitt County, Western ½ of Shelby County, Decatur & West thereof in Macon County	9.50	.55	.70		
Clark County	8.15	.25	.25		
LABORERS:					
Champaign, Coles, Cumberland, Douglas, Clark, Edgar, Shelby, Piatt & DeWitt Counties, Eastern ½ of Moultrie County:					
Unskilled Laborers	7.60	.30	.30		.035
Semi-Skilled Laborers	7.80	.30	.30		.035
Skilled Laborers, Jackhammer, Gunnite Nozzlemen & Bricklayer Tenders	7.95	.30	.30		.035
Macon County, Western ½ of Moultrie County:					
Unskilled Laborers	7.65	.25	.30		.035
Semi-Skilled Laborers	7.85	.25	.30		.035
Skilled Laborers, Jackhammer, Gunnite Nozzlemen & Bricklayer Tender	8.00	.25	.30		.035

DECISION NO. IL75-2081

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS (CONT'D)					
Vermilion County:					
Unskilled Laborers	$7.35	.35	.50		.035
Semi-Skilled Laborers	7.55	.35	.50		.035
Skilled Laborers, Jackhammer, Gunnite Nozzlemen & Bricklayer Tenders	7.70	.35	.50		.035
LINEMEN:					
Champaign, DeWitt, Douglas, Macon, Piatt, Edgar & Shelby Counties; Twps. of East Oakland, Humboldt, Morgan, North Okaw & Seven Hickory in Coles County, Remainder of Moultrie County:					
Linemen	9.66	.35	1%		.25%
Groundman Equip. Opr. - Class 1	9.01	.35	1%		.25%
Groundman Truck Driver:					
W/Winch	6.74	.35	1%		.25%
WO/Winch	6.42	.35	1%		.25%
Groundman Class "A"	6.13	.35	1%		.25%
Vermilion County:					
Linemen & Groundman Equip. Opr.	9.57	.30	1%+.30		½ of 1%
Groundman Truck Driver:					
W/Winch	7.87	.30	1%+.30		½ of 1%
WO/Winch	7.36	.30	1%+.30		½ of 1%
Groundman	7.00	.30	1%+.30		½ of 1%
Cumberland & Clark Counties, Whitley Twp. in Moultrie County& Remainder of Coles County:					
Linemen & Digging Machine Opr.	9.77	.35	1%		.25%
Groundman Equipment Operator:					
Class I	8.34	.35	1%		.25%
Class II	6.83	.35	1%		.25%
Groundman:					
Class "A"	6.23	.35	1%		.25%
1st 6 Months	5.95	.35	1%		.25%
PAINTERS:					
Champaign, Coles & Douglas Cos:					
Brush	8.47	.40	.20		.03
Bridges	9.47	.40	.20		.03
Macon, Shelby, Moultrie & Piatt Counties:					
Brush	8.00	.50	.20		
Spray	8.75	.50	.20		
Structures over 50'-Radio, TV Towers	9.00	.50	.20		

DECISION NO. IL75-2081

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS: (CONT'D)					
Edgar & Clark Counties:					
Brush	$6.15				
Rollers	6.50				
Spray	7.15				
Vermilion County:					
Brush	7.85				
Spray	8.35				
DeWitt County:					
Brush	7.45	.30			.06
Roller, Spray & Structural Steel	7.95	.30			.06
TRUCK DRIVERS					
GROUP I	$8.85	.50	a14.00		
GROUP II	9.25	.50	a14.00		
GROUP III	9.45	.50	a14.00		

TRUCK DRIVERS

GROUP I:
Drivers on 2 axle trucks hauling less than 9 tons, air compressor and welding machine including those pulled by separate units, truck driver helpers, warehouseman, mechanic helpers, greasers & tiremen, pick-up trucks when hauling materials, tools, or men to and from and on the jobs site; Fork lifts up to 6,000 lbs., capacity.

GROUP II:
2 or 3 exle trucks hauling more than 9 ton, but hauling less than 16 tons; A-frame winch trucks, hydrolifts trucks, or similar equipment when used for trauportation purposes; Fork lifts over 6,000 lb. capacity; winch trucks; 4-axle combination units; ticket writers

GROUP III:
2-3 or 4 axle trucks hauling 16 ton or more, drivers on oil distributors, water pulls, mechanics & working foreman; 5-axle or more combination units; dispatchers.

FOOTNOTES:
a.-Per Week Per Employee.

DECISION NO. IL75-2081

POWER EQUIPMENT OPERATORS: DEWITT, MACON, PIATT & SHELBY COS.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I	$ 8.90	.30	.40		.05
CLASS II	8.025	.30	.40		.05
CLASS III	7.55	.30	.40		.05

POWER EQUIPMENT OPERATORS: DEWITT, MACON, PIATT & SHELBY COS.

CLASS I - Asphalt screed man, Aspco concrete spreaders, Asphalt pavers, Asphalt rollers on bituminous concrete, athey loaders, backfillers, crane type, backhoes, cableways, cherry pickers, clam shell, C.N.E. & similar type autograde formless paver, autograde placer & finisher, concrete breakers, concrete plant operators, concrete pumps, cranes, derrick, derrick boats, draglines, earth augerer boring machines, levating graders engineers on dredge, gravel processing machines, high lift or fork lists, hoist w/two drums or two or more loadlines locomotives (all) mechanics, motar graders or auto patrols, operators or levelman on dredges, operators power boat, operators pug mill (asphalt plants), orange peels, overhead cranes, paving mixers, piledrivers, pipe wrapping & painting machines, push dozers, or push cats, rock-crushers, rose carriers or similar machines, scoops, skimmer, 2 cu. yd. capacity & under, sheep foot roller (self propelled) shovels, skimmer scoops, test holedrilling machines, tower cranes, tower machines, tower mixers, track type and loaders, track type fork lists or high lifts, track jacks & tamper, tractor, sideboom, trenching machine, ditching machine, tunnelluggers, wheel type end loaders, winch cat, scoops, all or tournapull.

CLASS II - Asphalt boosters & heaters, asphalt distributors, asphalt plant fireman, oiler on 2 paving mixers when used in tandem boom or winch truck, building elevator, bull floats or flexplanes, concrete finishing machines, concrete saws, self propeller, concrete saws, self propeller, concrete spreader machines, gravel or stone spreader, power operated, head equipment greaser, hoist automatic, hoist w/1 drum & 1 load line, mud jacks, post holediggers, mechanical, road or street sweeper-self propelled, seaman tiller, straw machine, vibratory compactor, well drill machines scissors hoist.

CLASS III - Air compressor*, air compressors, track or self-propelled, asphalt plant engineers, bulk cement batching plants, conveyors,* concrete mixers (except plant, paver, tower) fireman, generators*, greasers, helper on single paving mixer, light plants*, mechanic helpers, mechanical heaters*, oilers, power from graders, power sub-graders, pug mills, when used for other than asphalt operation, rollers (except bituminous concrete) tractors w/o power attachments regardless of size of type) truck crane oiler & driver 1 (man), water pumps*, welding machines (one 300 amp. or over*)* welding machines*

*COMBINATIONS OF ONE TO FIVE OF ANY AIR COMPRESSORS, CONVEYORS. WELDING MACHINES, WATER PUMPS, LIGHT PLANTS OR GENERATORS SHALL BE IN BATTERIES OR WITHIN 300 FT.

DECISION NO. IL75-2081

POWER EQUIPMENT OPERATORS: REMAINDER OF COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I	$ 8.10	.30	.50		.05
CLASS II	7.97	.30	.50		.05
CLASS III	6.03	.30	.50		.05

POWER EQUIPMENT OPERATORS: REMAINDER OF COUNTIES

CLASS I: Power cranes, draglines, derrick, shovels, gradalls, mechanics, tractor highlift, tournadozer, concrete mixers with skop, tournamixer, two drum machine, one drum hoist with tower or boom, cable ways, tower machines, motor patrol, boom tractor, boom or winch truck, winch or hydraulic boom truck, truck crane, tournapull, tractor operating scoops, bulldozer, push tractor, finishing machine on asphalt, large rollers on earth, rollers on asphalt mix, rose carrier or similar machine, gravel processing machine, asphalt farm tractor with half yard bucket and/or hoe attachment, dredging equipment, or dredge operator, central mix plant engineer, CMI or similar type machine, concrete pump, truck or skid mounted, tower crane, engine or rock crusher plant, concrete plant engineer, ditching machine with dual attachment, tractor mounted loaders, cherry picker, hydro crane, air compressor 600 feet or over, standard or dinkey locomotives, scoopmobiles, euclid loader, soil cement machine, back filler, elevating machine, power blade, drilling machines including well testing, caissons, shaft or any similar type drilling machines, motor driven paint machine, pipe cleaning machine, pipe wrapping machine, pipe bending machine, aspco paver, boring machine, (Head Equipment Greaser), barber greene loaders, formless paver, (well point system) concrete spreader

CLASS II: Power Sub grader, bull float, form grader, finishing machine, concrete mixers w/o skips, self propelled pavement breaker, rock crusher, ditching machine under 6", curbing machine, truck crane oiler-driver, one drum machines without tower or boom air tugger, self-propelled concrete saw, machine mounted post hole digger, 2 to 4 generators, water pumps, or welding machines, or air compressor 300 cu. ft. or under, within 400 ft., rollers on aggregate and seal coat surfaces, fork lift, concrete and black top curb machine, farm tractor with less than half yard bucket

CLASS III: One water pump, oilers, air valves or steam valves, one welding machine, truck jack, mud jack, air compressor less than 300 cu. ft., gunite machine, house elevators when used for hoisting materials, engine tenders, fireman, wagon drill, flex plane, conveyors, siphons and pulsometer switchman, fireman on paint pots, fireman on asphalt plants distributor operator on trucks, tampers self-propelled power broom, striping machine (motor driven), form tamper seaman tiller, bulk cement plant equipment greaser, deck hand

SUPERSEDEAS DECISION

STATE: Nebraska COUNTIES: Douglas and Sarpy
DECISION NO.: NE75-4111 DATE: Date of Publication
Supersedes Decision No. NE75-4055 dated February 28, 1975 in 40 FR 8745 and Decision No. AR-94 dated December 27, 1974 in 39 FR 44918
DESCRIPTION OF WORK: Building Construction (including single family homes and garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$10.00	.40	.51		.015
BOILEMAKERS	8.50	.60	1.00		.02
BRICKLAYERS, STONEMASONS	8.375	.35	.30	.60	
CARPENTERS:					
Carpenters	7.88	.35	.30	.40	.05
Millwrights	8.13	.35	.30	.40	.05
Piledrivermen	8.005	.35	.30	.40	.05
CEMENT MASONS	8.34	.35	.30	.40	.05
DRYWALL:					
Tapers and Finishers	7.34	.35		.50	.01
Spray	7.59	.35		.50	.01
ELECTRICIANS	10.08	.48	1%+.50		1/4%
ELEVATOR CONSTRUCTORS	9.18	.445	.29	3%+ a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%	.445	.29	3%+ a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%				
GLAZIERS	8.45	.40	.35		
IRONWORKERS	7.95	.35	.30	.50	
LABORERS:					
Common Laborers	6.17	.35	.30		.15
Buggymobile operators, Mortar Mixers	6.315	.35	.30		.15
Mason tenders	6.315	.35	.30		.15
LATHERS	7.62				
MARBLE SETTERS; Tile and Terrazzo workers	7.70	b	.25		
MARBLE, Tile and Terrazzo workers' Helpers'	6.50				
PAINTERS:					
Brush	7.65		.25		
Structural steel and paperhangers	7.90		.25		
Spray, Swing Stage; hazardous and Sandblasting	8.15		.25		
PLASTERERS	8.35	.35	.30		
PLASTERERS TENDERS	6.485	.35	.30		.15
PLUMBERS	9.76	.35	.55		.10
ROOFERS:					
Composition	6.88	.15	.20	.20	.01
Slate; tile	7.18	.15	.20	.20	.01
SHEET METAL WORKERS	9.46	.35			
SOFT FLOOR LAYERS	8.00			c	
SPRINKLER FITTERS	9.25	.50	.70		.08

DECISION NO. NE75-4111

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TRUCK DRIVERS:					
Single Axle	$6.145	.25	.25		
Tandem Axle	6.22	.25	.25		
Lowboy, Trailer	6.345	.25	.25		
Lumber carriers	6.52	.25	.25		

Welders: Receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day; G- Christmas Eve; H- Day after Thanksgiving.

FOOTNOTES:

a. Employer contributes 4% basic hourly rate for over 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Also 6 paid holidays - A through F

b. Employer agrees to provide one-half cost of a Health and Welfare Plan (one-half cost to be paid by employee) which will provide benefits at least equal to the Omaha Construction Industry Health and Welfare Plan shall pay $0.20 per hour in cash.

c. Eight paid Holidays, A thru H; also employees with one years' continuous service with the same employer, but less than 4 years shall receive 1 week's paid vacation; after 4 year's continuous service with the same employer shall receive 2 weeks paid vacation.

