

# federal register

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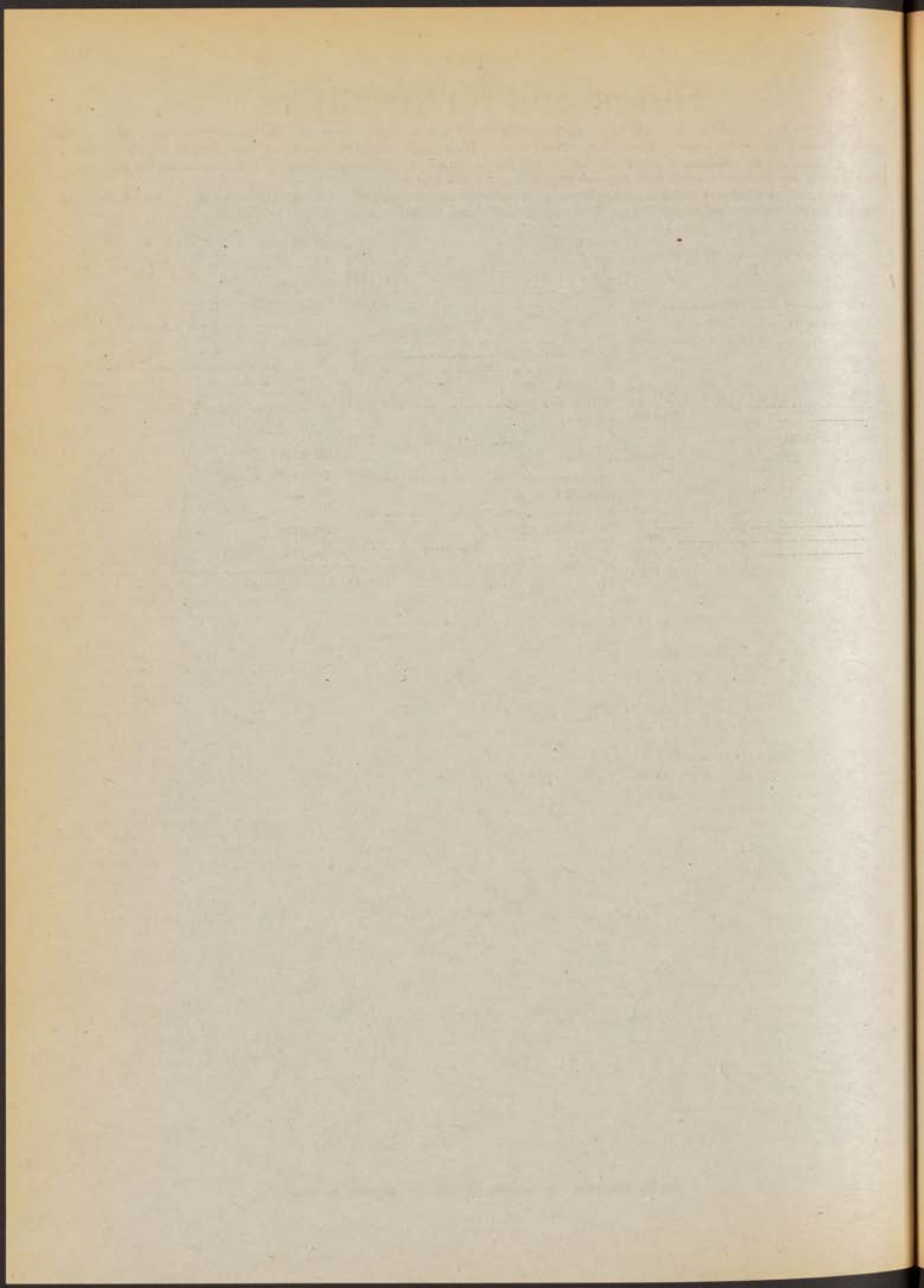
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# Rules and Regulations

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

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

## Title 5—Administrative Personnel

### CHAPTER II—CIVIL SERVICE COMMISSION

#### PART 213—EXCEPTED SERVICE

##### Small Business Administration

Due to a reorganization § 213.3332 is amended to reflect the following title changes: From Associate Administrator for Financial Assistance to Associate Administrator for Finance and Investment; and from Associate Administrator for Investment and Operations to Associate Administrator for Operations.

Effective on February 2, 1973, § 213.3332(a) is amended as set out below.

§ 213.3332 Small Business Administration.

(a) One Deputy Administrator, Associate Administrator for Finance and Investment, Associate Administrator for Operations and the Associate Administrator for Procurement and Management Assistance.

(5 U.S.C. secs. 3301, 3302, E.O. 10577; 3 CFR 1964-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,

*Executive Assistant  
to the Commissioners.*

[FR Doc. 73-2080 Filed 2-1-73; 8:45 am]

## Title 6—Economic Stabilization

### CHAPTER I—COST OF LIVING COUNCIL

#### PART 130—COST OF LIVING COUNCIL PHASE III REGULATIONS

##### Milk and Milk Products

Part 130 is amended in Subpart F to clarify the rules applying to regulated sellers of milk and milk products and agencies regulating such sellers.

A new § 130.59 is added to continue explicitly the provisions of § 300.17 of the Price Commission regulations in effect on January 10, 1973, with certain modifications. The new regulation permits regulated sellers of milk and milk products to use the new definition of base period set forth in § 130.110 and, if such sellers are wholesalers or retailers, the modifications in the customary initial percentage markup rules set forth in § 130.56.

This amendment is necessary to make clear that the Price Commission's rules governing the sale of regulated milk and milk products have been continued for the Phase III program.

Because the purpose of these regulations is to provide immediate guidance as to Cost of Living Council policy, I find that publication in accordance with normal rule making procedure is impracticable and that good cause exists for making these regulations effective in less than 30 days. Interested persons may submit comments regarding these regulations. Communications should be addressed to the Office of General Counsel, Cost of Living Council, Washington, D.C. 20507.

These regulations are effective as of January 11, 1973.

DONALD RUMSFELD,  
*Director, Cost of Living Council.*

(Economic Stabilization Act of 1970, Title II of Public Law 92-210, 85 Stat. 743 and Executive Order 11695)

Subpart F is amended by adding a new § 130.59 as follows:

§ 130.59 Regulated milk and milk products.

The provisions of § 300.17 of Chapter III of this title in effect on January 10, 1973, shall continue to apply to regulated sellers of milk and milk products and regulatory agencies as defined therein, with the following modifications:

(a) Base period profit margin shall be determined as provided in Subpart L of this part;

(b) The modifications in the customary initial percentage markup rules set forth in § 130.56 shall apply to wholesalers and retailers; and

(c) The Council shall succeed to and assume all applicable rights, duties, and obligations of the Price Commission as contained in § 300.17 of this title, and whenever under that section authorizations from or reports to the Price Commission are required, such authorizations or reports shall be obtained from or made to the Council in the form and within the time required under that section.

[FR Doc. 73-2114 Filed 2-1-73; 8:45 am]

## Title 8—Aliens and Nationality

### CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

#### IMMIGRATION AND NATIONALITY REGULATIONS

##### Miscellaneous Amendments to Chapter

Pursuant to section 552 of title 5 of the United States Code and the authority contained in section 1103 of title 8 of the United States Code, miscellaneous

amendments, as set forth herein, are prescribed in Parts 204, 238, 299, 316a, and 499 of chapter I of title 8 of the Code of Federal Regulations.

Current Form I-413 (applicant fingerprint card) has been replaced by Form FD-258. Accordingly, Part 204 is amended to change the reference to Form I-413 therein from "I-413" to "FD-258". Likewise, Part 299 is amended to delete therefrom the reference to Form I-413 and to add a reference to Form FD-258.

An agreement for preinspection at Montreal, Canada, of flights of American Airlines, Inc., destined to the United States, has been entered into between American Airlines, Inc., and the Commissioner of Immigration and Naturalization pursuant to sections 103 and 238 (b) of the Immigration and Nationality Act. Part 238 is, therefore, amended by adding American Airlines, Inc., to the listing of transportation lines which have entered into agreements for the preinspection of their passengers and crews at places outside the United States.

A number of immigration forms and naturalization forms listed in Parts 299 and 499 respectively, have been reissued and now bear a more recent edition date. Accordingly, Parts 299 and 499 are amended to reflect the current edition date of those forms. The listing of forms in Part 299 is also amended to delete therefrom the reference to Form I-200, since the basis for listing Form I-200 therein no longer exists.

On January 18, 1973, it was determined that Duke University, Durham, N.C., is an American institution of research for the purpose of preserving residence in the United States for naturalization. Accordingly, Part 316a is amended to add Duke University to the listing therein of American institutions of research.

In the light of the foregoing, the following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

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

In § 204.2(d), the first sentence of subparagraph (1) is amended by changing "Form I-413" to read "Form FD-258". As amended, § 204.2(d)(1) reads, in pertinent part, as follows:

§ 204.2 Documents.

(d) Evidence required to accompany petition for orphan—(1) General. A peti-

tion filed on behalf of an orphan under § 204.1(b) must be accompanied by fingerprint charts on Form FD-258 of the petitioning U.S. citizen and spouse; evidence of U.S. citizenship of the petitioner as provided in paragraph (a) of this section; a certificate of marriage of the petitioner and spouse and proof of legal termination of their previous marriages, if any; proof of age of the orphan in the form of a birth certificate, or if such certificate is not available other evidence of his birth; evidence that the petitioner and spouse are able to care for the orphan properly, such as letters from employers, banks, and accountants, financial statements, copies of income-tax returns; a certified copy of the adoption decree together with certified translation, if the orphan has been lawfully adopted abroad; and evidence that the sole or surviving parent is incapable of providing for the orphan's care and has in writing irrevocably released the orphan for emigration and adoption if the orphan has only one parent. \* \* \*

#### PART 238—CONTRACTS WITH TRANSPORTATION LINES

##### § 238.4 [Amended]

The listing of transportation lines under "At Montreal" of § 238.4 *Preinspection outside the United States* is amended by adding the following transportation line in alphabetical sequence: "American Airlines, Inc."

#### PART 299—IMMIGRATION FORMS

##### § 299.1 [Amended]

The listing of forms in § 299.1 *Prescribed forms* is amended in the following respects:

1. The Form I-200 and reference thereto is deleted.

2. The Form I-413 and reference thereto is deleted and in lieu thereof Form FD-258 is added in alphabetical and numerical sequence to read as follows:

Form No.	Title and description
FD-258 (4-25-72)	Applicant Card.

3. The listing of forms is amended to reflect the current edition date of the following forms:

Form No.	Title and description
AR-4 (8-30-72)	Alien Registration Fingerprint Chart.
G-325 (8-27-72)	Biographic Information.
G-325A (8-27-72)	Biographic Information.
I-20 (5-1-72)	Certificate of Eligibility (For Nonimmigrant "F-1" Student Status).
I-53 (1-1-73)	Alien Address Report.

Form No.	Title and description
I-151 (7-1-72)	Alien Registration Receipt Card.
I-171C (12-1-72)	Notice of Approval of Nonimmigrant Visa Petition or of Extension of Stay of H or L Alien.
I-190 (7-1-72)	Application for Nonresident Alien Mexican Border Crossing Card.
I-352 (11-15-72)	Immigration Bond.
I-486A (9-9-72)	Medical Examination and Immigration Interview.
I-538 (10-1-72)	Application by Nonimmigrant F-1 Student for Permission to Accept Employment.
I-539 (8-1-72)	Application to Extend Time of Temporary Stay.

#### PART 316a—RESIDENCE, PHYSICAL PRESENCE AND ABSENCE

##### § 316a.2 [Amended]

The listing of American institutions of research of § 316a.2 *American institutions of research* is amended by adding the following institution of research in alphabetical sequence: "Duke University."

#### PART 499—NATIONALITY FORMS

The listing of forms in § 499.1 is amended to reflect the current edition date of the following forms:

##### § 499.1 Prescribed forms.

Form No.	Title and description
N-13 (9-1-72)	Penalty Envelope (Large —to be addressed to any office of service).
N-300 (2-1-72)	Application to File Declaration of Intention.

Compliance with the provisions of section 553 of title 5 of the United States Code (80 Stat. 383), as to notice of proposed rule making and delayed effective date is unnecessary in this instance and would serve no useful purpose because the amendments to §§ 204.2(d)(1), 299.1, and 499.1 are editorial in nature; the amendment to § 238.4 adds a transportation line to the listing; and the amendment to § 316a.2 adds an American institution of research to the listing.

This order shall become effective on February 2, 1973.

Dated: JANUARY 30, 1973.

RAYMOND F. FARRELL,  
Commissioner of  
Immigration and Naturalization.

[FR Doc.73-2083 Filed 2-1-73;8:45 am]

#### Title 7—Agriculture

#### CHAPTER I—AGRICULTURE MARKETING SERVICE (STANDARDS, INSPECTIONS, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE

#### SUBCHAPTER C—REGULATIONS AND STANDARDS UNDER THE AGRICULTURAL MARKETING ACT OF 1946

#### PART 54—GRADING AND INSPECTION OF DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF; AND UNITED STATES SPECIFICATIONS FOR CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

#### PART 70—GRADING AND INSPECTION OF POULTRY AND EDIBLE PRODUCTS THEREOF; AND UNITED STATES CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

#### Meat and Poultry Inspection Program; Rate Increase

Pursuant to the statutory authorities cited below, the fees relating to inspection, identification, or certification service rendered to operators of establishments engaged in slaughtering or preparing domestic rabbits, or squabs or game birds by the Animal and Plant Health Inspection Service, Meat and Poultry Inspection Program, are hereby amended to reflect increases in Federal employees salaries authorized by the Federal Pay Comparability Act of 1970, and Executive Order 11691, dated December 15, 1972, to a level that will more adequately cover the service provided.

The rate for base time, overtime, or holiday inspection, identification, or certification service rendered, as provided for in these parts, is changed from \$9.28 per hour to \$9.60 per hour in §§ 54.101(d) and 70.131(d).

It has been determined that in order to cover these increased costs of the services, the hourly fees charged in connection with the performance of the services must be increased as soon as practicable as provided herein. The need for the increase and the amount thereof are dependent upon facts within the knowledge of the Animal and Plant Health Inspection Service. Therefore, under 5 U.S.C. 553, it is found that notice and other public procedure with respect to this amendment are impracticable and unnecessary and good cause is found for making the amendments effective less than 30 days after its publication in the FEDERAL REGISTER.

The amendments shall become effective on February 4, 1973.

Done at Washington, D.C. on January 31, 1973.

PHILIP C. OLSSON,  
Acting Assistant Secretary.

[FR Doc.73-2131 Filed 2-1-73;8:45 am]



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

[Lemon Regulation 571]

**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 February 4-10, 1973. 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.

**§ 910.871 Lemon Regulation 571.**

(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 section 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.

(1) 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 good this week. Sales this week are expected to decline slightly from last weeks estimated sales of 195 carlots. Average f.o.b. price is \$5.24 a carton, compared with \$5.20 last week. Track and rolling supplies at 130 cars were up 11 cars from last week.

(1) 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 section until 30 days after publication

hereon 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 section 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 section, 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 section effective during the period herein specified; and compliance with this section 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 January 30, 1973.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period February 4, through February 10, 1973, is hereby fixed at 200,000 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: February 1, 1973.

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

[FR Doc.73-2207 Filed 2-1-73; 11:30 am]

**Title 26—Internal Revenue**

**CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY**

**SUBCHAPTER A—INCOME TAX**

[T.D. 7233]

**PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953**

**Termination of Private Foundation Status and Certain Taxable Expenditures**

*Correction*

In FR Doc. 72-21955 appearing at page 28157 of the issue for Thursday, December 21, 1972, in § 1.507-3(a) (8) (i), insert "(6) or" immediately following the word "paragraph" in the third line.

**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 307—FACILITIES FOR INSPECTION**

**SUBCHAPTER B—VOLUNTARY INSPECTION AND CERTIFICATION SERVICE**

**PART 350—SPECIAL SERVICES RELATING TO MEAT AND OTHER PRODUCTS**

**PART 355—CERTIFIED PRODUCTS FOR DOGS, CATS, AND OTHER CARNIVORA; INSPECTION, CERTIFICATION, AND IDENTIFICATION AS TO CLASS, QUALITY, QUANTITY, AND CONDITION**

**SUBCHAPTER C—MANDATORY POULTRY PRODUCTS INSPECTION**

**PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS**

**Rate Increase for Inspection Service**

Pursuant to the statutory authorities cited below, the fees relating to inspection, identification, or certification service rendered to operators of official meat or poultry establishments, importers, or exporters by the Animal and Plant Health Inspection Service, Meat and Poultry Inspection Program, are hereby amended to reflect increase in Federal employees' salaries authorized by the Federal Pay Comparability Act of 1970, and Executive Order 11691, dated December 15, 1972, to a level that will more adequately cover the cost of the service provided.

The rate for overtime or holiday inspection, identification, or certification service rendered, as the case may be in accordance with the provisions of this chapter, is changed from \$9.28 per hour to \$9.60 per hour in §§ 307.6(a), 350.7(c), 355.12, 381.39, 381.40(a), and 381.41.

The rate for base time for identification or certification service rendered, as provided in this Chapter, is changed from \$9.28 per hour to \$9.60 per hour in §§ 350.7(c) and 355.12.

(81 Stat. 584, 21 U.S.C. 621; 82 Stat. 791, 21 U.S.C. 14; 62 Stat. 334, 21 U.S.C. 695; 41 Stat. 241, 7 U.S.C. 394; 84 Stat. 1633, 21 U.S.C. 1053)

It has been determined that in order to cover these increased costs of the services, the hourly fees charged in connection with the performance of the services must be increased as soon as practicable as provided herein. The need for the increase and the amount thereof are dependent upon facts within the knowledge of the Animal and Plant Health Inspection Service. Therefore, under 5 U.S.C. 553, it is found that notice and other public procedure with respect to this amendment are impracticable and unnecessary and good cause is found for making the amendments effective less than 30 days after its publication in the FEDERAL REGISTER.