DECISION NO.: NE75-4111

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LINE CONSTRUCTION:					
Lineman	$8.09	.35	1%		½%
Cable Splicers	8.49	.25	1%		½%
Truck Driver	5.86	.25	1%		½%
Equipment Operators	7.61	.25	1%		½%
Groundmen:					
(Inexperienced) 1st 6 months	2.75	.35	1%		½%
(Inexperienced) 2nd 6 months	4.02	.35	1%		½%
Thereafter	5.31	.35	1%		½%
POWER EQUIPMENT OPERATORS:					
Group 1	6.78	.35	.30		
Group 2	6.88	.35	.30		
Group 3	7.13	.35	.30		
Group 4	8.02	.35	.30		
Group 5	8.12	.35	.30		
Group 6	8.37	.35	.30		

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITION

Group 1: Oilers; Greasers; Mechanics helpers
Group 2: Oiler drivers (motor truck crane)
Group 3: Conveyors; Heaters; Tractors, 35 HP or under; Air Compressors; Pump and welding machine operator
Group 4: Bulldozers; Forklifts; Concrete Pumps; Tractors over 35 PH; one drum hoists; Straddle Trucks; Spread Oiler
Group 5: Blades; End Loaders; self propelled scrapers
Group 6: Two drum hoists; Trenching Machines; Pile drivers; Dredges; Heavy duty mechanics; Shovels; Draglines; Clamshells; Orange Peels; Cranes; Derricks; Backhoes; Winch Trucks and side booms or cat booms; Locomotives; Firemen used on high pressure boilers in construction work; Economobile; Electric Hammers and extractors

Supersedeas Decision

State; Nebraska

COUNTIES: Douglas, Sarpy, Cass, Washington and that portion of Saunders County east of Highway #109

Decision No. NE75-4112

Date: Date of Publication

Supersedes Decision No. AR-59 dated October 11, 1974, in 39 FR 36705

DESCRIPTION OF WORK: Heavy and Highway Construction (excluding bridges across navigable waterways)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS:					
Carpenters	$7.73	.35	.30	.40	.05
Piledrivermen	7.855	.35	.35	.40	.05
CEMENT FINISHERS	7.98	.35	.30		
IRONWORKERS; Reinforcing and Structural	7.95	.35	.30	.50	
LABORERS:					
Common Laborer	5.70	.35	.30	.15	.05
Towboat and Dredge Deckhands	5.80	.35	.30	.15	.05
Form Setter Helpers	5.90	.35	.30	.15	.05
Rakers and Screedmen on Asphalt work; Mortar Mixers; Chain Saw Operator	5.88	.35	.30	.15	.05
Pipelayers; Concrete Saw Operator	5.95	.35	.30	.15	.05
Form Setters and Precast Manhole Setters, Inlet Builders and Manhole Setters	6.33	.35	.30	.15	.05
POWER EQUIPMENT OPERATORS:					
Group 1	6.07	.35	.30		
Group 2	6.31	.35	.30		
Group 3	6.51	.35	.30		
Group 4	6.73	.35	.30		
Group 5	7.21	.35	.30		
Group 6	7.43	.35	.30		
Group 7	7.60	.35	.30		
Group 8	7.77	.35	.30		

CLASSIFICATION DEFINITIONS

Group 1: Oilers; Greasers; Mechanic's helper; Spread oiler (less than one year experience)

Group 2: Oiler driver

Group 3: Tractor under 35 HP; Air compressors; Pumps-welding machine; Spray machine; Form trenchers; Belt machine

Group 4: Concrete mixer; Concrete pumps; Hydro-hammer

Group 5: Spreader oiler (after one years experience in classification)

Group 6:; Concrete spreader; Concrete finishing machine; Bulldozer; Roller; Traxcavator; Forklift; Winch truck; One drum hoist; Oil distributor; Asphalt roller

POWER EQUIPMENT OPERATORS' CLASSIFICATION DEFINITIONS (CONT'D)

GROUP VII - Blade (patrol); scraper

GROUP VIII - Hoist, 2 drums; trenching machine; paving mixer; piledriver; heavy duty mechanic; welder; shovel; dragline; clamshell; orange peel; backhoe; derrick; crane; locomotive; fireman on boiler; laydown machine; two drum winch truck; side boom cat; pug mill operator on asphalt plant; leverman on dredge; engineer on dredge; tugboat operator; gradall operator; rotary well drilling operator; hydrocrane; cleveland type backfiller; self-propelled spreader vibrator; slip form paver.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TRUCK DRIVERS:					
Single Axle Trucks	$5.96	.25	.25		
Tandem Axle Trucks; Power Lift Form Trucks; Euclid Trucks & Spreader Trucks	6.02	.25	.25		
Lowboys & Tractor-Trailers	6.15	.25	.25		
Lumber Carrier	6.32	.25	.25		

SUPERSEDEAS DECISION

STATE: Pennsylvania

Counties: Lackawanna, Susquehanna, Wayne, Wyoming

DECISION NO.: PA-75-3056

DATE: Date of Publication

Supersedes Decision No. AR-2092, dated November 29, 1974, in 39 FR 41701

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$ 9.00	.50	.35		.01
BOILERMAKERS	10.20	.65	1.00		.01
BRICKLAYERS & STONEMASONS:					
Scranton, Wayne County	9.00	.50	.50		.01
Carbondale	8.70	.40			
Susquehanna & Wyoming Counties	9.15	.35	.50		
CARPENTERS	8.17	.405	.50		.05
CEMENT MASONS:					
Wyoming, Wayne, Susquehanna Counties	8.40	.40	.40		
Scranton	8.40	.40	.40		
Carbondale	8.70	.40			
ELECTRICIANS:					
Lackawanna, Susquehanna and Wayne Counties	8.40	.35	1%+.50	.50	.10
Wyoming County					
East of Susquehanna River	8.40	.35	1%+.50	.50	.10
West of Susquehanna River	9.15	.30	1%+.35		.03
ELEVATOR CONSTRUCTORS:					
Elevator Constructors	9.04	.445	.29	3%+a+b	.02
Elevator Constructors Helpers	6.33	.445	.29	3%+a+b	.02
Elevator Constructors Helpers (prob.)	4.52				
GLAZIERS	8.25	.35	.40		
IRONWORKERS:					
Lackawanna, Wayne & Wyoming County					
Structural & Ornamental	9.85	.64	1.06		.10
Reinforcing	9.75	.64	1.06		.10
Susquehanna County	9.00	.41	.43		.04
LABORERS:					
Lackawanna, Wayne, Susquehanna & Northern part of Wyoming County:					
Unskilled and Window Cleaners	7.55	.48	.50		
Semi skilled Laborers: Jackhammer operators, (each man when two required for operation of jackhammer) Vibrator and Buster Men, Wagon Drill and all men handling dynamite. Gas buggies 2" pumps and concrete mixers (up to 2 bags) and all pneumatic tools	7.70	.48	.50		

DECISION NO. PA-75-3056

LABORERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Plaster tenders and Mason tenders and haulding of all material to be used Masons & Scaffold Builders	$ 7.95	.48	.50		
Non-metallic pipe layers and making of joints, clay, terra cotta, ironstone, vitrified concrete handling of burning torches, asphalt or other material	7.70	.48	.50		
Southern part of Wyoming County:					
Unskilled	7.77	.25	.50		
Semi skilled laborers, Pneumatic and other mechanical tool op.; 2" pump or under, handling and mixing of all material used by masons from stock pile to mason, Non-metallic pipelyaer and making of joints, clay, terra cotta, ironstone, vitrified concrete, handling of burning torches asphalt or other hot material, cement finishers and blasters helpers	7.97	.25	.50		
Plasterers tenders, blaster, wagon drill ops.	8.09	.25	.50		
Mason tenders & scaffold builders	8.17	.25	.50		
LATHERS	8.79		.10		.01
LEAD BURNERS	9.25	.35			.01
LINE CONSTRUCTION:					
Lineman, dynamite man	9.50	.20	1%		3/8 of 1%
Groundman truck driver	6.74	.20	1%		3/8 of 1%
Groundman	6.46	.20	1%		3/8 of 1%
MARBLE SETTERS	8.82				
MILLWRIGHTS:					
Lackawanna, Susquehanna & Wayne Counties	8.75	.405	.50		.05
Wyoming County	9.86	.30	.35		.03
PAINTERS:					
Lackawanna, Wayne, Susquehanna and Tunkhannock in Wyoming County					

DECISION NO. PA-75-3056

PAINTERS: Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Brush	$ 7.10		.60		
Spray	8.60		.60		
Steel	8.10		.60		
Carbondale in Lackawanna					
Brush	7.50				
Steel	7.95				
South Eastern part of Wyoming County					
Brush	5.60		.25		
Steel	6.81		.25		
PILEDRIVERMEN	9.92	1.28	.90	d	.07
PLASTERERS	8.55	.40	.40		
PLUMBERS	9.54	.35	.50		
POWER EQUIPMENT OPERATORS					
GROUP 1	10.19	4.6%	9.5%	a	1.2%
GROUP 2	9.90	4.6%	9.5%	a	1.2%
GROUP 3	9.02	4.6%	9.5%	a	1.2%
GROUP 4	8.25	4.6%	9.5%	a	1.2%
GROUP 5	7.77	4.6%	9.5%	a	1.2%
GROUP 6	6.85	4.6%	9.5%	a	1.2%
GROUP 7	10.44	4.6%	9.5%	a	1.2%
GROUP 7-A	10.69	4.6%	9.5%	a	1.2%
GROUP 7-B	10.94	4.6%	9.5%	a	1.2%

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITION

GROUP 1: Machines doing hook work, any machine handling machinery, cable spinning machines, helicopters, machines similar to the above

GROUP 2: All types of cranes, all types of backhoes, cableways, dragline, keystones, all types of shovels, derricks, trench shovels, trenching machines, hoist with two towers, pavers 21E and over, all types overhead cranes, building hoists (double drum) gradalls, mucking machines in tunnel, all front end loaders 3½ c.y. and over, tandem scrapers, pippin type backhoes, boat Captains, batch plant operators (concrete) drills, self-contained rotary drills, fork lifts, 20 ft. lift, and over machine to the above

GROUP 3: Conveyors, building hoists (single drum) scrapers and tournapulls, spreaders, high or low pressure boilers, concrete pumps, well drillers, bulldozers and tractors, asphalt plant engineers, roller (high grade finishing), ditch witch type trencher, all loaders under 3-½ cu. yds., mechanic-welders, motor patrols, drill helper-self contained rotary drills, core drill operator, forklift trucks under 20 ft. lift, machines similar to the above

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITION CONT'D.:

GROUP 4: Welding machines, well points, compressors, pumps, heaters, farm tractors, form line graders, fine grade machines, road finishing machines, concrete breaking machines, rollers, seaman pulverizing mixer, power broom, seeding spreaders, tireman (for power equipment), machines similar to above

GROUP 5: Fireman, grease truck

GROUP 6: Oilers and deck hands (personnel boats), core drill helper

GROUP 7: All machines with booms (including jib, masts, leads, etc.): 100 ft. and over

GROUP 7-B: 200 ft. and over

FOOTNOTE:
a. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, provided the employee works the day before and after the holiday.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROOFERS:					
Composition & Kettleman	$ 8.31	.42	.47		
Helpers	8.085	.42	.47		
SHEET METAL WORKERS	8.97	.55	.40		.04
SOFT FLOOR LAYERS:					
Lackawanna, Wayne Susquehanna Counties	8.17	.405	.50		.05
Wyoming County	8.23	.30	.35		.03
SPRINKLER FITTERS	9.60	.50	.70		.08
PIPEFITTERS	9.29	.35	.75		.04
TRUCK DRIVERS:					
Class I	6.57				
Class II	6.64				
Class III	7.13				

TRUCK DRIVERS CLASSIFICATION DEFINITION

CLASS I: Helper, stake body truck (single axle), dumpster

CLASS II: Dump trucks, tandem & batch trucks, semi-trailers, agitator mixer trucks, ready mix and dumpcrete type vehicles asphalt distributots, farm tractor when used for transportation, stake body truck (tandem)

CLASS III: Euclid type, off-highway equipment - back or belly dump trucks and doublehitched equipment, straddle (Ross) carrier, low-bed trailers

WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service for vacation pay credit.

b. Paid Holidays: A through F.

c. Paid holidays, A through F and Washington's Birthday, Good Friday, and Christmas Eve, provided the employee has worked 45 days for the employer during the 120 days prior to the holiday and is available for work the days preceding and following the holiday.

d. Paid Holidays: Washington's Birthday; Good Friday; Memorial Day; Labor Day; Presidential Election Day; Veterans Day; Thanksgiving Day.

SUPERSEDEAS DECISION

STATE: Tennessee COUNTY: Shelby
DECISION NUMBER: TN75-1058 DATE: Date of Publication
Supersedes Decision No.: TN75-1006 January 17, 1975 in 40 FR 3155
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Utility Construction

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	9.10	.35	.50		.05
Boilermakers	7.50	.40	.90		.02
Bricklayers; Stonemasons	9.25	.35	.20		.05
Carpenters; Piledrivermen; Soft floor layers	8.80	.30	.20		.04
Cement masons:					
Cement masons	8.65	.30	.45		.10
Cement masons machine operator	8.90	.30	.45		.10
Electricians:					
Electricians; Linemen	8.68	.35	1%+.40		.5%
Cable splicers	8.78	.35	1%+.40		.5%
Elevator constructors	8.29	.445	.29	3%+a+b	.02
Elevator constructors' helpers	70%JR	.445	.29	3%+a+b	.02
Elevator constructors' helpers (Prob.)	50%JR				
Glaziers	7.80	.35	.20		
Ironworkers	7.70	.30	.35		.125
Lathers	8.30	.25			.01
Leadburners	7.80	.30		c	.01
Marble setters; Terrazzo workers; Tile setters	7.25	.35	.20		.05
Millwrights	8.60	.36			.06
Painters:					
Brush	8.10	.30	.30		.05
Sandblasting; Spray Steel	8.35	.30	.30		.05
Plasterers	8.60				.01
Plumbers	9.57	.30	.15		
Roofers:					
Composition	7.90		.25		.03
Slate, Tile asbestos & precast tile	8.15		.25		.03
Sheet metal workers	8.40	.50	.25	.55	.02
Sprinkler fitters	8.75	.50	.70		.08
Steamfitters, air conditioning mechanics and pipefitters	9.42	.30	.30		
Truck drivers:					
Up to 5 tons	3.695		d		
5 tons & over incl. special equipment	4.095		d		
Welders; riggers; & riveters receive rate prescribed for craft performing operation to which welding is incidental.					

TN75-1058 (Cont'd)

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:
a. 6 paid holidays: A through F
b. Employer contributes 1% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.
c. 9 paid holidays: A through F. plus Washington's Birthday, Good Friday, & Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.
d. Employer contribution of $2.00 per week.

TN75-1058 (Cont'd)

BUILDING CONSTRUCTION
LABORERS:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A	5.55	.20	.20		.05
GROUP B	5.65	.20	.20		.05
GROUP C	5.70	.20	.20		.05
GROUP D	5.90	.20	.20		.05
GROUP E	6.10	.20	.20		.05
GROUP F	5.15	.20	.20		
GROUP G	5.25	.20	.20		

GROUP A : General and common laborers, concrete laborers, track laborer walkers, cement finisher helpers, plumber helpers, carpenter tenders, asphalt rakers-tampers, form strippers, roofing helpers.

GROUP B : Well driller helpers, storm and sanitary pipe layers, mat weavers, motor buggie operators.

GROUP C : Chain saw operators, jackhammer, vibrator and electric hammers and all air tool and pneumatic tools.

GROUP D : Deep hole man

GROUP E : Powdermen, toolroom attendant, torchman on demolition and salvage, sand hog (free air).

GROUP F : Hod carriers, mason tenders and plasterer tenders.