The amendments shall become effective on February 4, 1973.

Done at Washington, D.C. on January 31, 1973.

PHILIP C. OLSSON,  
Acting Assistant Secretary.

[FR Doc.73-2132 Filed 2-1-73;8:45 am]

#### Title 14—Aeronautics and Space

### CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 73—GL—2, Amdt. 39—1591]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Bellanca Model 17-30A

There have been failures of the bolts attaching the air induction box to the throttle body on Bellanca model 17-30A series airplanes resulting in washers being released and ingested into the engine, causing engine damage and partial loss of power. It is believed failure of these bolts is attributable to in-service over-torquing. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require replacement of the bolts using proper torque values and modification of the air induction box on Bellanca model 17-30A airplanes to eliminate the four washers.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BELLANCA. Applies to Model 17-30A (Serial Nos. 30263 through 73-30489) airplanes.

Compliance: Required as indicated unless otherwise accomplished.

To prevent bolt failures and subsequent washer ingestion into the engine, accomplish the following:

(a) Within 10 hours time in service after the effective date of this AD, remove the 4 AN4H-17A bolts attaching the air induction box to the throttle body and replace these bolts with new ones. When reassembling the air induction box, assure that the four washers between the spacers and the air induction box are properly installed and the bolts are torqued to 35-40 inch-pounds and safety wired.

(b) Within 50 hours time in service after the effective date of this AD, modify the air induction box in accordance with Bellanca Service Letter No. 75 dated January 3, 1973, or later FAA approved revisions.

(c) Any alternate equivalent method of compliance with paragraphs (a) and (b) above must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Great Lakes Region.

This amendment becomes effective February 7, 1973.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec.

6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Des Plaines, Ill., on January 24, 1973.

LYLE K. BROWN,  
Director, Great Lakes Region.

[FR Doc.73-2007 Filed 2-1-73;8:45 am]

[Airspace Docket No. 72-SW-79]

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

##### Alteration of Control Zone and Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter controlled airspace in the Laredo, Tex., terminal area.

On December 15, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 FR 26738) stating the Federal Aviation Administration proposed to alter the Laredo, Tex., control zone and transition area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 29, 1973, as hereinafter set forth.

1. In § 71.171 (38 FR 351), the Laredo, Tex., control zone is amended to read:

##### LAREDO, TEX.

Within a 5-mile radius of Laredo AFB (latitude 27°32'35" N., longitude 99°27'40" W.), within 2 miles each side of the Laredo VORTAC 326° radial extending from the 5-mile radius zone to 16 miles northwest of the VORTAC, within 2 miles each side of the Laredo ILS localizer northwest course extending from the ILS localizer site (latitude 27°36'12.6" N., longitude 99°30'50.2" W.) to 7 miles northwest; within 1 mile northeast and 4 miles southwest of the Laredo VORTAC 347° radial extending from the 5-mile radius zone to 17 miles northwest of the VORTAC; within 2 miles west of the Laredo VORTAC 357° radial extending from the 5-mile radius zone to 11 miles north of the VORTAC; within 2 miles each side of the Laredo VORTAC 149° and 329° radials, extending from the 5-mile radius zone to 8 miles southeast of the VORTAC; within 4 miles west of the Laredo VORTAC 192° radial extending from the 5-mile radius zone to 7.5 miles southwest of the VORTAC, excluding those portions outside the United States. This control zone will be effective during the specific dates and time established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

2. In § 71.181 (38 FR 435), the Laredo, Tex., transition area is amended to read:

##### LAREDO, TEX.

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Laredo AFB (latitude 27°32'35" N., longitude 99°27'40" W.), within a 12-mile radius of the Laredo VORTAC extending from a line 5 miles northeast of and parallel to the Laredo VORTAC 149° radial clockwise to the

United States-Mexico border, within 2 miles each side of the Laredo VORTAC 326° radial, extending from the 9-mile radius area to 20 miles northwest of the VORTAC, within 2 miles each side of the Laredo VORTAC 336° radial extending from the 9-mile radius area to 26 miles northwest of the VORTAC, within 9 miles west of the Laredo VORTAC 002° radial extending from the 9-mile radius area to 22 miles north of the VORTAC, excluding those portions outside the United States.

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

Issued in Fort Worth, Tex., on January 23, 1973.

R. V. REYNOLDS,  
Acting Director, Southwest Region.

[FR Doc.73-2008 Filed 2-1-73;8:45 am]

[Airspace Docket No. 72-WE-47]

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

##### Designation of Transition Area

On December 16, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 FR 26834) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would establish a new transition area at Gila Bend, Ariz.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections. No objections have been received and the proposed amendment is hereby adopted subject to the following changes.

In the heading of the notice of proposed rule making delete "Designation of Control Zone" and substitute "Designation of Transition Area" therefor. Delete FEDERAL REGISTER citation "(37 FR 2143)" and substitute "(38 FR 435)" therefor.

Effective date. This amendment shall be effective 0901 G.m.t., March 29, 1973.

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

Issued in Los Angeles, Calif., on January 19, 1973.

ROBERT O. BLANCHARD,  
Acting Director, Western Region.

In § 71.181 the following transition area is added:

##### GILA BEND, ARIZ.

That airspace extending upward from 5,500 m.s.l. bounded on the north and northeast by the south and southwest edges of V-66, on the east by longitude 111°45'00" W., on the south by latitude 32°27'00" N., and on the west by longitude 113°35'00" W.

Delete "Designation of Control Zone" and substitute "Designation of Transition Area" therefor. Delete FEDERAL REGISTER citation "(37 FR 2143)" and substitute "(38 FR 435)" therefor.

[FR Doc.73-2006 Filed 2-1-73;8:45 am]

[Airspace Docket No. 72-SO-113]

## PART 73—SPECIAL USE AIRSPACE

## Designation of Restricted Areas

On December 7, 1972, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (37 FR 26046) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 73 of the Federal Aviation Regulations that would designate temporary restricted areas for use in a military training exercise in the Camp Lejeune/New Bern/Fayetteville/Wilmington area and in the coastal region adjacent to Jacksonville and Beaufort-Morehead City, N.C.

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

Following publication of the notice, meetings were held by FAA and military representatives to develop exercise air traffic control procedures. It was then observed that at times during the exercise part of the proposed restricted area "B" could be returned to public use, and it was determined that a clearer definition of these times should be indicated. Accordingly, the description for restricted areas "B" and "C" was changed from that proposed in the notice to that contained herein. The change altered the size of area "B", relative to that of area "C", and denoted that the portion of area "B" from the surface to 5,000 feet m.s.l. will be restored to public use for a total of 7 days during the exercise.

The Exotic Dancer VI temporary restricted areas will be depicted in Part 3A of the Airman's Information Manual (AIM). A reverse-charge telephone number will also be included. This number is to be used by nonparticipating VFR pilots to obtain flight advisory information regarding clearance to operate within the areas anytime that use of the areas is designated for the exercise.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 1, 1973, as hereinafter set forth.

In § 73.53 (38 FR 663) the following is added:

a. Name: R-5309A Exotic Dancer VI—Joint Military Exercise.

## LOCATION: CAMP LEJEUNE, N.C.

Boundaries: Beginning at latitude 34°57'30" N., longitude 77°02'00" W.; thence southwestly along the boundary of R-5306A and R-5306B to latitude 34°42'00" N., longitude 77°17'30" W.; thence counterclockwise along connecting arcs of 8.5-mile radius circles centered on the New River MCAS (latitude 34°42'25" N., longitude 77°26'35" W.) and the Albert J. Ellis Airport (latitude 34°49'49" N., longitude 77°36'42" W.) to latitude 34°55'30" N., longitude 77°42'00" W.; to latitude 34°58'00" N., longitude 77°48'30" W.; to latitude 35°12'15" N., longitude 77°35'00" W.; thence counterclockwise along an arc of an 8.5-mile radius circle centered on Stallings Field (latitude 35°19'40" N., longitude 77°36'55" W.) to latitude 35°15'00" N., longitude 77°30'00" W.; thence to point of beginning. Designated altitudes: Surface to 10,000 feet m.s.l.

Time of designation: Continuous March 28 to April 8, 1973, inclusive.

Controlling agency: Federal Aviation Administration, Washington ARTC Center.

Using agency: U.S. Atlantic Command, Norfolk, Va.

b. Name: R-5309B Exotic Dancer VI—Joint Military Exercise.

## LOCATION: CAMP LEJEUNE, N.C.

Boundaries: Beginning at latitude 34°56'00" N., longitude 77°48'00" W.; to latitude 34°55'30" N., longitude 77°42'00" W.; thence clockwise along the arc of an 8.5-mile radius circle centered on the Albert J. Ellis Airport (latitude 34°49'49" N., longitude 77°36'42" W.) to latitude 34°49'50" N., longitude 77°27'45" W. thence south to latitude 34°34'00" N., longitude 77°43'40" W.; to latitude 34°36'30" N., longitude 77°49'30" W.; to latitude 34°51'30" N., longitude 77°52'00" W.; to point of beginning.

Designated altitudes: 5,000 to 10,000 feet m.s.l. March 28 to April 1, 1973, inclusive. Surface to 10,000 feet m.s.l. April 2 to April 6, 1973, inclusive, 5,000 to 10,000 feet m.s.l. April 7 to April 8, 1973, inclusive.

Time of designation: Continuous (noting varying altitude limits) March 28 to April 8, 1973, inclusive.

Controlling agency: Federal Aviation Administration, Washington ARTC Center.

Using agency: U.S. Atlantic Command, Norfolk, Va.

c. Name: R-5309C Exotic Dancer VI—Joint Military Exercise.

## LOCATION: CAMP LEJEUNE, N.C.

Boundaries: Beginning at latitude 34°49'50" N., longitude 77°27'45" W.; thence east along the arc of an 8.5-mile radius circle centered on the New River MCAS (latitude 34°42'25" N., longitude 77°26'35" W.) to latitude 34°42'00" N., longitude 77°17'30" W.; thence along the westerly and southerly boundaries of R-5306 B and C and the westerly boundary of W-122 to latitude 34°18'00" N., longitude 77°37'30" W.; to latitude 34°27'00" N., longitude 77°30'30" W.; to latitude 34°34'00" N., longitude 77°43'40" W.; to point of beginning.

Designated altitudes: Surface to 10,000 feet m.s.l.

Time of designation: Continuous March 28 to April 8, 1973, inclusive.

Controlling agency: Federal Aviation Administration, Washington ARTC Center.

Using agency: U.S. Atlantic Command, Norfolk, Va.

d. Name: R-5309D Exotic Dancer VI—Joint Military Exercise.

## LOCATION: CAMP LEJEUNE, N.C.

Boundaries: Beginning at latitude 35°12'00" N., longitude 77°58'30" W.; to latitude 34°57'30" N., longitude 78°02'30" W.; to latitude 35°02'00" N., longitude 78°40'00" W.; to latitude 35°11'00" N., longitude 78°40'00" W.; to point of beginning.

Designated altitudes: Surface to 10,000 feet m.s.l.

Time of designation: Continuous March 28 to April 8, 1973, inclusive.

Controlling agency: Federal Aviation Administration, Washington ARTC Center.

Using agency: U.S. Atlantic Command, Norfolk, Va.

e. Name: R-5309E Exotic Dancer VI—Joint Military Exercise.

## LOCATION: CAMP LEJEUNE, N.C.

Boundaries: Beginning at latitude 34°49'20" N., longitude 78°07'20" W.; to latitude 34°24'00" N., longitude 78°24'00" W.; to latitude 34°24'00" N., longitude 78°42'30" W.; to latitude 34°50'30" N., longitude

78°46'00" W.; to latitude 34°53'45" N., longitude 78°42'00" W.; to point of beginning.

Designated altitudes: Surface to 10,000 feet m.s.l.

Time of designation: Continuous March 28 to April 8, 1973, inclusive.

Controlling agency: Federal Aviation Administration, Washington ARTC Center.

Using agency: U.S. Atlantic Command, Norfolk, Va.

f. Name: R-5309F Exotic Dancer VI—Joint Military Exercise.

## LOCATION: CAMP LEJEUNE, N.C.

Boundaries: Beginning at latitude 34°24'00" N., longitude 78°24'00" W.; to latitude 34°09'30" N., longitude 78°34'30" W.; to latitude 34°10'00" N., longitude 78°41'00" W.; to latitude 34°24'00" N., longitude 78°42'30" W.; to point of beginning.

Designated altitudes: Surface to 10,000 feet m.s.l.

Time of designation: Continuous March 28 to April 8, 1973, inclusive.

Controlling agency: Federal Aviation Administration, Washington ARTC Center.

Using agency: U.S. Atlantic Command, Norfolk, Va.

g. Name: R-5309G Exotic Dancer VI—Joint Military Exercise.

## LOCATION: CAMP LEJEUNE, N.C.

Boundaries: Beginning at latitude 34°43'15" N., longitude 76°47'30" W.; to latitude 34°38'15" N., longitude 76°41'30" W.; thence west along the north boundary of W-122 to latitude 34°37'30" N., longitude 76°56'00" W.; thence north and east along the boundary of R-5306A to point of beginning.

Designated altitudes: 1,000 to 18,000 feet m.s.l.

Time of designation: Continuous March 28 to April 8, 1973, inclusive.

Controlling agency: Federal Aviation Administration, Washington ARTC Center.

Using agency: U.S. Atlantic Command, Norfolk, Va.

h. Name: R-5309H Exotic Dancer VI—Joint Military Exercise.

## LOCATION: CAMP LEJEUNE, N.C.

Boundaries: Beginning at latitude 35°12'00" N., longitude 77°58'30" W.; to latitude 34°57'30" N., longitude 78°02'30" W.; to latitude 34°24'00" N., longitude 78°24'00" W.; to latitude 34°09'30" N., longitude 78°34'30" W.; to latitude 34°10'00" N., longitude 78°41'00" W.; to latitude 34°50'30" N., longitude 78°46'00" W.; thence clockwise along a 10-nautical-mile radius circle centered on the Fayetteville Municipal Airport (latitude 34°59'35" N., longitude 78°52'50" W.) to latitude 35°00'00" N., longitude 79°04'00" W.; to latitude 35°02'30" N., longitude 79°05'30" W.; thence north along the east boundary of R-5311A to latitude 35°10'30" N., longitude 79°01'00" W.; to latitude 35°11'00" N., longitude 78°40'00" W.; to point of beginning.

Designated altitudes: 10,000 to 18,000 feet m.s.l.

Time of designation: Continuous March 28 to April 8, 1973, inclusive.

Controlling agency: Federal Aviation Administration, Washington ARTC Center.

Using agency: U.S. Atlantic Command, Norfolk, Va.

i. Name: R-5309I Exotic Dancer VI—Joint Military Exercise.

## LOCATION: CAMP LEJEUNE, N.C.

Boundaries: Beginning at latitude 35°12'15" N., longitude 77°35'00" W.; to latitude 34°51'30" N., longitude 77°52'00" W.; to latitude 34°22'00" N., longitude 77°47'30" W.; thence counterclockwise along the Wilmington, N.C., 8.5-mile transition area to latitude 34°20'00" N., longitude 78°01'30" W.;

to latitude 34°09'00" N., longitude 78°20'00" W.; to latitude 34°09'30" N., longitude 78°34'30" W.; to latitude 34°24'00" N., longitude 78°24'00" W.; to latitude 34°57'30" N., longitude 78°02'30" W.; to latitude 35°12'00" N., longitude 77°58'30" W.; to point of beginning.

Designated altitudes: 10,000 to 18,000 feet m.s.l.

Time of designation: Continuous March 28 to April 8, 1973, inclusive.

Controlling agency: Federal Aviation Administration, Washington ARTC Center.

Using agency: U.S. Atlantic Command, Norfolk, Va.

J. Name: R-5309J Exotic Dancer VI—Joint Military Exercise.

**LOCATION: CAMP LEJEUNE, N.C.**

Boundaries: Beginning at latitude 35°23'00" N., longitude 76°34'30" W.; thence southerly along the outer boundaries of R-5306A, R-5306B, R-5306C, R-5306B and W-122 to latitude 34°05'00" N., longitude 77°43'00" W.; to latitude 34°12'30" N., longitude 77°46'30" W.; thence counterclockwise along the Wilmington, N.C., 8.5-mile transition area to latitude 34°22'00" N., longitude 77°47'30" W.; to latitude 34°51'30" N., longitude 77°52'00" W.; to latitude 35°12'15" N., longitude 77°35'00" W.; thence counterclockwise along the Kinston, N.C., 8.5-mile transition area to latitude 35°20'00" N., longitude 77°27'30" W.; to latitude 35°32'30" N., longitude 77°09'00" W.; to point of beginning.

Designated altitudes: 10,000 to 18,000 feet m.s.l.

Time of designation: Continuous March 28 to April 8, 1973, inclusive.

Controlling agency: Federal Aviation Administration, Washington ARTC Center.

Using agency: U.S. Atlantic Command, Norfolk, Va.

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

Issued in Washington, D.C., on January 26, 1973.

CHARLES H. NEWPOL,  
Acting Chief, Airspace and  
Air Traffic Rules Division.

[FR Doc.73-2011 Filed 2-1-73;8:45 am]

**Title 18—Conservation of Power and Water Resources**

**CHAPTER I—FEDERAL POWER COMMISSION**

[Docket No. R-461]

**PART 2—GENERAL POLICIES AND INTERPRETATIONS**

Initial Notice; Service; and Information Copies of Formal Documents; Order on Application for Rehearing

JANUARY 26, 1973.