GROUP G : Mortar mixers

TN75-1058 (Cont'd)

BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS A	$ 8.10	.30	.35		
CLASS B	7.67	.30	.35		
CLASS C	6.97	.30	.35		
CLASS D	6.57	.30	.35		

CLASS A: Shovels; Backhoes; Draglines; Cranes; Derricks; Gantrys; Gradall; Winch with boom; Motor patrol; Trenching machine (18" & over); Pile driver; Tug boat operator; Mechanics (heavy); Central mixing plant; Locomotive engineer; Straddle carriers; Core drills (over 3"); Tower cranes; Hydro cranes; Austin Western (and similar type cranes); Drilling of piling; Tugger; Earth freezing equipment; 3 drum hoist; Side boom; Dredge operator (engineer); Hopto; Pump crete; Mucking machines; Cableway; Central compressor plant; Derrick boat; Concrete pump; Welders (men from the craft); Helicopter operator; Well point systems; Sweeper; Bulldozers; Pans; Scrapers; Traxcavators; Fork lift; Front end loader

CLASS B: Trenching machines (18" and smaller); Tandem rollers; Pavers; Mobile mixers (rubber tired, mobile, mixed on job); Back filler; Blade graders; Dinkey operator over 10 tons; Elevating graders; Winches (operated from trucks or tractors, without booms and powered by other than the truck); Distributors; Bituminous surfaces, 1 and 2 drum hoist; Grout pumps; Motor boat; Switchman; Brakeman; Earth compactors (motorized-Buffalo-Springfield type)

CLASS C: Locomotive fireman (on boilers 100 h.p. and over); Operator; Air compressor (stationary); Earth drills; Scale operators; Tractors (40 h.p. and less); Motor crane driver and oiler; Pumps (larger than 4"); Dinkey operators (10 tons and less); Oilers on Gantrys; Greasers

CLASS D: Air compressor operators; Mechanic helper; Locomotive fireman; Welding machine operators; Deck hand; Elevator operators

TN75-1058 (Cont'd)

HEAVY CONSTRUCTION

Page 5

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Bricklayers	$6.00				
Carpenters or leadsman	5.00				
Cement masons	5.00				
Electricians	5.77				
Ironworkers, reinforcing	4.75				
Ironworkers, structural	5.35				
Laborers:					
Laborers, unskilled; Flagman	3.05				
Chain saw; Concrete rubber; Mortar mixer; Pipelayer	3.25				
Air tool operator; Firemen	3.30				
Concrete edger	3.40				
Concrete saw operator; Fence erector; Guard rail erector	3.50				
Asphalt raker	3.60				
Sign erector	3.70				
Form setter; Steel road	3.95				
Powderman	4.25				
Nozzleman or gunman (gunite)	5.00				
Painter or sand blaster	5.00				
Power equipment operators:					
Pump operator; Welder helper	3.20				
Ditch paver; Mechanic helper	3.30				
Curb machine	3.40				
Motor crane driver; Mulcher or seeder; Scale operator	3.50				
Tractor, farm	3.55				
Concrete mixer, less than 1 yd.; Earth drill	3.60				
Track drill	3.75				
Dozer or loader - stock pile only	3.85				
Oiler; Roller, other than finish	3.90				
Distributor (bituminous)	4.05				
Tractor, crawler, utility	4.10				
Spreader (self-propelled)	4.20				
Asphalt paver; Central mixing (asphalt or concrete); Concrete finishing machine; Mechanic, Class II; Motor patrol (rough); Roller (high type); Soil cement machine	4.35				
Tractor - boom & hoist; Trenching machine	4.50				
Bulldozer or push dozer; Scraper	4.75				
Backhoe; Concrete paver; Crane; End loader; Mechanic, Class I; Motor patrol finish; Piledriver; Shovel	5.00				
Truck drivers:					
2 & 3 axles	3.40				
4 & 5 axles or more or heavy duty off-the-road trucks	4.00				
Welders receive rate prescribed for craft performing operations to which is incidental.					

TN75-1058 (Cont'd)

WATER, SEWER AND UTILITIES

Page 6

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Bricklayers	$3.50					
Carpenters	3.50					
Cement masons	3.00					
Laborers	2.10					
Truck drivers:						
Up to 3 tons	2.32					
Over 3 tons	2.50					
Power Equipment Operators:						
Air compressors	2.37					
Backhoe	3.50					
Blade grader	3.50					
Bulldozer	3.45					
Cranes, derricks & draglines	3.85					
Front end loader	3.50					
Mechanics	3.42					
Motor grader	3.50					
Scrapers	3.34					
Shovels	3.50					
Tractors	2.37					
Trenching machines	3.30					

SUPERSEDEAS DECISION

STATE: Tennessee COUNTY: Hamilton
DECISION NO.: TN75-1059 DATE: Date of Publication
Supersedes Decision No: AR-4062 dated December 6, 1974, in 39 FR 42828
DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy Construction.

BUILDING AND HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	8.40	.30	.20		.01
Boilermakers	8.20	.60	.90		.02
Bricklayers; Concrete block layers; Marble setters; Stonemasons; Terrazzo workers; Tile setters	8.30	.30	.30		
Carpenters:					
Carpenters; Soft floor layers	7.58	.35	.30		.03
Piledrivermen	7.705	.35	.30		.03
Millwrights	8.03	.35	.30		.02
Cement masons:					
Cement masons	7.15				
Power machine operator; Swinging scaffold & bos'n chair	7.35				
Electricians:					
Electricians	8.45	.45	1%+.20		1%
Cable splicers	8.70	.45	1%+.20		1%
Elevator constructors	7.53	.445	.29	3%+a+b	.02
Elevator constructors' helpers	70%JR	.445	.29	3%+a+b	.02
Elevator constructors' helpers (Prob.)	50%JR				
Glaziers	6.83			c	
Ironworkers	7.86	.40	.30		1%
Lathers	7.15				
Leadburners	7.80	.30		d	.01
Painters:					
Commercial	6.50		.25		
Industrial	6.75		.25		
Sandblasting	7.00		.25		
Plasterers	7.45				
Plumbers; Steamfitters	8.20	.25	.30	.20	.07
Roofers:					
Composition, damp & waterproofers	7.80		.10		
Slate and tile	7.60		.10		
Kettlemen	7.20		.10		
Sheet metal workers	7.85	.30	.50		.04
Sprinkler fitters	8.75	.50	.70		.08
Truck drivers:					
Up to 3 tons	4.58		e		
3 to 5 tons	4.73		e		
5 to 7 tons	4.88		e		
Helpers and warehousemen	4.58		e		
Special equipment	4.98		e		
Welders: Receive rate prescribed for craft performing operation to which welding is incidental.					

TN75-1059 (Cont'd)

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

c. Employee who has worked more than 1, but less than 5 years, 2% of gross wages. Employee who has worked 5 years or more, 4% of gross wages.

d. Holidays, A through F plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.

e. $3.00 per week for each employee.

TN75-1059 (Cont'd)

BUILDING AND HEAVY CONSTRUCTION LABORERS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A	$5.05	.10	.20		
GROUP B	5.15	.10	.20		
GROUP C	5.25	.10	.20		
GROUP D	5.35	.10	.20		
GROUP E	5.40	.10	.20		
GROUP F	5.70	.10	.20		
GROUP G	5.75	.10	.20		
GROUP H	5.45	.10	.20		
GROUP I	5.60	.10	.20		
GROUP J	5.60	.10	.20		
GROUP K	5.85	.10	.20		

GROUP A: Concrete laborers, general laborers, carpenter tenders, window and floor cleaners, and flagman on road and street crossings, form strippers, handling of rope to clam bucket, grout men, laborers working on demolition work, handling, cleaning and pulling of nails from materials

GROUP B: Powder man helpers, vibrator operators, tenders to all trowel trades and terrazzo work, carrying re-inforced steel, operating motorized wheel barrows, doping and painting of pipe, railroad track laborers, air spade operators, snake men on pipe work

GROUP C: Sanitary and storm pipe layers or any other pipe outside of foundation, grade checker, yarner and pot man, steel form setters, mortar mixers by hand or machine, power saw operators, jackhammer operator, pavement breaker operator, air tool operators, regular air tamp operators, wacker tamp operator, chipping hammer operator, hand operated ditching machine operator, concrete grinder, floor sweeping machine operator, concrete buffer and grinder power operator, concrete pumping machine operator

GROUP D: Asphalt raker, wagon drill operator, sand blasting, track drill operator, concrete saw operator, using cutting torch or burner on demolition work, flagging of rigs

GROUP E: Barco tamp operator and specially designed tamp operator, black top or concrete curbing machine operator

GROUP F: Powder man, motorized post hole digger operator and terrazzo machine grinder

GROUP G: Pneumatic concrete gun operator and nozzleman

FREE AIR SHAFTS AND TUNNELS

GROUP H: Tunnel Laborer

GROUP I: Chuck Tender

GROUP J: Top Lander on Shaft Work

GROUP K: Tunnel miner, including men required to go down in pier holes drilled by machine

TN75-1059 (Cont'd)

POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A	$ 7.35	.25	.25		
GROUP B	6.55	.25	.25		
GROUP C	5.95	.25	.25		
GROUP D	5.65	.25	.25		

GROUP A: Backhoes, Cableways, Ross carrier, Clamshells, Cranes, Derricks, Draglines, Turnapulls, Pans, Scrapers, Scoops, Etc., Head tower machines, Endloaders, Locomotives (over 20 tons), Shovels, Dozers, Fork-lifts with over 8' lift, Core drills, Foundation drills, Graders, Mechanics, Welders, Winch truck with A Frame, Skimmer scoops, Locomotive cranes, Overhead cranes, Skid rigs, Pile drivers, Side boom tractors, Euclid loaders, Derrick boat, Dredge boats, Hoist (any size handling steel or stone), Engines used in connection with hoist material with an attached device on tower or engine, Mucking-machines, Hi-lifts or end loaders, Finish graders on bluetop, Trenching machines, Cherrypickers, Tower crane, Skylift, Gradall

GROUP B: Tractors, Farm type tractors with attachments, Central compressor plants, Elevators used for hoisting building materials, Central mixing plants, Hoist, Pump crete machine, Concrete pumps, Backfillers (other than cranes), Tracmobile, Crushing plant operators, Elevating graders, Earth augers, Forklifts, Paving machines (Blacktop), Paving machines (Concrete), Boat operator or engineer (30 tons or over), Blacktop, rollers, Switchman, Locomotive under 20 tons and maintainers

GROUP C: Asphalt plant operators, Barber green type loaders, Engine tender other than steam, Mixers (over 2 bags, not to include central plants), Pumps (2 not more than 3, Scarifiers, Spreader box (Bituminous), Asphalt mixers, Portable compressors (2 not more than 3), Rollers, Sub-grader machine, Tractors (Farm-type without attachments), Cable head tower engineman, Dredge booster pump operator, Boat operator or engineers (under 30 tons), Finishing machine, Fireman & Oiler (Combination), Motor crane oiler & driver, Welding machine (2 not more than 3), Heaters, Stationary or portable (to 5), Compressors (Portable, 2 not more than 3), Greaser or fuel trucks

GROUP D: Air compressor (1 portable), Fireman, Portable crushers, Welding machine (1), Conveyors, Pumps (1), Oiler, Heater (1)

SUPERSEDEAS DECISION

STATE: Washington
DECISION NUMBER: WA75-5070
COUNTIES: Statewide
DATE: Date of Publication
Supersedes Decision No. WA75-5054 dated April 25, 1975, in 40 FR 18310
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments, up to and including 4 stories), heavy and highway construction and dredging.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS:					
Chelan, Clallam, Douglas, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Okanogan, Pacific (Northern portion), Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom and Yakima Counties	$10.11	.51	.75		
Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Counties	9.96	.50	.80		.10
Remaining Counties	9.65	.44	.80		
BOILERMAKERS	8.90	.65	1.00	.50	.02
BRICKLAYERS:					
Adams (except City of Othello), Asotin, Columbia, Ferry, Garfield, Lincoln, Pend Oreille, Spokane, Stevens and Whitman Counties and Grand Coulee Dam area in Okanogan County	9.16	.55	.50		.04
Benton, Franklin, and Walla Walla Counties	9.20	.40	.50		
Chelan, Douglas, and Okanogan (except area of Grand Coulee Dam)	8.27	.45	.40	.25	
Clallam, Island, Jefferson, King, Kitsap, Snohomish and Skagit (South of the Cities of Burlington, Sedro-Woolley and Concrete) Counties	9.02	.55	.35		.02
Clark, Cowlitz, Pacific (Southern portion), Skamania, Wahkiakum Counties and ten mile strip bordering the Columbia River in Klickitat County	9.42	.50	.55		.08
Grant County and that portion of Adams County including the City of Othello	8.25	.45			
Kittitas, Yakima and Klickitat (except a ten-mile strip bordering the Columbia River) Counties	8.75	.50	.50		

DECISION NO. WA75-5070

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BRICKLAYERS: (Cont'd)					
Grays Harbor, Lewis, Mason, Thurston, and Northern portion of Pacific County	$8.45	.55	.30		
Pierce County	8.94	.55	.45		.02
San Juan, Skagit (including the Cities of Burlington, Sedro-Woolley, Concrete and north thereof), and Whatcom Counties	9.10	.45	.45		
CARPENTERS:					
All Counties and parts of Counties east of the 120th Meridian (except those parts of Kittitas, Klickitat and Yakima)					
Carpenters	9.04	.55	.55		.045
Piledriver; Floor Sanders; Saw Filers; Stationary Power Woodworking Tool Operator	9.19	.55	.55		.045
Shingler (wood or composition)	9.24	.55	.55		.045
Boom Men; Carpenters (Creosoted material)	9.29	.55	.55		.045
Piledriver (creosoted material)	9.44	.55	.55		.045
Millwright and Machine Erector	9.54	.55	.55		.045
All Counties and parts of Counties west of the 120th Meridian except Clark, Cowlitz, Klickitat, Pacific (southern portion), Skamania and Wahkiakum Counties					
Carpenters	8.35	.50	.60		.02
Carpenters on Creosoted material	8.45	.50	.60		.02
Sawfilers; Stationary power saw; Floor finisher; Floor layer; Shingles; Floor sander and other stationary power woodworking tools	8.48	.50	.60		.02
Millwrights and machine erectors	8.85	.50	.60		
Piledrivers; Bridge, dock and Wharf builders	8.50	.50	.60		.02
Acoustical Workers	8.51	.50	.60		.02
Boommen	8.35	.50	.60		.02
Drywall Applicators	8.35	.50	.60		.02

DECISION NO. WA75-5070

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS: (Cont'd)					
Clark, Cowlitz, Klickitat, Pacific (southern portion), Skamania and Wahkiakum Counties					
Carpenters; Form stripper; Manhole builders; Acoustical applicators	$7.79	.55	.65	.35	.03
Piledrivermen, bridge, dock and wharf builders	7.89	.55	.65	.35	.03
Floor layers; Floor finishers; Stationary power saw operator	7.94	.55	.65	.35	.03
Boomman	7.99	.55	.65	.35	.03
Millwrights; Machine Erectors	8.04	.55	.65	.35	.03
Drywall Applicator	7.79	.55	.65	.35	.03
CEMENT MASONS:					
Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas (except for western portion lying one mile west of City of Easton), Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman and Yakima Counties	8.23	.45	.60		.04
Clallam, Grays Harbor, Island, Jefferson, King (except City of Auburn), Kitsap, Kittitas, (Western portion lying one mile west of the City of Easton), Mason, Pacific (northern portion) San Juan, Skagit, Snohomish, and Whatcom Counties	8.32	.55	.60		.01
Clark, Cowlitz, Klickitat, Pacific (southern portion), Skamania and Wahkiakum Counties	7.14	.35	.35	.20	.03
Lewis, Pierce, Thurston and the City of Auburn in King County	8.25	.50	.65		.02
ELECTRICIANS:					
Adams, Ferry, Lincoln, Pend Oreille, Spokane, Stevens and Whitman Counties					
Electricians	8.05	.35	1%+.40		.02
Cable Splicers	8.45	.35	1%+.40		.02

DECISION NO. WA75-5070

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ELECTRICIANS: (Cont'd)					
Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Walla Walla and Yakima Counties					
Electricians	$8.95	.35	1%+.40		.02
Cable Splicers	9.85	.35	1%+.40		.02
Chelan, Douglas, Grant and Okanogan Counties					
Electricians	8.95	.35	1%+.40		.02
Cable Splicers	9.85	.35	1%+.40		.02
Clallam, Jefferson, King and Kitsap Counties					
Electricians	9.45	.25	1%+.40		.03
Cable Splicers	10.395	.25	1%+.40		.03
Clark, Klickitat and Skamania Counties					
Electricians	9.60	.45	1%+.40		.02
Cable Splicers	10.35	.45	1%+.40		.02
Cowlitz and Wahkiakum Counties					
Electricians	8.86	.25	1%	5%	.02
Cable Splicers	9.75	.25	1%	5%	.02
Grays Harbor, Lewis, Mason, Pierce, Pacific and Thurston Counties					
Electricians	8.92	.45	1%+.45	.36	.04
Cable Splicers	9.81	.45	1%+.45	.36	.04
Island, San Juan, Skagit, Snohomish and Whatcom Counties					
Electricians	8.93	.45	1%+.40		.01
Cable Splicers	9.82	.45	1%+.40		.01
ELEVATOR CONSTRUCTORS:					
Adams, Asotin, Benotn, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman Counties					
Elevator Constructors	8.975	.445	.29	3%+a	.02
Elevator Constructors' Helpers	70%JR	.445	.29	3%+a	.02
Elevator Constructors' Helpers (Prob.)	50%JR				

Page 5

DECISION NO. WA75-5070

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ELEVATOR CONSTRUCTORS: (Cont'd)					
Chelan, Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Pacific, (northern portion), Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom and Yakima Counties					
Elevator Constructors	$ 9.275	.445	.29	3%+a	.02
Elevator Constructors' Helpers	70%JR	.445	.29	3%+a	.02
Elevator Constructors' Helpers (Prob.)	50%JR				
Clark, Cowlitz, Klickitat, Pacific, (southern portion), Skamania and Wahkiakum Counties					
Elevator Constructors	7.97	.445	.29	3%+a	.02
Elevator Constructors' Helpers	70%JR	.445	.29	3%+a	.02
Elevator Constructors' Helpers (Prob.)	50%JR				
GLAZIERS:					
Adams, (northeastern portion), Lincoln (eastern half); Pend Oreille, Spokane, and Stevens Counties	7.455	.31	.10	.545	
Adams (Southeastern portion), Benton, Columbia, Franklin and Walla Walla Counties	7.47	.31	.35	.53	
Adams (Southwestern corner), Chelan, Douglas, Grant, Lincoln, (western half) and Okanogan Cos.	7.08	.31	.55	.50	
Asotin, Garfield, and Whitman Cos.	7.28	.31	.25	.28+b	
Clallam, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific (Northern portion), Pierce, San Juan, Snohomish and Thurston Cos.	8.05	.22	.40	b	.02
Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Counties	7.20	.26	.30	6.5%	.01
Kittitas and Yakima Counties	6.41	.25	.25		

Page 6

DECISION NO. WA75-5070

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
IRONWORKERS:					
Statewide except Clark, Cowlitz, Klickitat, Pacific (southern portion), Skamania and Wahkiakum Counties					
Reinforcing; Structural; Fence Erectors; Ornamental; Riggers and Signalmen	$ 9.15	.58	.90		.05
Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Counties					
Reinforcing; Structural; Fence Erectors; Ornamental; Riggers; Signalmen	8.90	.58	.90	.25	.05
LATHERS:					
Adams, Asotin, Benton, Chelan, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima Counties	8.88	.45			
Clallam, Island, Jefferson, King, Kitsap, Pacific (Northern portion), San Juan, Skagit, Snohomish and Whatcom Counties	7.50	.40			
Pierce County	7.25	.40	.50		.02
MARBLE SETTERS:					
Adams (except that portion including the City of Othello), Asotin, Columbia, Ferry, Garfield, Lincoln, Pend Oreille, Spokane, Stevens, and Whitman Counties, and Grand Coulee Dam Area in Okanogan County	9.16	.35	.40		.04
Benton, Franklin, and Walla Walla Counties	9.20	.40	.50		
Chelan, Douglas, and Okanogan (except area of Grand Coulee Dam)	8.27	.45	.40	.25	
Clallam, Island, Jefferson, King, Kitsap, Snohomish and Skagit (South of the Cities of Burlington, Sedro-Woolley and Concrete) Counties	9.02	.55	.35		.02

Page 7

DECISION NO. WA75-5070

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
MARBLE SETTERS: (Cont'd)					
Clark, Cowlitz, Pacific (southern portion), Skamania, Wahkiakum Counties and a ten mile strip bordering the Columbia River in Klickitat County	$ 9.42	.50	.55		.08
Grant County and that portion of Adams County including the City of Othello	8.25	.45			
Kittitas, Yakima and Klickitat (except ten mile strip bordering the Columbia River) Counties	7.25	.50	.50		
Grays Harbor, Lewis, Mason, Thurston and Northern half of Pacific Counties	8.45	.55	.30		
Pierce County	8.94	.55	.45		.02
San Juan, Skagit, (including the Cities of Burlington, Sedro-Woolley, Concrete and north thereof) and Whatcom Counties	9.10	.45	.45		
MARBLE, TILE AND TERRAZZO WORKERS HELPERS:					
All Counties east of the Cascade Mountain Range in Washington	6.55				
Remaining Counties west of the Cascade Mountain Range (except Clark, Cowlitz, Klickitat, Pacific (southern portion), Skamania and Wahkiamum Counties)	7.17	.55			
MASON TENDERS:					
Clark, Cowlitz, Klickitat, Pacific (southern portion), Skamania and Wahkiakum Counties (including tenders to plasterers, bricklayers, tile setters, marble setters and terrazzo workers; topping for cement finishers and mortar mixers)	7.05	.60	.80		.07

Page 8

DECISION NO. WA75-5070

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS:					
Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman Counties					
Brush	$ 8.46	.31	.60		.02
Steel; Spray; Steam Cleaning; Roller over 9" or 10' handle; Drywall Taper	8.71	.31	.60		.02
Swing Stage work or high rate (over 30')	8.81	.31	.60		.02
Bitumastic; Sandblasting; Bridge; Tanks on legs; Tower; Stacks; Steeples	8.86	.31	.60		.02
Clark, Cowlitz, Klickitat, Pacific (southern portion), Skamania and Wahkiakum Counties					
Brush	7.77	.35	.45	.30	.03
Spray; High towers, ground to 100'	8.02	.35	.45	.30	.03
High work over 100'; High towers, ground to 300'	8.27	.35	.45	.30	.03
High towers, ground to over 300'	8.77	.35	.45	.30	.03
Drywall Tapers	7.81	.40	.40	.50	.06
Grays Harbor, Island, King, Kitsap, Lewis, Mason, Pierce, San Juan, Skagit, Snohomish, Thurston, Pacific (Northern portion) and Whatcom Counties					
Brush; Drywall Tapers	7.75	.40	.49		.02
Spray; Structural Steel; Bridge; Sandblasting; Stacks; Steam Cleaning; Steeples; Swing Stage; Tanks on legs; Tower; Toxic Material	8.00	.40	.49		.02
Clallam and Jefferson Counties					
Brush	7.50				
Spray, Steel, Sandblasting, add bitumastic	7.75				

DECISION NO. WA75-5070

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS: (Cont'd)					
Kittitas and Yakima Counties					
Brush	$7.95	.31	.45		.02
Spray; Steel; Roller 9" or 10' handles; Drywall Taper; Steam Cleaning	8.20	.31	.45		.02
Swing Stage over 30' high	8.30	.31	.45		.02
Bitumastic; Bridges; Towers; Tanks on legs; Steeples; Stacks; Sandblasting	8.35	.31	.45		.02
PLASTERERS:					
Adams, Asotin, Benton, Columbia, Ferry, Franklin, Garfield, Grant, Kittitas (including the City of Ellensburg and south thereof); Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima Counties	8.88	.45			
Chelan, Douglas, Kittitas (north of the City of Ellensburg), and Okanogan Counties	8.28	.45	.60		
Clallam, Island, Jefferson, King, (except the City of Kent), Kitsap, Pacific (Northern portion), San Juan, Skagit and Snohomish Counties	8.41	.45	.70		.04
Clark, Cowlitz, Klickitat, Pacific (southern portion), Skamania and Wahkiakum Counties	8.50	.50	.60		.01
Grays Harbor, King (City of Kent) Lewis, Mason, Pierce and Thurston Counties	9.50	.50	.70		.04
PLASTERERS' TENDERS:					
All Counties and portions of Counties East of the 120th Meridian	7.35	.45	.65		.02

DECISION NO. WA75-5070

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PLUMBERS:					
Chelan, Clallam, King, Kittitas (north of 47°15' N. Lat.), Douglas (west of 119°30' W. Long.), Jefferson and Okanogan (except the area lying between 119°30' W. Long. and south of 48°30' N. Lat.) Counties	$9.61	.58	.95	.75	.06
Adams (except area between a line drawn south from the western boundary of Ferry County to Highway #10 eastward to Whitman County), Asotin, Benton, Columbia, Franklin, Garfield, Grant, Klickitat, Walla Walla, Yakima, Douglas (east of 119°30' W. Long.), Ferry (west of a line drawn from Creston in Lincoln County Northward to the Canadian Border), Kittitas (south of 47° 15' N. Lat.), Lincoln (west of a line drawn from Schrag in Adams County northward to the Ferry County Line), and Okanogan (east of 119°30' N. Lat.) Counties	10.11	.33	.85	.62	.10
Adams (area between a line drawn south from the western boundary of Ferry County to Highway #10 and eastward to Whitman County), Asotin, Cowlitz, Ferry (east of a line drawn from Creston in Lincoln County northward to the Canadian Border), Grays Harbor, Kitsap, Lewis, Lincoln (east of a line drawn from Schrag in Adams County northward to the Ferry County Line), Mason, Pend Oreille Pierce, Skagit, Snohomish, Spokane, Stevens, Thurston, Wahkiakum, Whatcom, Whitman, and Clark and Skamania (those portions lying north of an east-west line drawn through Woodland eastward to the Klickitat County Line)Cos.	9.60	.33	.85	.60	.10
Clark and Skamania Counties south of an east-west line drawn through Woodland eastward to the Klickitat County Line.	9.37	.70	1.00		.08

DECISION NO. WA75-5070

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROOFERS:					
Adams, Chelan, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, and Whitman Counties	$ 7.64	.50	.30		.01
Asotin and Garfield Counties	8.25				
Benton, Franklin, Kittitas, Klickitat, and Yakima Counties					
Roofers; Kettlemen; Waterproofers; Shinglers; Spraying	8.25	.30	.30		
Clallam, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Wahkiakum and Whatcom Counties					
Roofers; Waterproofers	8.45	.30	.20		
Slate and Tile Roofers	8.70	.30	.20		
Clark, and Skamania Counties					
Roofers	7.80	.45	.75		
Handling or irritating material (coal, tar or epoxy) in unconfined area	8.30	.45	.75		
Handling of irritating material (coal, tar or epoxy) in confined area	8.55	.45	.75		
SHEET METAL WORKERS:					
Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman and Yakima Counties	9.95	.32	.50		
Clallam, Jefferson, Kitsap and Mason Counties	9.28	.37	.50	.60	.03
Clark and Skamania Counties	8.27	.55	.41	.57	.04
Cowlitz, Grays Harbor, Lewis, Pacific, Pierce, Thurston and and Wahkiakum Counties	9.45	.37	.77	.47	.02
King County	9.78	.47	.50		.02
Island and Snohomish Counties	9.68	.47	.60		.01
Whatcom, Skagit and San Juan Cos.	9.56	.52	.60		.02

DECISION NO. WA75-5070

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
SOFT FLOOR LAYERS:					
Adams, Asotin, Chelan, Columbia, Douglas, Ferry, Garfield, Grant, Kittitas, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, and Whitman Counties	$ 7.89	.25	.40	.31	
Benton, Franklin and Walla Walla Counties	7.00	.25	.40	.46	
Clallam, Island, Jefferson, Lewis, San Juan, Skagit, Whatcom, King, Kitsap and Snohomish Counties	8.49	.41	.65		.05
Clark, Cowlitz, Klickitat, Pacific (southern portion), Skamania and Wahkiakum Counties	7.735	.45	.45	c	.05
Grays Harbor, Mason, Pacific (northern portion), Pierce and Thurston Counties	8.39	.41	.65		.05
Yakima and Kittitas Counties	7.43	.25	.25	.23	
SPRINKLER FITTERS:					
Skagit, Snohomish, King, Island, Kitsap, Pierce and Thurston Cos.	10.88	.50	.70		.07
Remaining Counties	9.40	.50	.70		.08
TERRAZZO WORKERS:					
Adams (except that portion incl. the City of Othello), Asotin, Columbia, Ferry, Garfield, Lincoln, Pend Oreille, Spokane, Stevens, Whitman and Grand Coulee Dam area in Okanogan Co.	8.80	.50	.40		
Benton, Franklin and Walla Walla Counties	9.20	.40	.50		
Chelan, Douglas, Okanogan (except area of Grand Coulee Dam)	8.27	.45	.40		.25
Clallam, Island, Jefferson, King, Kitsap, Skagit (south of the Cities of Burlington, Sedro-Woolley and Concrete) and Snohomish Counties	8.75	.55	.35		
Grant County and that portion of Adams County including the City of Othello	8.25	.45			

DECISION NO. WA75-5070

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TERRAZZO WORKERS: (Cont'd)					
Kittitas, Klickitat (except ten-mile strip bordering Columbia River), Yakima Counties	$ 7.25	.50	.50		
Grays Harbror, Lewis, Mason and Thurston Counties	8.45	.55	.30		
Pierce County	8.68	.55	.45		.02
San Juan, Skagit (including the Cities of Burlington, Sedro-Woolley, Concrete and north thereof) and Whatcom Counties	9.10	.45	.45		
TILE SETTERS:					
Adams (except that portion incl. the City of Othello), Asotin, Columbia, Ferry, Grafield, Lincoln, Pend Oreille, Spokane, Stevens, Whitman and Grand Coulee Dam area in Okanogan Co.	8.80	.50	.40		
Benton, Franklin, and Walla Walla Counties	8.53	.40	.50		
Chelan, Douglas, Okanogan (except area of Grand Coulee Dam)	8.27	.45	.40	.25	
Clallam, Island, Jefferson, King, Kitsap, Skagit (south of the Cities of Burlington, Sedro-Woolley and Concrete) and Snohomish Counties	8.75	.55	.35		.04
Clark, Cowlitz, Pacific (southern portion), Skamania, Wahkiakum and a ten-mile strip bordering the Columbia River in Klickitat County	7.84	.35	.35	.25	
Grant County and that portion of Adams County including the City of Othello	8.25	.45			
Kittitas, Klickitat (except ten-mile strip bordering the Columbia River) and Yakima Cos.	7.25	.50	.50		
Grays Harbor, Lewis, Mason and Thurston Counties	7.65	.40	.30		.02
Pierce County	8.68	.55	.45		.02
WELDERS: Receive rate prescribed for craft performing operation to which welding is incidental.					