This order revises Order No. 463, issued December 12, 1972 (37 FR 28054), to remove any uncertainty as to the meaning of § 2.1(a), (1), (i) (B) of the Commission statements of general policy and interpretations as promulgated by that order. The referenced subsection is intended to be directed to natural gas pipeline companies. It is amended so as to include the word "pipeline" as hereinafter ordered.

On December 29, 1972, Shell Oil Co. filed an application for rehearing of Order No. 463, seeking the inclusion of the word "pipeline".

The Commission, acting pursuant to the provisions of the Federal Power Act, as amended, particularly sections 308 and 309 (49 Stat. 858, 859; 16 U.S.C. 825g, 825h) and the provisions of the Natural Gas Act, as amended, particularly sections 15 and 16 (52 Stat. 829, 830; 15 U.S.C. 717n, 717o), orders:

(A) Section 2.1(a)(1)(i)(B) of Part 2, Statements of General Policy and Interpretations, Subchapter A, Chapter I of Title 18 of the Code of Federal Regulations, as promulgated by Order No. 463, is hereby amended to read as follows:

(B) Changes in rates proposed by natural gas pipeline companies for field sales.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2063 Filed 2-1-73;8:45 am]

**Title 19—Customs Duties**

**CHAPTER I—BUREAU OF CUSTOMS, DEPARTMENT OF THE TREASURY**

[T.D. 73-3]

**PART 22—DRAWBACK**

**Accelerated Payment of Drawback Claims Correction**

In FR Doc. 72-22024 appearing at page 28283 of the issue for Friday, December 22, 1972, the second heading of Customs Form 2609, reading, "Bond for Accelerated Payment of Drawback (Single Entry) Know all Men by These Presents", should read "Bond for Accelerated Payment of Drawback (Single Entry)"; and the words "Know all men by these presents" should be inserted immediately above the text of the form.

**Title 21—Food and Drugs**

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

**SUBCHAPTER C—DRUGS**

**PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS**

**Diethylcarbamazine**

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (11-380V) filed by American Cyanamid Co., Post Office Box 400, Princeton, NJ 08540, proposing the use of diethylcarbamazine as an aid in the prevention of heartworm disease in dogs. The supplemental application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 135c (21 CFR 135c) is amended in § 135c.20 by revising paragraph (d)(1) to read as follows:

**§ 135c.20 Diethylcarbamazine.**

(d) *Conditions of use.* (1) It is administered to dogs to aid in the continual

control of large roundworms (*Toxocara canis*) and to aid in the prevention of heartworm disease (*Dirofilaria immitis*). In those areas where roundworms are suspected or known to be a problem, it is added to the daily diet. In those areas where heartworms are endemic, it is added to the daily diet at the beginning of the mosquito activity and treatment is continued throughout the mosquito season and for approximately 1 month thereafter.

*Effective date.* This order shall be effective on February 2, 1973.

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i))

Dated: January 26, 1973.

C. D. VAN HOUWELING,

Director,  
Bureau of Veterinary Medicine.

[FR Doc.73-2014 Filed 2-1-73;8:45 am]

**Title 29—Labor**

**SUBTITLE A—OFFICE OF THE SECRETARY OF LABOR**

**PART 70—EXAMINATION AND COPYING OF LABOR DEPARTMENT DOCUMENTS**

**Office of Federal Contract Compliance**

Pursuant to authority in 5 U.S.C. 301, 552, 559, in Reorganization Plan No. 5 of 1950 (63 Stat. 1069, 5 U.S.C. Appendix), in 29 U.S.C. 9b and in 31 U.S.C. 483a, 29 CFR Part 70 is amended to add a new § 70.79 pertaining to the Office of Federal Contract Compliance. As this amendment is merely a cross reference to substantive rule making to be published simultaneously, neither notice of proposed rule making nor public participation therein is required by 5 U.S.C. 553. This amendment shall therefore be effective immediately.

**§ 70.79 Office of Federal Contract Compliance.**

The disclosure of records in the custody of the Office of Federal Contract Compliance or its Compliance Agencies shall be governed by the supplementary regulations published as new Part 60-40 of Title 41 of the Code of Federal Regulations.

Signed at Washington, D.C., this 23d day of January, 1973.

J. D. HONGSON,  
Secretary of Labor.

[FR Doc.73-2082 Filed 2-1-73;8:45 am]

**Title 41—Public Contracts and Property Management**

**CHAPTER 60—OFFICE OF FEDERAL CONTRACT COMPLIANCE, EQUAL EMPLOYMENT OPPORTUNITY, DEPARTMENT OF LABOR**

**PART 60-40—EXAMINATION AND COPYING OF OFCC DOCUMENTS**

These rules are issued pursuant to the general rulemaking authority of the OFCC under Executive Order 11246, as amended by Executive Order 11375 and the authority given to component units

of the Department of Labor to issue supplementary regulations governing the disclosure of particular or specific records which are in the custody of that departmental unit under 29 CFR 70.71. In accordance with the general administrative responsibility of the Director, OFCC, and his control over the programs and procedures of the various compliance agencies, the rules contained in this part shall be applicable to documents in the custody of the OFCC and the Compliance Agencies which have been obtained pursuant to the authority of Chapter 60 of Title 41 of the Code of Federal Regulations.

As the changes made by this document relate solely to interpretive rules, general statements of policy, and to rules of agency procedure and practice, neither notice of proposed rule making nor public participation therein is required by 5 U.S.C. 553. Since the changes made by this document either relieve restrictions or are interpretive rules, no delay in effective date is required by 5 U.S.C. 553 (d). These rules shall therefore be effective immediately.

In accordance with the spirit of the public policy set forth in 5 U.S.C. 553, interested persons may submit written comments, suggestions, data, or arguments to the Director, Office of Federal Contract Compliance, U.S. Department of Labor, Washington, D.C. 20210, within 45 days of the publication of the regulations contained in this part. Material thus submitted will be evaluated and acted upon in the same manner as if this document were a proposal. Until such time as further changes are made, however, Part 60-40 as revised herein shall remain in effect, thus permitting the public business to proceed more expeditiously.

A new Part 60-40 is added to Title 41, Code of Federal Regulations, reading as follows:

**Subpart A—General**

- Sec.
- 60-40.1 Purpose and scope.
- 60-40.2 Information available on request.
- 60-40.3 Information exempt from compulsory disclosure and which may be withheld.
- 60-40.4 Information disclosure of which is prohibited by law.

**Subpart B—Procedure for Disclosure**

- 60-40.5 Applicability of procedures.
- 60-40.6 To whom to direct requests.
- 60-40.7 Partial disclosure.
- 60-40.8 Facilities and procedures for disclosure.

**AUTHORITY:** Executive Order 11246, as amended by Executive Order 11375; 5 U.S.C. 552.

**Subpart A—General**

**§ 60-40.1 Purpose and scope.**

This part contains the general rules of the OFCC providing for public access to information from records of the OFCC or its various compliance agencies. These regulations implement 5 U.S.C. 552, the Freedom of Information Act and supplement the policy and regulations of the Department of Labor, 29 CFR Part 70. It is the policy of the OFCC to disclose information to the public and to coop-

erate with other public agencies as well as private parties seeking to eliminate discrimination in employment. This part sets forth generally the categories of records accessible to the public, the types of records subject to prohibitions or restrictions on disclosure, and the places at which and the procedures whereby members of the public may obtain access to and inspect and copy information from records in the custody of the OFCC and the compliance agencies.

**§ 60-40.2 Information available on request.**

(a) Upon the request of any person for identifiable records obtained or generated pursuant to Executive Order 11246 (as amended) such records shall be made available for inspection and copying, notwithstanding the applicability of the exemption from mandatory disclosure set forth in 5 U.S.C. 552 subsection (b), if it is determined that the requested inspection or copying furthers the public interest and does not impede any of the functions of the OFCC or the Compliance Agencies except in the case of records disclosure of which is prohibited by law.

(b) Consistent with the above, all contract compliance documents within the custody of the OFCC and the Compliance Agencies shall be disclosed upon request unless specifically prohibited by law or as limited elsewhere herein. The types of documents which if in the custody of the OFCC or Compliance Agencies must be disclosed include, but are not limited to, the following:

- (1) Affirmative action plans, whether or not reviewed and finally accepted by the OFCC or the Compliance Agencies except as limited in 41 CFR 60-40.3(a).
- (2) Imposed plans and hometown plans, pending or approved.
- (3) Text of final conciliation agreements.
- (4) Validation studies of tests or other preemployment selection methods.
- (5) Dates and times of scheduled compliance reviews.

**§ 60-40.3 Information exempt from compulsory disclosure and which may be withheld.**

(a) The following documents or parts thereof are exempt from mandatory disclosure by the OFCC and the compliance agencies, and should be withheld if it is determined that the requested inspection or copying does not further the public interest and might impede the discharge of any of the functions of the OFCC or the Compliance Agencies.

(1) Those portions of affirmative action plans such as goals and timetables which would be confidential commercial or financial information because they indicate, and only to the extent that they indicate, that a contractor plans major shifts or changes in his personnel requirements and he has not made this information available to the public. A determination by an agency to withhold this type of information should be made only after receiving verification and a

satisfactory explanation from the contractor that the information should be withheld.