DECISION NO. WA75-5070

*STATEWIDE -
Where Pacific County is stated as "Northern portion" or "Southern portion" such areas are defined as follows:

Pacific (Northern portion) - North of Wahkiakum County Northern boundary extended due West to the Pacific Ocean

Pacific (Southern portion) - South of Wahkiakum County Northern boundary extended due West to the Pacific Ocean

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Employer contributes 4% of basic hourly rate for 5 years' service and 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.
b. Two weeks' vacation with pay after 1 year of employment. Also seven Paid Holidays: A through F plus Washington's Birthday.
c. 4% of all gross wages to be placed to the credit of the employee with less than one year's service - 6% of all gross wages to be placed to the credit of the employee with more than one year of service.

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Cable Splicers; Leadman Pole Sprayer	$ 11.12	.35	1%	.10	1/2%
Lineman; Pole Sprayer; Heavy Line Equipment Man; Certified Lineman Welder	10.04	.35	1%	.10	1/2%
Tree Trimmer	9.06	.35	1%	.10	1/2%
Line Equipment Man	8.65	.35	1%	.10	1/2%
Head Groundman (chipper); Head Groundman; Powderman; Jackhammer man	7.36	.35	1%	.10	1/2%
Groundman; Tree Trimmer Helper	7.12	.35	1%	.10	1/2%

DECISION NO. WA75-5070

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS (Area 1) (All Counties and portions of Counties East of the 120th Meridian)					
Group 1	$ 6.85	.45	.65		.02
Group 2	7.00	.45	.65		.02
Group 3	7.10	.45	.65		.02
Group 4	7.15	.45	.65		.02
Group 5	7.20	.45	.65		.02
Group 6	7.25	.45	.65		.02
Group 7	7.30	.45	.65		.02
Group 8	7.50	.45	.65		.02
Group 9:					
Class A	6.90	.45	.65		.02
Class B	6.95	.45	.65		.02
Class C	7.35	.45	.65		.02
Class D	7.40	.45	.65		.02
LABORERS (Area 2) (All Counties West of the 120th Meridian (except those enumerated in Areas 3 and 4) and the Northern portion of Pacific County)					
Group 1	6.90	.60	.80		.06
Group 2	7.00	.60	.80		.06
Group 3	7.05	.60	.80		.06
Group 4	7.10	.60	.80		.06
Group 5	7.15	.60	.80		.06
Group 6	7.20	.60	.80		.06
Group 7	7.25	.60	.80		.06
Group 8	6.95	.60	.80		.06
Group 9	7.00	.60	.80		.06
Group 10	7.10	.60	.80		.06
Group 11	7.20	.60	.80		.06
Group 12	7.25	.60	.80		.06
Group 13	7.35	.60	.80		.06
LABORERS (Area 3) (Clark, Cowlitz, Klickitat, Skamania, Wahkiakum and the Southern portion of Pacific Counties)					
Group 1	6.40	.60	.80	.25	.07
Group 2	6.55	.60	.80	.25	.07
Group 3	6.70	.60	.80	.25	.07
Group 4	6.85	.60	.80	.25	.07

DECISION NO. WA75-5070

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS (Area 4) (Those portions of Chelan, Douglas Kittitas, Okanogan, and Yakima Counties West of the 120th Meridian)					
Group 1	6.65	.60	.80		.06
Group 2	6.75	.60	.80		.06
Group 3	6.80	.60	.80		.06
Group 4	6.85	.60	.80		.06
Group 5	6.90	.60	.80		.06
Group 6	6.95	.60	.80		.06
Group 7	7.00	.60	.80		.06
Group 8:					
Class A	6.70	.60	.80		.06
Class B	6.75	.60	.80		.06
Class C	6.85	.60	.80		.06
Class D	6.95	.60	.80		.06
Class E	7.00	.60	.80		.06
Class F	7.10	.60	.80		.06

POWER EQUIPMENT OPERATORS (AREA 1)	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
				H & W	Pensions	Vacation	App. Tr.
(All Counties and portions of Counties East of the 120th Meridian)	ZONE 1	ZONE 2	ZONE 3				
Group 1	$7.50	$8.00	$8.45	.65	.75		.03
Group 2	7.80	8.30	8.75	.65	.75		.03
Group 3	8.35	8.85	9.30	.65	.75		.03
Group 4	8.50	9.00	9.45	.65	.75		.03
Group 5	8.65	9.15	9.60	.65	.75		.03
Group 6	8.90	9.40	9.85	.65	.75		.03
Group 7	9.15	9.65	10.00	.65	.75		.03

*ZONE 1: Within a 15 mile radius from the Center of the following Cities: Moses Lake, Pasco, Spokane and Walla in Washington - and Coeur d' Alene and Lewiston in Idaho.

*ZONE 2: From a 15 to 45 mile radius from the center of the above named cities.

*ZONE 3: Over a 45 mile radius from the center of the above named cites.

DECISION NO. WA75-5070

POWER EQUIPMENT OPERATORS (Area 2) (All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$8.32	.60	.90		.11
Group 2	8.42	.60	.90		.11
Group 3	8.53	.60	.90		.11
Group 4	8.58	.60	.90		.11
Group 5	8.60	.60	.90		.11
Group 6	8.65	.60	.90		.11
Group 7	8.66	.60	.90		.11
Group 8	8.70	.60	.90		.11
Group 9	8.72	.60	.90		.11
Group 10	8.85	.60	.90		.11
Group 11	8.88	.60	.90		.11
Group 12	8.91	.60	.90		.11
Group 13	8.96	.60	.90		.11
Group 14	8.98	.60	.90		.11
Group 15	9.00	.60	.90		.11
Group 16	9.03	.60	.90		.11
Group 17	9.06	.60	.90		.11
Group 18	9.10	.60	.90		.11
Group 19	9.17	.60	.90		.11
Group 20	9.18	.60	.90		.11
Group 21	9.23	.60	.90		.11
Group 22	9.28	.60	.90		.11
Group 23	9.50	.60	.90		.11
Group 24	9.54	.60	.90		.11
Group 25	9.59	.60	.90		.11
Group 26	9.67	.60	.90		.11
Group 27	9.89	.60	.90		.11
Group 28	10.09	.60	.90		.11
Group 29	10.20	.60	.90		.11
Group 30	10.22	.60	.90		.11
Group 31	10.50	.60	.90		.11

DECISION NO: WA75-5070

POWER EQUIPMENT OPERATORS (AREA 3) (Clark, Cowlitz, Klickitat, Skamania, Wahkiakum, and the Southern portion of Pacific, Counties)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$7.30	.55	.85	.35	.05
Group 2	7.44	.55	.85	.35	.05
Group 3	7.54	.55	.85	.35	.05
Group 4	7.70	.55	.85	.35	.05
Group 5	7.72	.55	.85	.35	.05
Group 6	7.80	.55	.85	.35	.05
Group 7	7.86	.55	.85	.35	.05
Group 8	7.96	.55	.85	.35	.05
Group 9	8.02	.55	.85	.35	.05
Group 10	8.08	.55	.85	.35	.05
Group 11	8.10	.55	.85	.35	.05
Group 12	8.16	.55	.85	.35	.05
Group 13	8.24	.55	.85	.35	.05
Group 14	8.40	.55	.85	.35	.05
Group 15	8.56	.55	.85	.35	.05
Group 16	8.74	.55	.85	.35	.05
Group 17	8.88	.55	.85	.35	.05
Group 18	9.06	.55	.85	.35	.05
Group 19	9.20	.55	.85	.35	.05
POWER EQUIPMENT OPERATORS (AREA 1) (DREDGING)					
(All Counties and portions of Counties East of the 120th Meridian - except that portion of Klickitat County)					
Group 1	8.24	.60	.90		.07
Group 2	8.34	.60	.90		.07
Group 3	8.68	.60	.90		.07
Group 4	7.73	.60	.90		.07
Group 5	8.78	.60	.90		.07
Group 6	9.10	.60	.90		.07
Group 7:					
(a)	9.49	.60	.90		.07
(b)	10.04	.60	.90		.07
DREDGING (AREA 2)					
(All Counties and portions of Cos. West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County)					
Group 1	8.24	.60	.90		.07
Group 2	8.34	.60	.90		.07
Group 3	8.68	.60	.90		.07

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DREDGING (AREA 2) (Cont'd) (All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern Portion of Pacific County) and all of Kittitas and Yakima Counties					
Group 4	$8.73	.60	.90		.07
Group 5	8.78	.60	.90		.07
Group 6	9.10	.60	.90		.07
Group 7:					
(a)	9.49	.60	.90		.07
(b)	10.04	.60	.90		.07
DREDGING (AREA 3) (Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Counties)					
Group 1	8.40	.55	.85	.35	.05
Group 1A	9.06	.55	.85	.35	.05
Group 2	8.04	.55	.85	.35	.05
Group 3	7.80	.55	.85	.35	.05
Group 4	7.54	.55	.86	.35	.05
TRUCK DRIVERS (AREA 1) (All Counties and portions of Counties East of the 120th Meridian)					
Group 1	7.60	.82	.65		
Group 2	7.65	.82	.65		
Group 3	7.70	.82	.65		
Group 4	7.80	.82	.65		
Group 5	8.00	.82	.65		
Group 6	8.05	.82	.65		
Group 7	8.10	.82	.65		
Group 8	8.15	.82	.65		
Group 9	8.25	.82	.65		
Group 10	8.30	.82	.65		
Group 11	8.60	.82	.65		
Group 12	8.75	.82	.65		
Group 13	8.90	.82	.65		
Group 14	9.05	.82	.65		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TRUCK DRIVERS (AREA 2) (All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County and all of Kittitas and Yakima Counties)					
Group 1	$ 8.39	.80	.65		.09
Group 2	8.44	.80	.65		.09
Froup 3	8.49	.80	.65		.09
Group 4	8.60	.80	.65		.09
Group 5	8.66	.80	.65		.09
Group 6	8.70	.80	.65		.09
Group 7	8.71	.80	.65		.09
Group 8	8.77	.80	.65		.09
Group 9	8.82	.80	.65		.09
Group 10	8.84	.80	.65		.09
Group 11	8.87	.80	.65		.09
Group 12	8.97	.80	.65		.09
Group 13	8.99	.80	.65		.09
Group 14	9.03	.80	.65		.09
Group 15	9.15	.80	.65		.09
Group 16	9.19	.80	.65		.09
Group 17	9.31	.80	.65		.09
Group 18	9.36	.80	.65		.09
Group 19	9.52	.80	.65		.09
Group 20	9.68	.80	.65		.09
Group 21	9.84	.80	.65		.09
TRUCK DRIVERS (AREA 3) (Clark, Cowlitz, Klickitat, Skamania, Wahkiakum, and the Southern portion of Pacific, Counties)					
Group 1	7.23	.45	.65	.30	.03
Group 2	7.28	.45	.65	.30	.03
Group 3	7.33	.45	.65	.30	.03
Group 4	7.38	.45	.65	.30	.03
Group 5	7.43	.45	.65	.30	.03
Group 6	7.53	.45	.65	.30	.03
Group 7	7.63	.45	.65	.30	.03
Group 8	7.73	.45	.65	.30	.03
Group 9	7.83	.45	.65	.30	.03
Group 10	8.00	.45	.65	.30	.03
Group 11	8.10	.45	.65	.30	.03
Group 12	8.20	.45	.65	.30	.03
Group 13	8.30	.45	.65	.30	.03
Group 14	8.40	.45	.65	.30	.03

LABORERS (AREA 1)

All Counties and portions of Counties East of the 120th Meridian

Group 1: Brush Hog Feeder; Carpenter Tender; Concrete Crewman (to include stripping of forms, hand operating jacks on slip form construction, application of concrete curing compounds, pumpcrete machine, handling the nozzle of squeezecrete or similar machine - 6" and smaller); Concrete Signalman; Crusher Feeder; Demolition (to include clean-up, burning, loading, wrecking and salvage of all material); Driller Helper; Dumpman; Fence Erector (to include guard rails, guide and reference posts, sign posts, and right of way markers); General Laborer; Grout Machine Header Tender; Nipper; Riprap Man; Scaleman; Stake Jumper; Structural Mover (to include separating foundation preparation, cribbing, shoring, jacking and unloading of structure); Tailhoseman (water nozzle); Track Laborer (RR); Truck Loader; Timber, Bucker and Faller (by hand); Window Cleaner (prior to completion of construction)

Group 2: Cement Finisher Tender; Cement Handler; Demolition Torch; Dope Pot Fireman, non-mechanical; Form Cleaning Machine - Feeder, Stacker; Form Setter, paving; Driller Helper (when required to move position machine); Nozzleman, water and air or steam; Pipe Layer, corrugated metal culvert; Pipewrapper; Pot Tender; Powderman Helper; Power Tool Operator, gas, electric, pneumatic; Sandblast Tailhoseman; Scaffold Erector, wood or steel; Railroad Equipment, power driven, except dual mobile power spiker or puller; Rodder and Spreader; Wheelbarrow, power driven; Well-point Man; Vibrator up to 4"

Group 3: Asphalt Raker; Asphalt Roller, walking; Chain Saw Operator with attachments; Concrete Saw walking; Grade Checker, using level; Jackhammer Operator; Multi-section Pipe Layer; Nozzleman (to include squeeze and flocrete nozzle); Pavement Breaker; Power Buggy Operator; Railroad Power Spiker or Puller, dual mobile; Tamper (to include operation of Barco, Essex and similar tamper and pavement breakers); Trencher; Shawnee; Water Pipe Liner; Wagon Drills

Group 4: Chain Saw (faller); Laser Beam Operator; Pipe Layer (Caulker, Collarman, Jointer, Mortarman, Rigger, Jacker, Shorer and Lagger but not including laying corrugated metal culvert pipe)

Group 5: Concrete Stack; Mortar Mixer

Group 6: Caisson Worker, free air; High Scaler

LABORERS (AREA 1) (Cont'd)

All Counties and portions of Counties East of the 120th Meridian

Group 7: Brush Machine (to include horizontal construction joint clean-up brush machine, power propelled); Drills (to include down-the-hole drills with 3° inch piston or larger and out-of-the-hole drills with 41 inch piston or larger); Gunnite (to include operation of machine and nozzle); Hod Carrier; Monitor Operator, air track or similar mounting; Nozzleman (to include jet blasting nozzleman over 1200 pounds, jet blast machine power propelled, sand blast nozzle); Vibrator, 4 inches and over

Group 8: Air Track Drills with Dual Masts and Drills; Powderman

Group 9: Tunnel and Shaft, Free Air
Class A: Bull Gang, Pump Crete Crewman including distributing pipe, assembling and dismantle and nipper
Class B: Brakeman, Dumpman
Class C: Miner and Nozzleman for concrete and laser beam operator on tunnels
Class D: Raise and Shaft Miner and Laser Beam Operator on raises and shafts

LABORERS (AREA 2)

All Counties West of the 120th Meridian (except those enumerated in Areas 3 and 4) and

Group 1: General Laborer; Nipper; Truck Spotter; Pitman; Brush Cutter; Choke Setter; Concrete and Monolithic Laborer; Pot Tender; Asphalt Laborer; Ditch Digger; Driverman; Concrete Form Stripper; Carpenter Helper; Track Laborer; Wellpoint; Header Laborer and Guardrail Erector

Group 2: Dumpman; Faller and Bucker; hand; Powderman's Helper; Sloper (over 20'); Wagon Driller and Air Trac Helper

Group 3: Groutman (pressure) including post tension beam; Power Tools (light duty) Chippers, Grinders, Tampers, and similar electric and air operated tools; Swinging Scaffold or Boatswain Chair over water or over 25' in height; Topman

Group 4: Concrete Saw Operator; Pipe Pot Tender; Power Wheel Barrow or Buggy; Power Tools (heavy duty); Jackhammer, Pavement Breaker, Vib-Vibrators, Tampers (multiple and self-propelled); Railroad spike puller; Rakers-asphalt

LABORERS (AREA 2) (Cont'd)

All Counties West of the 120th Meridian (except those enumerated in Areas 3 and 4) and the Northern portion of Pacific County

Group 5: Form Setter (steel forms); Grademan and Stake Hopper; Rodder; Nozzleman (concrete pump; green cutter when using combination of high pressure air and water on concrete and rock, sandblast, gunnite, shotcrete); Spreader (carrier grade with Rodder)

Group 6: Faller and Bucker; Chain Saw; High Scaler; Mortarman and Hod Carrier; Pipe Layer and Caulker; Pipe Wrapper; Timberman - sewer; Wagon Driller and Air Track; Manhole Builder; Laser Beam Operator

Group 7: Cement Dumper - paving; Powderman

TUNNEL WORK

Group 8: Topman and Bull Gang

Group 9: Chuck Tender; Mucker and Laborer; Nipper; Brakeman

Group 10: Powderman's Helper

Group 11: Miner (including monolithic work); Spader; Re-timberman; Maintenance Man; Laser Beam Operator

Group 12: Miner, Shaft and Raise

Group 13: Powderman

LABORERS (AREA 3)

Clark, Cowlitz, Klickitat, Skamania, Wahkiakum, and the Southern portion of Pacific, Counties

Group 1: Asphalt Plant Laborers; Asphalt Spreaders; Batch Weighman; Broomers; Brusher Burners and Cutter; Car and Truck Loaders; Carpenter Tender; Change-house man or Dry Shack Men; Choker Setters; Clean Up Laborers; Concrete Laborers; Crusher Feeders; Culvert, hand labor; Curing, concrete; Demolition, Wrecking, and Moving Laborers; Driller Helpers; Dumpers, road oiling crew; Dumpmen (for grading crew); Elevator Feeders; Fence Builder (including guard rail, median rail, reference post, guide post, right-of-way marker); Fine Graders; Form Strippers (not swinging stages); General Laborers; Landscaping or Planting Laborers; Leverman on aggregate spreader (Flaherty and similar types); Loading Spotters; Material yard man (including electrical); Pittsburgh Chipper Operator or similar types; Powderman Helper; Railroad Track Laborers; Ribbon Setters (including steel forms); Rip Rap Man (hand placed); Road Pump Tender; Sewer Labor; Skipmen; Signalmen; Slopers, Spraymen; Stake Chaser-Stake Setter-Grade Checker; Stockpiler; Timber Faller and Bucker (hand labor); Toolroom Man (at job site); Tunnel Bull Gang (above ground); Weightman-Crusher (aggregate when used)

LABORERS (AREA 3) (Cont'd)

Clark, Cowlitz, Klickitat, Skamania, Wahkiakum, and the Southern portion of Pacific, Counties

Group 2: Applicator (including pot tender for same); applying protective material by hand or nozzle on utility lines or storage tanks on project; Burners; Choker Splicer; Clary Power Spreader and similar types; Clean-up Nozzleman - Greencutter (concrete rock, etc.): Concrete Power Buggyman; Demolition and wrecking charred materials; Gunite Nozzleman Tender; Gunite or Sand Blasting Pot Tender; Handlers or mixers of all materials of an irritating nature (including cement and lime); Manhole Builders; Power Tool Operator, includes but not limited to: Chipping Guns, Dry Pack Machine, Jackhammer, Paving Breakers, Post Hole Digger, (air, gas, or electric); Tampers, Vibrating Screed, Vibrators (less than 4" in diameter); Ribbon Setter, head; Rip Rap Man (head), hand placed; Sand Blasting (wet); Sewer Timbermen; Timber Buckers and Fallers, Brush Cutters (power saw); Tunnel - Muckers, Brakemen, Concrete Crew, Bull Gang (under - ground)

Group 3: Asphalt Rakers; Bit Grinder ; Concrete Saw Operator; Drill Doctor; Drill Operators, Air Tracks, Cat Drills, Wagon Drills, Rubber-mounted Drills and other similar types; Gunite Nozzleman; High Scalers, Strippers and Drills (covers work in swinging stages, chairs, or belts, under extreme conditions unusual to normal drilling, blasting, barring-down or sloping and stripping); Powdermen; Power Saw Operators (bucking and falling merchantable logs); Pumpcrete Nozzlemen; Sandblasting (dry); Sewer Pipe Layers; Track Liners, Anchor Machines, Ballast Regulators, Multiple Tampers, Power Jacks; Tugger Operator, Tunnel-Chuck Tenders, Nippers and Timbermen; Vibrators (4" and larger); Water Blaster, Welder; Laser Beam (pipe Laying)

Group 4: Tunnel Miners; Tunnel Powderman; Laser Beam (Tunnel)

LABORERS (AREA 4)

Those portions of Chelan, Douglas, Kittitas, Okanogan and Yakima Counties West of the 120th Meridian

Group 1: General Laborer; Carpenter Tender; Form Stripper; Track Laborer; Choker Setter; Fence Laborer

Group 2: Air Track and Wagon Drill Helper; Crusher Feeder; Dumpman; Powderman Helper; Sloper, over 20 feet, Faller and Bucker, hand

Group 3: Drill Chipper; Grinder, Tampers and similar light power tools; Faller and Bucker (hand); Grout Man (power); Top Man, Swinging Staffold or Boatswain Chair over water or over 25' in height

Group 4: Asphalt Raker and Spreader; Cement Handler, sack or bulk; Dope Pot Tender; House Wreckers; Jackhammer; Pavement Breaker; Vibrator; Track Spike Puller; Concrete Saw and similar heavy power tools; Power Buggy Tampers (multiple and self-propelled)

LABORERS (AREA 4) (Cont'd)

Those portions of Chelan, Douglas, Kittitas, Okanogan and Yakima Counties West of the 120th Meridian

Group 5: Form Setter, Steel Forms; Grademan, Stake Hopper; Spreader, Rodder, Nozzleman: Concrete Pumps, Gunnite, Sand Blast, Shot-crete, Green Cutter when using combination of high pressure air and water on concrete and rock

Group 6: Air Track and Wagon Drill Operator; High Scaler; Pipe Layer and Caulker; Pipe Wrapper; Timber Man; Mortar Man and Hod Carrier; Faller and Bucker; Chain Saw

Group 7: Cement Dumpers - Paving

Group 8: Tunnel Work:
Class A: Topman and Bull Gang
Class B: Chuck Tender; Mucker and Laborer; Nipper; Brakeman
Class C: Powderman Helper
Class D: Miner (including Monolithic Worker); Re-Timberman; Maintenance Man; Spader, Laser Beam Operator
Class E: Miner; Shaft and Raise
Class F: Powderman

POWER EQUIPMENT OPERATORS (AREA 1)

All Counties and portions of Counties East of the 120th Meridian

Group 1: Bit Grinders; Bolt Threading Machine; Compressors, under 2,000 cu. ft. per minute gas, diesel or electric power; Crusher Feeder (mechanical); Deckhand; Drillers' Helper; Fireman and Heater Tender; Grade Checker; Helper (mechanic or welder, H.D.); Oiler; Oiler and Cable Tender, Mucking Machine; Pumpman; Rollers, all types on subgrade (farm type, Case, John Deere and similar - or compacting or vibrator) except when pulled by dozer with operable blade; Steam Cleaner; Welding Machine

Group 2: A-Frame Truck (single-drum); Assistant Refrigeration Plant (under 1,000 tons); Assistant Plant Operator, Fireman or Pugmixer (asphalt); Bagley or Stationary Scraper; Batch Plant and Wet Mix Operator, single unit (concrete); Belt Finishing Machine; Bending Machine (pipeline); Blower Operator (cement); Cement Hog; Compressor (2,000 cu. ft. or over, 2 or more-gas, deisel or electric power); Concrete Saw (multiple cut); Distributor Leverman; Elevator Hoisting Materials; Dope Pots (power agitated); Fork Lift or Lumber Stacker, Hydra-lift and similar; Gin Trucks (pipeline); Hoist, single drums; Loader (bucker elevator and conveyors); Longitudinal Float; Mixer (portable-concrete); Pavement Breaker (hydra-hammer and similar); Post Hole Auger or Punch; Power Broom; Railroad Ballast Regulation Operator, (self-propelled); Railroad Power Tamper Operator (self-porpelled); Railroad Power Tamper Jack Operator (self-propelled); Spray Curing Machine (concrete); Spreader Jack Operator (self-propelled); Straddle Buggy (Ross and similar on construction job site); Tractor (farm type R/T with attachments except backhoe); Tugger Operator; Ditch Witch or similar

POWER EQUIPMENT OPERATORS (AREA 1) (Cont'd)

All Counties and portions of Counties East of the 120th Meridian

Group 3: A-Frame Truck (2 or more drums); Assistant Refrigeration Plant and Chiller Operator (over 1,000 tons); Backfillers (Cleveland and similar); Belt-crete Conveyors with power pack or similar; Belt Loader (Kocal or similar); Blade Operator (motor patrol and attachments); Boat Operators; Boom Cats (side); Boring Machine (earth); Boring Machine (rock under 8" bit)(Quarry Master, Joy or similar); Bump Cutter (Wayne, Saginaw or similar); Canal Linning Machine (concrete); Chipper (without crane); Cleaning and Doping Machine (pipeline); Concrete Pumps (squeeze-crete, flow-crete, pump-crete, Whitman and similar); Drills (Churn, Core, Calyx or Diamond); Elevating Belt-type Loader (Euclid, Barber Green, or similar); Elevating Grader-type Loader (Dumor, Adams, or similar); Equipment Serviceman, Greaser and Oiler; Generator Plant Engineers (diesel, electric); Gunite Combination Mixer and Compressor; Hoist, (2 or more drums or tower hoist); Loader (overhead and front-end under 4 yards, R/T); Locomotive Engineer; Mixermobile; Mucking Machines; Paver or Curb Extruder (asphalt and concrete); Pump (grout or jet); Rollerman (finishing Pavement); Rubber-tired Scraper (one motor with one scraper, under 40 yards); Screed Operator; Soil Stabilizer (P & H or similar); Spreader Machine; Tractor (Crawler, including dozer, scraper, drills, booms, rollers, etc.): Traverse Finishing Machine; Trenching Machines (under 7 feet depth capacity); Turnhead Operator; Vacuum Drill (reverse circulation drill, under 8")

Group 4: Asphalt Plant Operator; Crusher, Grizzle and Screening Plant Operator; H.D. Mechanic; H.D. Welder; Refrigeration Plant Engineer (under 1,000 ton); Rubber-tired Scraper, Multi-engine Power, with one scraper (Euclid, TS-24 and similar); Rubber-tired Scrapers, one motor with one scraper (40 yards and over); Surface Heater and Planer Machine; Turnhead (with re-screening)

Group 5: Automatic Subgrader (ditches and trimmers) (Autograde, ABC, R.A. Hansen and similar on grade wire); Backhoes (under 3 yards); Batch and Wet Mix Operator - multiple units (2 and including 4); Chipper (with crane); Clamshell Operator (under 3 yards); Concrete Slip Form Paver; Cranes all (under 3 yards); Drilling Equipment (8" bit and over)(Robbin's reverse circulation and similar); Loader Operator (front end and overhead 4 yards to 8 yards); Pileddriving Engineers; Paver (dual drum); Quad-track or Similar equipment; Railroad Track Liner Operator (self-propelled); Rubber-tired Scrapers, multi-engine, power with one scraper (Euclid, TS-24 and similar), Push Pull or Help Mate in use; Rubber-tired Scrapers, multiple engines with tow scrapers; Shovels (under 3 yards); Refrigeration Plant Engineer (1,000 tons and over); Signalmen (Whirleys, Highline Hammerheads or similar); Trenching Machines (7 feet depth and over); Multiple Dozer units with single blade