(2) Those portions of affirmative action plans which constitute information on staffing patterns and pay scales but only to the extent that their release would injure the business or financial position of the contractor, would constitute a release of confidential financial information of an employee or would constitute an unwarranted invasion of the privacy of an employee.

(3) The names of individual complainants.

(4) The assignments to particular contractors of named compliance officers if such disclosure would subject the named compliance officers to undue harassment or would affect the efficient enforcement of the Executive order.

(5) Compliance investigation files including the standard compliance review report and related documents, during the course of the review to which they pertain or while enforcement action against the contractor is in progress or contemplated within a reasonable time. Thereafter, these reports and related files shall not be disclosed only to the extent that information contained therein constitutes trade secrets and confidential commercial or financial information, inter-agency or intra-agency memoranda or letters which would not be available by law to a private party in litigation with the agency, personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, data which would be exempt from mandatory disclosure pursuant to the "informants privilege" or such information the disclosure of which is prohibited by statute.

(6) Copies of preemployment selection tests used by contractors.

(b) Other records may be withheld consistent with the Freedom of Information Act on a case-by-case basis, with the prior approval of the Director, OFCC.

**§ 60-40.4 Information disclosure of which is prohibited by law.**

The Standard Form 100 (EEO-1) which is submitted by contractors to the OFCC, a compliance agency or a Joint Reporting Committee servicing both the OFCC and the EEOC shall be disclosed pending further instructions from the Director, OFCC. The statutory prohibition on disclosure set forth in Section 709 (e) of the Civil Rights Act of 1964 is limited by the terms of that section to information obtained pursuant to the authority of title VII of that Act and its disclosure by employees of the EEOC.

**Subpart B—Procedures for Disclosure**

**§ 60-40.5 Applicability of procedures.**

Requests for the inspection and copy of information from records in the custody of the OFCC or the Compliance Agencies which are identifiable and available under the provisions of Subpart A of this part shall be made and acted

upon as provided in the following sections of this subpart. Officers and employees of the OFCC and the Compliance Agencies are authorized by the Director, OFCC to continue to furnish to the public, informally and without compliance with these procedures, information and copies from its records which prior to the enactment of the Freedom of Information Act (5 U.S.C. 552) were customarily furnished in the regular performance of their duties.

**§ 60-40.6 To whom to direct requests.**

A request for contract compliance records or information shall be directed to the Director of Contract Compliance of the agency designated as the appropriate Compliance Agency for the industry to which the records pertain, pursuant to 41 CFR 60-1.3(d). If the person making the request does not know in which Compliance Agency the record is located, he may direct his request to the Director, Office of Federal Contract Compliance, Department of Labor, 14th and Constitution Avenue NW., Washington, DC 20210, for appropriate handling.

**§ 60-40.7 Partial disclosure.**

If a requested record contains some materials which are protected from dis-

closure and other materials which are not so protected, identifying details or protected matters shall be deleted wherever analysis indicates that such deletions are feasible. Whenever such deletions are made, the remainder of the records may be disclosed.

**§ 60-40.8 Facilities and procedures for disclosure.**

(a) Procedural matters such as where the information may be inspected, forms of requests, time for reply to requests, forms of denials, appeals from denials, and fees for special services and copying services, shall be controlled by the general regulations of the custodial agency except to the extent modified herein.

(b) Procedures relating to the availability of records in the custody of the OFCC shall be governed by the Department of Labor regulations, 29 CFR 70.35 to 29 CFR 70.64.

(c) Copies of all requests for disclosure of information made directly to the Compliance Agencies shall be submitted to the OFCC within 5 calendar days of receipt. The compliance agencies shall thereafter allow 5 working days from the time the request is submitted to the OFCC for comment by the OFCC. Delay by the OFCC may be waived at the request of the compliance agency.

(d) The compliance agencies shall furnish the OFCC with copies of all initial actions by the agencies granting or denying a request for information. The OFCC shall be given an opportunity by the Compliance Agencies to consult on all appeals from initial decisions denying requests for information.

Signed at Washington, D.C., this 23rd day of January, 1973.

J. D. HODGSON,  
*Secretary of Labor.*

[FR Doc.73-2081 Filed 2-1-73;8:45 am]

**Title 43—Public Lands: Interior**  
**CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR**  
**APPENDIX—PUBLIC LAND ORDERS**

[Public Land Order 5320]

[Oregon 7308 (Wash.)]

**WASHINGTON**

**Withdrawal for National Forest Rock Pits**

*Correction*

In FR Doc. 72-21284 appearing at page 26519 of the issue for Wednesday, December 13, 1972, the following change should be made: In the description of Snow Creek Rock Pit No. 2907.1-5.5 the figure "26" in the first line should read "28".

# Proposed Rule Making

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

## DEPARTMENT OF JUSTICE

Bureau of Narcotics and Dangerous Drugs  
[ 21 CFR Part 301 ]

### MANUFACTURE OF PANTOPON MIXED ALKALOIDS OF OPIUM

#### Notice of Application

Pursuant to § 301.43 of Title 21 of the Code of Federal Regulations, notice is hereby given that on December 19, 1972, S. B. Penick and Co., 100 Church Street, New York, N.Y., made application to the Bureau of Narcotics and Dangerous Drugs to be registered as a bulk manufacturer of Pantopon, also known as mixed alkaloids of opium, a basic class of narcotic controlled substance listed in Schedule II.

Section 303(a) (1) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. § 32(a) (1)) states:

The Attorney General shall register an applicant to manufacture controlled substances in Schedule I or II if he determines that such registration is consistent with the public interest and with United States obligations under international treaties, conventions, or protocols in effect on the effective date of this part. In determining the public interest, the following factors shall be considered:

(1) Maintenance of effective controls against diversion of particular controlled substances and any controlled substances in Schedule I or II compounded therefrom into other than legitimate medical, scientific, research, or industrial channels, by limiting the importation and bulk manufacture of such controlled substances to a number of establishments which can produce an adequate uninterrupted supply of these substances under adequately competitive conditions for legitimate medical, scientific, research, and industrial purposes;

Any person registered to manufacture Pantopon in bulk may, on or before March 5, 1973, file written comments on or objection to the issuance of the proposed registration, and may, at the same time, file a written request for a hearing on the application (stating with particularity the objections or issues, if any, concerning which the person desires to be heard and a brief summary of his position on those objections or issues).

Comments and objections may be addressed to the Hearing Clerk, Office of Chief Counsel, Bureau of Narcotics and Dangerous Drugs, Room 611, 1405 Eye Street NW., Washington, DC 20537.

Dated: January 24, 1973.

ANDREW C. TARTAGLINO,  
Acting Director, Bureau of Nar-  
cotics and Dangerous Drugs.

[FR Doc. 73-2034 Filed 2-1-73; 8:45 am]

## DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service  
[ 7 CFR Part 52 ]

### CANNED SWEETPOTATOES

#### Proposed Standards for Grades

Notice is hereby given that the U.S. Department of Agriculture is proposing a revision of the U.S. Standards for Grades of Canned Sweetpotatoes<sup>1</sup> (7 CFR 52.2041-52.2060). This grade standard is issued under authority of the Agricultural Marketing Act of 1946 (sec. 205, 60 Stat. 1090, as amended, 7 U.S.C. 1624), which provides for the issuance of official U.S. grades to designate different levels of quality for the voluntary use of producers, buyers, and consumers. Official grading services are also provided under this Act upon request of the applicant and upon payment of a fee to cover the cost of such service.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposal should file the same in duplicate by May 1, 1973, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250. All written submittals made pursuant to this notice will be available for public review at the Office of the Hearing Clerk during regular business hours (7 CFR, 1.27(b)).

*Statement of consideration leading to the proposed revision.* The current U.S. Standards for Grades of Canned Sweetpotatoes have been in effect since 1951. Since that time there have been a number of significant changes in processing and marketing practices which are reflected in this proposal. Certain terms have been added or redefined and allowances provided for uniformity of interpretation and ease of application.

The recommended minimum drained weights—both for an entire sample and for individual containers—are set forth and additional container sizes have been included. The recommended minimum drained weights have been increased.

A procedure for the determination of fill weights—as a supplement to, or in lieu of, drained weights—is permitted and the limits for such weights are provided.

In addition, this proposed revision contains the following major changes from the currently effective standards:

<sup>1</sup> Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or with applicable State laws and regulations.

(1) Includes and defines a new style of "sections";

(2) Presents revised allowances for size and shape variations in tabular form;

(3) Provides for the determination of consistency in "solid-pack" sweetpotatoes only;

(4) Sets forth new and revised definitions of defects and character and includes allowances for each grade in tabular form;

(5) Provides for the color classification and style classification of individual sample units and of a lot; and

(6) Realigns the score points to allow 10 points in each grade and establishes U.S. Grade B, rather than U.S. Grade C as the level of quality below U.S. Grade A. Such alignment conforms with current practice in most U.S. grade standards for processed fruits and vegetables.

#### IDENTITY, COLORS, STYLES, TYPES, GRADES

Sec.  
52.2041 Identity.  
52.2042 Colors.  
52.2043 Styles.  
52.2044 Types of packs.  
52.2045 Grades.

#### LIQUID MEDIA

52.2046 Recommended designations of liquid media and Brix measurement.

#### FILL OF CONTAINER, DRAINED WEIGHTS, FILL WEIGHTS

52.2047 Recommended fill of container.  
52.2048 Recommended minimum drained weights.  
52.2049 Recommended fill weights.

#### FACTORS OF QUALITY

52.2050 Ascertaining the grade of a sample unit.  
52.2051 Ascertaining the rating for the factors which are scored.  
52.2052 Color.  
52.2053 Uniformity of size and shape.  
52.2054 Consistency.  
52.2055 Defects.  
52.2056 Character.

#### LOT COMPLIANCE

52.2057 Ascertaining the grade of a lot.  
52.2058 Designating the color classification of a sample unit and of a lot.  
52.2059 Ascertaining the style of a sample unit and of a lot.

#### SCORE SHEET

52.2060 Score sheet.  
(Secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627)

#### IDENTITY, COLORS, STYLES, TYPES, GRADES

##### § 52.2041 Identity.

Canned sweetpotatoes is the product as defined in the Definitions and Standards of Identity for Canned Vegetables

(21 CFR 51.990), issued pursuant to the Federal Food, Drug, and Cosmetic Act. For the purposes of this subpart, canned sweetpotatoes include the product to which permitted optional flavorings, spices, artificial sweeteners, or garnish ingredients (such as pineapple, orange, or apple components) may be added. Artificial coloring may not be added to canned sweetpotatoes.

§ 52.2042 Colors. (See § 52.2058)

(a) Golden.  
(b) Yellow.  
(c) Mixed. A combination of the aforementioned colors in any proportions in a sample unit.

§ 52.2043 Styles. (See § 52.2059)

(a) "Whole" means that the canned sweetpotatoes have the appearance of being essentially whole, irrespective of size.  
(b) "Halves" or "Halved" means canned sweetpotatoes that have been cut longitudinally into approximate halves.  
(c) "Sections" means canned sweetpotatoes that have been cut transversely into cylindrical units 2 inches or more in length and the length to diameter ratio is not less than 1.5 to 1.

(d) "Pieces," "cuts," or "cut" means canned sweetpotatoes that have been cut into:

(1) Portions of random size and/or shape;

(2) Approximate single or double cube-shaped units; or

(3) Any other form not otherwise defined in this section.

(e) Any combination of two or more of the foregoing styles constitutes a style and shall be considered as a mixture of the individual styles that comprise the combination.

(f) "Mashed" means canned sweetpotatoes that are wholly comminuted or pureed.

§ 52.2044 Types of packs.

(a) Canned sweetpotatoes of the style(s) other than "mashed" described in § 52.2043 may be processed as one of the following types of packs:

(1) *Regular pack*, to which a liquid packing medium is added.

(2) *Vacuum pack*, to which no liquid packing medium is added.

(b) Canned sweetpotatoes of the "mashed" style described in § 52.2043 are processed as:

(1) *Solid-pack*, to which no liquid packing medium is added.

§ 52.2045 Grades.

(a) "U.S. Grade A" or "U.S. Fancy" is the quality of canned sweetpotatoes that have at least the following attributes:

- (1) Good color;
- (2) Reasonably uniform size and shape of the units in the regular-pack or vacuum-pack types;
- (3) Good consistency in the solid-pack type;

- (4) Practically free from defects;
- (5) Good character;
- (6) Good flavor and odor; and
- (7) Score not less than 90 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U.S. Grade B" or "U.S. Extra Standard" is the quality of canned sweetpotatoes that have at least the following attributes:

- (1) Reasonably good color;
- (2) May possess noticeable variation of size and shape of the units in the regular-pack or vacuum-pack types;
- (3) Reasonably good consistency in the solid-pack type;
- (4) Reasonably free from defects;
- (5) Reasonably good character;
- (6) Reasonably good flavor and odor; and

(7) Score not less than 80 points when scored in accordance with the scoring system outlined in this subpart.

(c) "Substandard" is the quality of canned sweetpotatoes that fail to meet the requirements of "U.S. Grade B."

LIQUID MEDIA

§ 52.2046 Recommended designations of liquid media and Brix measurements.

(a) Brix measurement requirements for liquid media in canned sweetpotatoes are not incorporated in the grades of the finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades.

(b) Brix measurements as referenced in this subpart mean the degree of Brix of the liquid media of the equalized product. The recommended designations of liquid packing media and Brix measurement, where applicable, are as follows:

Recommended designation	Brix measurement
Extra heavy sirup---	30° or more.
Heavy sirup-----	25° or more, but less than 30°.
Light sirup-----	18° or more, but less than 25°.
In water-----	Not applicable.
Artificially sweetened..	Do.

(c) (1) The respective density of the packing media is measured on the refractometer, expressed as percent by weight sucrose ("degrees Brix") with correction for temperature to the equivalent at 20° C. (68° F.), but without correction for invert sugar or other substances.

(2) The "Brix" measurement may be made on the packing media only if the sweetpotatoes have been canned for 15 or more days and shall be considered as the "degree of Brix" of the liquid media of the equalized product.

(3) Any "Brix" measurement made on a blended homogenized slurry of the comminuted entire contents of the container shall be considered as the "degree of Brix" of the liquid media of the equalized product.

FILL OF CONTAINER, DRAINED WEIGHTS, FILL WEIGHTS

§ 52.2047 Recommended fill of container.

The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that each container of canned sweetpotatoes be filled with sweetpotatoes as full as practicable without impairment of quality.

§ 52.2048 Recommended minimum drained weight.

(a) *General*. (1) The drained weight recommendations are given in Table I. They are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purposes of these grades.

(2) The recommended minimum drained weights are based on the weight of the sweetpotatoes and other permitted garnish ingredients, if added, after the canned product has been allowed to equalize for 15 or more days after the product has been canned.

(b) *Method for ascertaining drained weight*. (1) The drained weight of canned sweetpotatoes is determined by emptying the sample unit upon a U.S. Standard No. 8 circular sieve of proper diameter containing 8 meshes to the inch (0.0937 inch (2.3 mm.),  $\pm 3$  percent square openings) so as to distribute the product evenly. Without shifting the product, incline the sieve to about a 17° to 20° angle to facilitate drainage and allow to drain for two (2) minutes.

(2) The drained weight is the weight of the sieve and sweetpotatoes less the weight of the dry sieve. A sieve 8 inches in diameter is used for No. 3 cans (404 x 414) and smaller sizes, and a sieve 12 inches in diameter is used for containers larger than the No. 3 size can. The temperature of the packing medium at time of drained weight determination shall be 20° C.  $\pm 10^\circ$  (68° F.  $\pm 18^\circ$ ).

(c) *Compliance with recommended minimum drained weights*. Compliance with the recommended minimum drained weights in Table I is determined by averaging the drained weights from all sample units in the sample which represent a specific lot. Such lot is considered as meeting the recommended minimum drained weight if the following criteria are met:

(1) The sample average (average of all the sample units in the sample) meets the recommended minimum drained weight (designated as "X<sub>d</sub>" in Table I); and

(2) The number of sample units which fail to meet the recommended minimum drained weight for individuals (designated as "LL" in Table I) does not exceed the applicable acceptance number specified in the single sampling plan



contained in the regulations governing inspection and certification of processed fruits and vegetables and related products.

TABLE I.—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR CANNED SWEETPOTATOES

Container size	Regular pack		Vacuum pack	
	LL <sup>1</sup>	$\bar{X}_4^2$	LL <sup>1</sup>	$\bar{X}_4^2$
	Ounces	Ounces	Ounces	Ounces
SZ tall	4.9	5.6		
No. 303	10.3	11.2		
No. 3 squat	15.0	16.1	17.7	19.0
No. 2½	18.1	19.4		
No. 2½ tall	24.2	25.7		
No. 3 cylinder	34.7	36.6		
No. 10	75.6	77.8		

<sup>1</sup> "LL" means the minimum drained weight for individual sample units.

<sup>2</sup> " $\bar{X}_4$ " means the minimum average drained weights from all the sample units in the sample.

§ 52.2049 Recommended fill weights.

(a) *General.* Minimum fill weight recommendations for canned sweetpotatoes are given in Table II. They are not incorporated in the grades of the finished product since fill weight, as such, is not a factor of quality for the purposes of these grades.

(b) *Definitions of terms and symbols.* "Sample unit" for the determination of fill weights means the entire amount of prepared sweetpotatoes and other ingredients, if any, in a container, exclusive of any packing medium, prior to cooking.

"Subgroup" means a group of sample units representing a portion of a sample.  $\bar{X}_{min}$  means the specified minimum lot average fill weight.

LWL<sub>g</sub> means the lower warning limit for subgroup averages.