POWER EQUIPMENT OPERATORS (AREA 1) (Cont'd)

All Counties and portions of Counties East of the 120th Meridian

Group 6: Backhoes (3 yards and over); Batch Plant (over 4 units); Cableway Controller - Dispatcher; Cableway Operator; Clamshell Operator (3 yards and over); Cranes, all - 65 tons and over; Derricks and Stifflegs (65 tons and over); Draglines (3 yards and over); Elevating Belt (Holland type); Loader (360 degrees revolving Koehring Scooper or similar); Loaders (overhead and front-end over 8 to 12 yards); Rubber-tired Scrapers (multiple engine with three or more scrapers); Shovels (3 yards and over); Tower Crane; Whirleys and Hammerheads (all)

Group 7: Helicopter Pilot; Loaders (overhead and front-end - over 12 yards)

POWER EQUIPMENT OPERATORS (AREA 2)

All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County

Group 1: Mechanics' Helpers (Heavy Duty)

Group 2: Oilers, Grade Checkers and Stakemen and/or Brakemen

Group 3: Firemen; Firemen (drier and hot plant)

Group 4: Rollers, Tampers and Vibrators (other than plant, road mix or multi-lift materials); Tractor (farmall type, 60 h.p. and under); Compressor (excavating and general purposes)

Group 5: Oiler Driver on Truck Cranes (over 45 tons up to 100)

Group 6: Blower Distributors and Mulch Seeding Operator; Oil Distributors

Group 7: Locomotives (Dinkey-air, diesel, electric, gas, steam)

Group 8: Equipment Service Oiler; Oiler Driver on Trucks Cranes (100 tons and over)

Group 9: Pump (water); Tractors (Farmall type, over 60 h.p)

Group 10: Post Hole Diggers (mechanical)

Group 11: Brooms (power, Wayne, Saginaw, and similar types); Bulldozers (under D9 or similar); Loaders (Fork Lifts or Lumber Stacker - on construction job site - Drot Travel Lift); Rollers, Tampers and Vibrators (twin engine); Saw (concrete); Scrapers (carry-all type, single)

POWER EQUIPMENT OPERATORS (AREA 2) (Cont'd)

All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County

Group 12: Batch Plant (batch and mixer, 200 yards per hour and under); Cranes ("A" Frame Trucks, single power drum); Conveyors; Crusher (rock); Washing and Screening Plants; Finishing Machine Operator, Concrete Paving; Hoists, Air Tuggers, Strato Tower Bucket, Elevators and Deck Winches (power); Loaders (Elevating-Athey, Barber Greene, and similar types, and overhead and front-end, under 2½ yards); Mixers (asphalt up to 4 tons per batch, and concrete mixer and batch - 200 yards per hour and under); Power Plant Operators; Pumps (Fuller Kenyon, and Concrete and pump crete); Rollers, Tampers and Vibrators (on plant, road mix or multi-lifts materials); Screed man; Spreaders (Blaw Knox, Cedarpids, Jaeger, Flarrety or similar types); Trenching Machine (under 16 inches)

Group 13: Mechanics or Welder (heavy duty)

Group 14: Motor Patrol Graders (including Model 14 and similar); Tournapulls, Caterpillar, Euclid Scrapers, and similar type equipment (25 yards and under)

Group 15: Compressor (steel erection including sandblasting, painting of the same); Hoists on steel erection, Air Tuggers and Towermobiles; Loaders (fork lifts with tower)

Group 16: Cement Hogs; Loaders (Elevating Grader type, Dumor and similar); Locomotive (geared or rod engine); Mixers (paving); Scraper (carryall type, double)

Group 17: Tractors (Farmall type, used as Backhoes, Rubber-tired, Ford, Ferguson, Case, and similar type 60 h.p. and under)

Group 18: Dull Dozer (D-9 or similar)

Group 19: Trenching Machines (16 inches and over)

Group 20: Bump Cutter (Concut, Christianson or similar types)

Group 21: Batch Plant (batch and mixer, over 200 yards per hour through 400 yards per hour); Conveyors (Beltcrete with power pack and similar types); Loaders (elevating belt type - Euclid and similar types); Mixer (asphalt, 4 tons and over, per batch, and concrete mixers and batch - over 200 yards per hour through 400 yards per hour, and paving dual)

POWER EQUIPMENT OPERATORS (AREA 2) (Cont'd)

All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County

Group 22: Bulldozer engaged in Yo Yo Operation (while clearing and scaling); Cableways (3 yards and under); Cranes ("A" frame trucks, double power drum: and Crawler, truck type, floating, Locomotive, Whirley, either 3 yards and under, or 150' of boom including jibs and under, or 45 tons and under: and Hydralifts, Hyster Cat Cranes and attachments and Chipper, wood with boom attachment); Derricks, all; Drilling Machine (core, cable rotary and exploration); Loaders (fork lift with power boom and swing attachment, and overhead and front end, 2½ yards and up to 4 yards); Mixers (mobile type with hoist combination); Motor Patrol Graders (over Model 14 and similar); Mucking Machines (mole, tunnel drill, and/or shield); Paydozer and Linker Pusher (Quad-9 and similar); Piledriver Engineer, (L.B. Foster Puller or similar, Paving Breaker); Shovels (Crawler and truck types, all attachments, 3 yards and under); Sub Grader (Gurries, CMI and similar types); Tractors (Farmall type, used as backhoes, rubber tired - Ford, Ferguson, Case and similar types - over 60 h.p.); Tournapulls, Caterpillar, Euclid Scrapers and similar type equipment - over 25 yards through 40 yards

Group 23: Loaders (overhead and front end, 4 yards up to 8 yards)

Group 24: Mixer (concrete mixers and batch over 400 yards per hour through 600 yards per hour)

Group 25: Tournapulls, Caterpillar, Euclid, Scarpers and similar type (over 40 yards through 55 yards)

Group 26: Cableways (over 3 yards); Cranes (Crawler, truck type, floating, Locomotive, Whirley, either over 3 yards, or over 150' of boom including jibs or over 45 tons up to 100 tons: and, Tower Cranes, Pecco, Lorraine, Bucyrus and similar types); Helicopter Winch Operator; Remote Control Operator on Rubber-tired Earth Moving Equipment; Shovels (Crawler and truck type, all attachments, over 3 yards up to 6 yards); Slip Form Paver (Zimmerman, CMI and similar types)

Group 27: Tournapulls, Caterpillar, Euclid, Scrapers, and similar type equipment (over 55 yards through 70 yards)

Group 28: Loaders (overhead and front end 8 yards and over)

Group 29: Tournapulls, Caterpillar, Euclid, Scrapers and similar type equipment (over 70 yards through 85 yards)

POWER EQUIPMENT OPERATORS (AREA 2) (Cont'd)

All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County

Group 30: Cranes (Crawler, Truck type, Floating, Locomotive, Whirley, either 5 yards and over, 200' of boom including jibs and over, or 100 tons and over); Shovel (Crawler and Truck type, all attachments, 6 yards and over)

Group 31: Tournapulls, Caterpillar, Euclid, Scrapers and similar type equipment (over 85 yards through 100 yards)

POWER EQUIPMENT OPERATORS (AREA 3)

Clark, Cowlitz, Klickitat, Skamania, Wahkiakum, and the Southern portion of Pacific, Counties

Group 1: Assistant Conveyor Operator; Crusher Feederman; Oilers (including asphalt and concrete plant, crane, crusher, guardrail equipment - including punch, shovel, dragline, clamshell backhoe, skooper, railroad equipment, and trenching machine); Parts Man (tool room); Pump (under 4 inches); Railroad Equipment (Brakeman and Switch Man); Self-propelled Scaffolding Operator (on job site)

Group 2: Auger Oiler; Blade Operator (pulled type); Combination Guardrail Machines Oiler; Crane (Truck crane oiler - driver 25 ton capacity or over: and Fireman, all equipment: and A-Frame Truck, single drum: and Tugger or Coffin type Hoist); Drill Helper; Floating Equipment Boatman; Fork Lift or Lumber Stacker Operator (on construction job site); Grade Checker; Grade Oiler (required to check grade); Helicopter Radioman (ground); Repairman Helper (H.D.); Roller Operator (grading of base rock - not asphalt); Shovel Fireman; Tar Pot Fireman (including power agitated); Temporary Heating Plant Operator

Group 3: Asphalt (including plant fireman, pugmill operator - any type, and truck mounted asphalt spreader, with screed); Broom Operator (self-propelled - on construction job site); Compressor Operator (any power - under 1,250 cu. ft. total capacity); Concrete (including Conveyor Operator, Mixer Box - CTB, Dry Batch, etc., Cement Hog, Concrete Saw, Concrete curing machine - riding type, and Wire mat or Brooming machine operator); Fork Lift (Ross Carrier, on construction job site); Hydraulic Pipe Press Operator; Loader (Bucket elevator, Barber-Greene and similar type); Pump, (any power - 4 inches and over, and Hydrostatic pump); Railroad Equipment (Motorman and Ballast Jack Tamper); Seeder Machine - Hydrographic (straw, pulp, or seed); Signalman (Bell Boy, phone, etc.); Tamping Machine (Mechanical, self-propelled); Tunnel (Conveyor operator - any type, and air filtration equipment)

POWER EQUIPMENT OPERATORS (AREA 3) (Cont'd)

Clark, Cowlitz, Klickitat, Skamania, Wahkiakum, and the Southern portion of Pacific, Counties

Group 4: Asphalt Screed Operator; Compactor (self-propelled - including Vibratory); Compressor (any power - over 1,250 cu. ft. total capacity); Concrete (Combination mixer and Compressor operator, Gunite work); Concrete Screed Operator; Concrete Mixer (single drum under five bag capacity); Floating Equipment Fireman; Fork Lift (over 5 tons); Helicopter Hoist Operator; Hydra Hammer or similar; Locomotive (under 40 tons); Lull Hi-lift Operator; Oiler (service, greaser); Pavement Breaker; Pump (more than 4 - any size); Roller (oiling, CTB)

Group 5: Asphalt Extrusion Machine; Chip Spreading Machine; Compactor (Wagner Pactor or similar type - without blade); Concrete Batch Plant quality control; Concrete (Power Jumbo Operator - Setting Slip Forms etc., in tunnels); Concrete (Slip Form Pumps - power driven Hydraulic Lifting Device for concrete forms); Crane (Hoist - single drum and Elevator Operator); Lime Spreading Machine; Pulva Mixer (or similar type); Sweeper (Wayne type - self-propelled, on construction job site); Tractor Operator (Rubber-tired 50 h.p. flywheel and under); Trenching Machine (maximum digging capacity 3 feet depth)

Group 6: Asphalt Paver; Asphalt Burner and Reconditioner (any type); Concrete Pavement Grinder and/or Grooving Machine Operator (riding type); Concrete (Cast-in-place Pipe Laying Machine and Maginnis Internal Full Slab Vibrator Operator); Concrete Finishing Machine (Clary, Johnson, Bidwell, Burgess Bridge Deck or similar type); Concrete Curb Machine (mechanical berm, curb and/or gutter); Concrete Joint Machine; Concrete Planer; Concrete Paving Machine; Concrete Finishing Machine; Concrete Spreader; Loaders (rubber-tired, 2½ cu. yards and under); Rock Spreaders, self-propelled

Group 7: Asphalt Plant Operator (any type); Asphalt Roller Operator (any mix); Beltcrete Operator; Concrete, Cement Pump (Fuller-Kenyon and similar); Concrete Grouting Machine; Concrete Mixer (single drum, five bag capacity and over); Crane (A-frame Truck double drum, and Boom Truck); Drill (Churn drill and Earth boring machine); Hydraulic Backhoe (wheel type 3/8 cu. yds. and under, with or without front end attachments 2½ cu. yds. and under - Ford, John Deere, Case type); Loader (Elevating Grader, tractor towed requiring operators on grader); Pot Rammer; Pumpcrete (any type); Railroad Equipment (Ballast regulator, Ballast Tamper multi-purpose, Track Liner, Tie Spacer, Shuttle Car, Locomotive - 40 ton and over)

Group 8: Concrete Batch Plant and/or Wet Mix Operator (one and two drum); Diesel - electric engineer (including asphalt plant, crusher, floating equipment generator, shovel, dragline, clamshell, backhoe, skooper, etc.); Generator Operator; Loader (belt loaders, Kolman and Ko Cal types)

POWER EQUIPMENT OPERATORS (AREA 3) (Cont'd)

Clark, Cowlitz, Klickitat, Skamania, Wahkiakum, and the Southern portion of Pacific, Counties

Group 9: Boring Machine; Bulldozer; Clearing Equipment (including Log Skidders, Chippers, Incinerators, and Stump Splitters); Compactor, with blade; Concrete Cooling Machine; Cranes (Chicago Boom and similar types, Lift Slab Machine, Boom type Lifting Device - 5 ton capacity or less, and Cherry Picker or similar type crane - Hoist - 5 ton capacity or less); Crusher Plant Operator; Drill Cat; Drill Doctor (including Bit Grinder); Grizzley Operator; Guardrail Punch Operator; Guardrail Auger Operator; Hammer Operator; Heater and Planer Operator (surface); Hydraulic Backhoe (track type 3/8 cu. yd.); Loader (front end and overhead - 2½ cu. yds. and under 4 cu. yds.); Machine Tool; Mechanic (H.D.); Pipe Cleaning Machine; Pipe Doping Machine; Pipe Bending Machine; Pipe Wrapping Machine; Side-boom Cats; Stationary Drag Scraper; Tractor (rubber-tired over 50 h.p. flywheel); Tractor (with boom attachment); Trenching Machine (maximum digging capacity over 3 feet depth)

Group 10: Barge Operator (self-unloading); Bulldozer (twin engine-TC 12 and similar); Cable-plow (any type); Compactor (multi-engine); Dozers and Pushers (rubber-tired-Michigan, Cat, Hough type); Driller (percussion, diamond, core, cable, rotary, and similar); Jack Operator (elevating barges)

Group 11: Concrete Mixer Mobile Operator; Concrete Breaker; Crane (25 ton and under); Grade-all (under 1 cu. yd.); Guardrail Machine Combination (i.e., Puncher, Auger, etc.); Mucking Machine (tunnel); Shovel, Dragline, Clamshell, Hoe, etc., under 1 cu. yd.

Group 12: Blade Operator; Concrete Batch Plant and/or Wet Mix (3 or more units); Hoist Operator (two or more drums); Loader (elevating - Athey and similar type); Piledriver Operator (not crane type); Reinforced Tank Banding Machine (K-17 or similar); Scrapers (rubber-tired - single engine, single scraper: and Self-loading, Paddle wheel, Auger type: and Twin engine: and Scraper with push-pull attachments); Shield Operator (tunnel)

Group 13: Backfilling Machine; Blade Operator, finish; Blade Operator (externally controlled by electronic, mechanical hydraulic means); Blade Operator (multi-engine); Cableway (up to 25 tons); Concrete Paving Road Mixer; Crane (over 25 ton to and including 40 ton); Derrick (under 100 tons); Floating Equipment Piledriver; Floating Clamshell (under 3 cu. yds.); Floating Crane (derrick barge - less than 30 tons); Grade-all (1 cu. yd. and over); Hoist (Stiffleg, Guy Derrick or similar, 50 tons and over); Loader (Elevating grader - operated by tractor operator, Sierra, Euclid, or similar types); Shovel, Dragline, Clamshell, Hoe, etc., 1 cu. yd. and less than 3 cu. yds.)

POWER EQUIPMENT OPERATORS (AREA 3) (Cont'd)

Clark, Cowlitz, Klickitat, Skamania, Wahkiakum, and the Southern portion of Pacific, Counties

Group 14: Crane - tower; Scraper (rubber-tired self loading paddle wheel, Auger type, finish and/or 2 or more units); Scraper (rubber-tired with tandem scraper)

Group 15: Loader (4 cu. yds. but less than 6 cu. yds.); Rock Hound Operator

Group 16: Auto Grader or "Trimmer" Operator; Bulldozer (Tandem, Quad-nine and similar type); Cableway (25 tons and over); Concrete Slip Form Paver (automatic); Concrete Canal Line Operator; Crane (over 40 tons and including 100 tons); Floating Clamshell (3 cu. yds. and over); Floating Crane (Derrick barge - 30 tons but less than 80 tons); Loader (6 cu. yds. but less than 12 cu. yds.); Scraper (rubber-tired, with Tandem Scrapers, multi-engine); Shovel, Dragline, Clamshell, Hoe, etc., 3 cu. yds. but less than 5 cu. yds.; Wheel Excavator (under 750 cu. yds. per hour); Whirley (80 tons and under)

Group 17: Canal Trimmer; Crane (over 100 tons to and including, 200 tons); Floating Crane (Derrick barge, 80 tons but less than 150 tons); Loader (12 cu. yds. and over); Shovel, Dragline, Clamshell, Hoe, etc., 5 cu. yds. and over; Whirley (over 80 tons to and including, 150 tons)

Group 18: Band Wagons (in conjunction with wheel excavator; Crane (over 200 tons); Floating Crane (150 tons but less than 250 tons); Wheel Excavator (over 705 cu. yds. per hour); Whirley (150 tons and over)

Group 19: Floating Crane (250 tons and over); Helicopter, when used in erecting work; Remote controlled earth-moving equipment; Underwater equipment (remote or otherwise)

POWER EQUIPMENT OPERATORS (AREAS 1 and 2)
(DREDGING)

Group Descriptions for Areas 1 and 2 covering Statewide Washington

Group 1: Assistant Mate (Deckhand)

Group 2: Fireman; Oiler

Group 3: Assistant Engineer (Electric, Diesel, Steam or Booster Pump); Mates and Boatmen

Group 4: Engineer Welder; Craneman

Group 5: Assistant Engineer (Electric Generator Operator for primary pump, power barge or dredge)

Group 6: Leverman, Hydraulic

Group 7: Leverman, Dipper:
(a) 5 yards and under
(b) Over 5 yards

POWER EQUIPMENT OPERATORS(AREA 3)
(DREDGING)

Group Descriptions for Area 3 Covering Statewide Washington

Group 1: Leverman, Hydraulic

Group 1A: Leverman, Dipper

Group 2: Assistant Engineer (including Watch Engineer, Welder, Mechanic, and Machinist) and Mate.

Group 3: Tenderman (Boatman, attending Dredge Plant); Fireman

Group 4: Assistant Mate (Deckhand); Oiler

TRUCK DRIVERS (AREA 1)

All Counties and portions of Counties East of the 120th Meridian (except those portions of Kittitas, Klickitat, and Yakima Counties)

Group 1: Flat Bed Truck, single rear-axle; Escort Driver; Fish Truck; Fork Lift, 3,000 pounds and under; Fuel Truck Driver (Steam Cleaner and Washer); Helper and Swamper; Leverperson loading trucks at bunkers; Pick-up hauling material; Seeder and Mulcher; Stationary Fuel Operator; Team Driver; Tractor (small rubber tired pulling trailer or similar equipment); Water Tank Truck 1,800 gallons.

Group 2: Bus Driver or Employeehaul Driver; Flat bed truck, dual rear axle; Power Boat hauling employees or material; Tireperson No. 1; Warehouseperson

Group 3: Buggy Mobile and similar; Bulk Cement Tanker; Oil Tank Driver; Power Operated Sweeper; Semi-trailer, low bed, truck and trailer; Straddle Carrier (Ross Hyster and similar); Transit Mixers and trucks hauling concrete (3 yards and under); Trucks, side, end, and bottom dump (under 6 yds.); Water tank truck (1,801 - 4,000 gallons)

Group 4: Auto Crane - 2,000 pounds capacity; Bulk Cement Spreader; Dumptor (6 yards and under); Flaherty Spreader, Box Driver; Flat bed truck (using power take off); Fork lift (over 3,000 pounds); Oil Distributor Driver (road, bootperson, leverperson helper); Rubber-tired tunnel jumbo; Scissor truck; Slurry Truck Driver; Transit Mixers and trucks hauling concrete (over 3 yds. to 6 yds.); Water tank truck (4,001 - 6,000 gallons); Wrecker and Tow Trucks

Group 5: Low Boy (under 50 tons); Service Greaser; Tireperson No. 2; Truck, side, end, and bottom dump (over 6 yards to 12 yards)

Group 6: A-Frame (Swedish Crane, Iowa 3,000, Hydrolift); Water tank truck (over 6,001 - 8,000 gallons)

Group 7: Dumptor (over 6 yards); Transit Mixers and trucks hauling concrete (6 yards to 10 yards); Trucks, side, end, and bottom dump (over 12 yards including 20 yards)

TRUCK DRIVERS (AREA 1) (Cont'd)

All Counties and portions of Counties East of the 120th Meridian (except those portions of Kittitas, Klickitat, and Yakima Counties)

Group 8: Low Boy (over 50 tons); Water tank truck (8,001 - 10,000 gallons)

Group 9: Transit mixers and trucks hauling concrete, (10 yards to 15 yards); Trucks, side, end and bottom dump (over 20 yards including 30 yards); Water tank truck (10,001 - 12,000 gallons)

Group 10: Mechanic, field

Group 11: Tournarocker, D.W.'s and similar, with 2 or 4 wheel power tractor with trailer, gallonage or yardage scale, which is greater; Transit Mixers and Trucks hauling concrete (15 yards to 20 yards); Trucks, side, end and bottom dump (over 30 yards to 40 yards); Water tank truck (12,001 - 14,000 gallons)

Group 12: Transit mixers and trucks hauling concrete (over 20 yards); Trucks, side, end and bottom dump (over 40 yards to 50 yards)

Group 13: Truck, side, end and bottom dumps, (over 50 yards to 100 yards)

Group 14: Helicopter Pilot hauling employees or material; Trucks, side, end and bottom dump (over 100 yards)

TRUCK DRIVERS (AREA 2)

All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County and including all of Kittitas and Yakima Counties

Group 1: Leverman and Loaders at bunkers and batch plants; Pickup truck, Escort or Pilot Car; Swampers; Warehouseman and Checkers

Group 2: Team Drivers

Group 3: Bull Lifts and similar equipment used in loading and unloading trucks, transporting materials on job site, warehousing; Dumpsters, and similar equipment (including Tournarockers, Tournawagon, Turnatrailer, Cat DW series, Terra Cobra, LeTourneau, Westinghouse, Athey Wagon, Euclid, two and four-wheeled power tractor with trailer and similar top-loaded equipment transporting material: Dump trucks - side, end and bottom dump, including semi-trucks and trains or combinations thereof) - up to and including 5 yards; Flatbed, single rear axle; Fuel truck; Grease truck; Greaser, Battery Service Man and/or Tire Service Man; Scissor truck; Spreader, Flaherty; Tractor (small, rubber-tired); Vacuum truck; Water Wagon and tank truck (up to 1,600 gallons); Winch truck, single rear axle; Wrecker, tow truck and similar equipment

TRUCK DRIVERS (AREA 2) (Cont'd)

All Counties and portion of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County and including all of Kittitas and Yakima Counties

Group 4: Flatbed, dual rear axle

Group 5: Buggymobile; Hyster Operators; Straddle Carrier (Ross, Hyster, and similar equipment); Water Wagon and Tank Truck, 1,600 gallons to 3,000 gallons

Group 6: Transit-mix, 0 to and including 4½ yards

Group 7: Dumpsters, and similar equipment (as listed in Group 3) - over 5 yards to and including 12 yards; Explosive truck (field mix) and similar equipment; Lowbed and heavy duty trailer, under 50 tons gross; Road Oil Distributor Driver; Slurry Truck; Sno-go and similar equipment; Winch Truck, dual rear axle

Group 8: Dumpster, and similar equipment (as listed in Group 3) - over 12 yards to and including 16 yards

Group 9: Bulk Cement Tankers; Dumpsters, and similar equipment (as listed in Group 3) - over 16 yards to and including 20 yards; Water Wagon and Tank Truck, over 3,000 gallons

Group 10: Bull Lifts or similar equipment used in loading or unloading trucks transporting materials on job site, other than warehousing

Group 11: Transit-mix, over 4½ yards to and including 6 yards

Group 12: "A" Frame or Hydralift Trucks or similar equipment

Group 13: Dumpsters, and similar equipment (as listed in Group 3) - over 20 yards to and including 30 yards; Lowbed and heavy duty trailer, over 50 tons gross to and including 100 tons gross

Group 14: Transit-mix, over 6 yards, to and including 8 yards

Group 15: Dumpsters, and similar equipment (as listed in Group 3) - over 30 yards to and including 40 yards; Lowbed and heavy duty trailer, over 100 tons gross

Group 16: Transit-mix, over 8 yards to and including 10 yards

Group 17: Dumpsters, and similar equipment (as listed in Group 3) - over 40 yards to and including 55 yards

TRUCK DRIVERS (AREA 2) (Cont'd)

All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County

Group 18: Transit-mix, over 10 yards to and including 12 yards

Group 19: Transit-mix, over 12 yards to and including 16 yards

Group 20: Transit-mix, over 16 yards to and including 20 yards

Group 21: Transit-mix over 20 yards

TRUCK DRIVERS (AREA 3)

Clark, Cowlitz, Klickitat, Skamania, Wahkiakum, and the Southern portion of Pacific, Counties

Group 1: Battery Rebuilders; Bus or Manhaul Driver; Concrete Buggies (power operated); Dump Trucks, side, end, and bottom dumps, including semi-trucks and trains or combinations thereof: 6 cu. yds. and under Lift Jitneys, Fork Lifts (all sizes used in loading, unloading and transporting material on job site); Loader and/or Leverman on concrete dry batch plant (manually operated); Pilot car; Solo flat bed and misc. body trucks, 0-10 tons; Truck Helper; Truck Mechanic Helper; Warehouseman (warehouse parts, tool men and parts chaser, checkers and receivers); Water wagons (rated capacity) - up to 1,600 gallons

Group 2: "A" Frame of Hydra-lift Truck with load bearing surface; Lubrication Man, Fuel Truck Driver, Tireman, Wash Rack, Steam Cleaner or combinations; Team Drivers

Group 3: Dump trucks, side, end, and bottom dumps, including semi-trucks and trains or combinations thereof: over 6 cu. yds. and including 10 cu. yds.; Slurry Truck Driver or Leverman; Transit mix, and wet or dry mix trucks: 5 cu. yds. and under; Tireman (full-time basis); Water wagons (rated capacity) - 1,600 to 3,000 gallons

Group 4: Flaherty Spreader Driver or Leverman; Low bed equipment, flat bed semi-trailer, truck and trailer or doubles transporting equipment or wet or dry materials; Lumber Carrier Driver - Straddle carrier (used in loading, unloading and transporting or materials on job site); Oil Distributor Driver or Leverman; Water wagons (rated capacity) - 3,000 to 5,000 gallons

Group 5: Dumpsters or similar equipment, all sizes; Transit mix and wet or dry trucks, over 5 cu. yds. and including 7 cu. yds.

TRUCK DRIVERS (AREA 3) (Cont'd)

Clark, Cowlitz, Klickitat, Skamania, Wahkiakum, and the Southern portion of Pacific, Counties

Group 6: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: Over 10 cu. yds. and including 20 cu. yds.; Transit mix and wet or dry mix trucks, over 7 cu. yds. and including 9 cu. yds.; Truck mechanic-welder-body repairman; Water wagons (rated capacity) - 5,000 to 7,000 gallons

Group 7: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: over 20 cu. yds. and including 30 cu. yds.; Transit mix and wet or dry mix trucks - over 9 cu. yds. and including 11 cu. yds.; Water wagons (rated capacity) - over 7,000 gallons to 10,000 gallons

Group 8: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: over 30 cu. yds. and including 40 cu. yds.; Transit mix and wet or dry mix trucks - over 11 cu. yds. and including 13 cu. yds.; Water wagons (rated capacity) - over 10,000 gallons to 15,000 gallons

Group 9: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: over 40 cu. yds. and including 50 cu. yds.; Transit mix and wet or dry mix trucks - over 13 cu. yds. and including 15 cu. yds.

Group 10: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: over 50 cu. yds. and including 60 cu. yds.

Group 11: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: over 60 cu. yds. and including 70 cu. yds.

Group 12: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combination thereof: over 70 cu. yds. and including 80 cu. yds.

Group 13: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combination thereof: over 80 cu. yds. and including 90 cu. yds.

Group 14: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: over 90 cu. yds. and including 100 cu. yds.

Drivers and Helpers (handling sacked cement add $.15 per hour)

Signed at Washington, D.C., this 6th day of May 1975.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

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