LRL<sub>g</sub> means the lower reject limit for subgroup averages.

LWL means the lower warning limit for individual fill weight measurements.

LRL means the lower reject limit for individual fill weight measurements.

$\bar{R}$  means a specified average range value.

$R_{max}$  means a specified maximum range for a subgroup.

"Sampling allowance" is the amount that the sample quantity may deviate from the lot quantity due solely to the fact that only a portion has been taken from the whole lot.

(c) *Subgroup size.* The subgroup size for the determination of fill weights shall be five sample units.

(d) *Sampling frequency.* The sampling frequency for the determination of fill weights shall be at least one subgroup per code approximately every 50 minutes.

(e) *Ascertaining fill weights and determining compliance.* The determination of, and compliance with, the recommended fill weights for canned sweetpotatoes shall be in accordance with the U.S. Department of Agriculture's "Variables Control Chart Plan" and "Instructions for Adaptation of Variables Control Chart Plan to Fill Weights," as applicable to canned fruits and vegetables.

TABLE II.—RECOMMENDED FILL WEIGHT VALUES FOR CANNED SWEETPOTATOES

Container size	Regular pack							Sampling allowance code
	$\bar{X}_{min}$	LWL <sub>g</sub>	LRL <sub>g</sub>	LWL	LRL	$\bar{R}$	$R_{max}$	
	Ounces	Ounces	Ounces	Ounces	Ounces	Ounces	Ounces	
SZ tall	5.4	4.9	4.7	4.4	3.9	1.2	2.5	I
No. 303	10.5	9.9	9.5	9.1	8.4	1.6	3.4	M
No. 3 squat	15.2	14.5	14.1	13.6	12.8	1.9	3.9	O
No. 2½	18.7	17.8	17.3	16.7	15.7	2.3	4.9	S
No. 2½ tall	25.0	23.9	23.4	22.6	21.4	2.8	5.9	U
No. 3 cylinder	34.0	32.7	32.1	31.2	29.8	3.3	6.9	W
No. 10	75.0	73.5	72.7	71.6	69.9	4.0	8.4	Z
	Vacuum pack							
No. 3 squat	19.0	17.9	17.4	16.6	15.4	2.8	5.9	U
	Solid pack							
No. 303	18.0	17.6	17.4	17.2	16.8	0.9	2.0	G
No. 3 cylinder	53.6	52.9	52.5	52.0	51.2	1.9	3.9	O
No. 10	110.4	109.1	108.4	107.4	105.9	3.5	7.4	X

FACTORS OF QUALITY

§ 52.2050 Ascertaining the grade of a sample unit.

(a) *General.* The grade of a sample unit of canned sweetpotatoes is ascertained by considering the factor of flavor and odor which is not scored; the ratings for the factors of color, size and shape or consistency, defects, and character, which are scored; the total score; and the limiting rules which apply.

(d) *Definition of a sample unit.* A sample unit as applied to the ascertaining of the grade and to the evaluation of quality factors shall consist of the entire contents of one container, irrespective of size.

(c) *Definition of a sample.* Any number of sample units used for the evaluation of the factors of quality as outlined in this subpart.

(d) *Definition of flavor and odor.* (1) "Good flavor and odor" means a good, distinctive flavor and odor which is characteristic of properly prepared and properly processed sweetpotatoes (including any packing medium or added garnish ingredients) that are free from objectionable flavors or objectionable odors of any kind.

(2) "Reasonably good flavor and odor" means that the processed sweetpotatoes (including any packing medium or added garnish ingredients) may be lacking in good flavor and odor but are free from objectionable flavors or objectionable odors of any kind.

(e) *Factors rated by score points.* The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given each factor is:

Factors	Points
Color	30
Size and shape or consistency	20
Defects	30
Character	20
Total score	100

§ 52.2051 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described

that a value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means 18, 19, or 20 points).

§ 52.2052 Color.

(a) *Evaluation of color.* The evaluation of color of canned sweetpotatoes is made as quickly as possible after opening the container. The evaluation of color is based on the degree of brightness, intensity of color, degree of uniformity, and whether the sample unit is of a single color or mixed colors.

(b) *Visual aids.* Models illustrative of the "yellow" or "golden" color classification are available for review at USDA Processed Products Inspection Offices. Information regarding the location of such offices is available upon request from:

Chief, Processed Products Standardization and Inspection Branch  
Fruit and Vegetable Division, AMS  
U.S. Department of Agriculture  
Washington, D.C. 20250

(c) (A) *classification.* Canned sweetpotatoes that have a good color may be given a score of 27 to 30 points. "Good color" means a typical, bright color characteristic of either a yellow or golden—but not both—variety of sweetpotato. There may be moderate variations of such characteristic color throughout the sweetpotato units, within a single sweetpotato unit, or within the mass.

(d) (B) *classification.* Canned sweetpotatoes that have a reasonably good color may be given a score of 24 to 26 points. Canned sweetpotatoes that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good color" means that both golden and yellow varieties may be present in any amount in a sample unit and the following conditions, singly or in combination, may be present, but not to the degree that the appearance of the product is seriously affected:

(1) More than moderate variability throughout the sweetpotato units, within a single sweetpotato unit, or within a mass;

(2) Slight oxidation;

(3) Unit(s) having a distinct green external surface;

(4) Slightly dull, but not "off-color" unit(s) or mass; or

(5) Any condition which adversely affects the color of the sample unit.

(e) (*SStd*) classification. Canned sweetpotatoes that fail to meet the requirements of U.S. Grade B shall be given a score of 0 to 23 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule).

#### § 52.2053 Uniformity of size and shape.

(a) (*A*) classification. Canned sweetpotatoes of the "vacuum pack" or "regular pack" types that are practically uni-

form in size and shape may be given a score of 18 to 20 points. "Practically uniform in size and shape" means that a sample unit of canned sweetpotatoes does not exceed the allowances specified in table III, as applicable.

(b) (*B*) classification. Canned sweetpotatoes of the "vacuum pack" or "regular pack" types that are reasonably uniform in size and shape may be given a score of 16 or 17 points. "Reasonably uniform in size and shape" means that a sample unit of canned sweetpotatoes does not exceed the allowances specified in table III, as applicable.

(c) (*SStd*) classification. Canned sweetpotatoes of the "vacuum pack" or "regular pack" types that fail to meet the requirements of U.S. Grade B shall be given a score of 0 to 15 points and shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a partial limiting rule).

TABLE III.—ALLOWANCES FOR SIZE AND SHAPE VARIATIONS OF CANNED SWEETPOTATOES

Grade	Shape variation within a sample unit (applies to a single style only)	Size variation within a sample unit (single style or mixtures of styles)	
		When largest sweetpotato unit weighs 1½ oz. or less	When any sweetpotato unit weighs more than 1½ oz.
A	May vary moderately.....	Maximum allowable weight ratio of largest to smallest sweetpotato unit	
B	May vary materially.....	3:1	2:1
<i>SStd</i> <sup>1</sup>	May vary considerably.....	4:1	3:1
		Falls requirements for U.S. Grade B	

<sup>1</sup> Limited to no higher than Grade B.

#### § 52.2054 Consistency.

"Consistency" refers to the firmness of the sweetpotatoes and the tendency to resist flow characteristics and separation of free liquor. Consistency is evaluated by emptying the contents of the container on a tray and noting the characteristics of the mass as a whole including slicing with a spatula.

(a) (*A*) classification. Canned sweetpotatoes of the "solidpack" type that have a good consistency may be given a score of 18 to 20 points. "Good consistency" means that the sweetpotatoes as a mass are sufficiently firm to retain the general shape of the container with no more than slight settling, are not tough or rubbery, are not dry and may show no more than a slight separation of free liquid after 2 minutes.

(b) (*B*) classification. Canned sweetpotatoes of the "solidpack" type that have a reasonably good consistency may be given a score of 16 or 17 points. Canned sweetpotatoes that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good consistency" means that the sweetpotatoes are:

(1) Sufficiently soft so as not to retain the general shape of the container, but may not be free flowing; or

(2) Dry, tough, rubbery, or very firm, but not very dry or hard. There may be

moderate separation of free liquid after 2 minutes.

(c) (*SStd*) classification. Canned sweetpotatoes of the "solid-pack" type that fail to meet the requirements of U.S. Grade B shall be given a score of 0 to 15 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule).

#### § 52.2055 Defects.

(a) *General*. The factor of defects concerns the degree of freedom from defects as defined in paragraph (b) of this section or from any other defects present which detract from the appearance or edibility of the product.

(b) *Definitions and kinds of defects*.

(1) "Insignificant imperfections" refer to units with very slight abnormalities, scars, discolorations, or any other imperfections which may affect the appearance slightly but which do not affect the edibility of the unit.

(2) "Blemished unit" means any sweetpotato unit that has, singly or in the aggregate, darkened surface areas or definite abnormalities on or within the unit which materially affect the appearance of the sweetpotato unit.

(3) "Seriously blemished unit" means any sweetpotato unit that has, singly or in the aggregate, darkened surface areas or definite abnormalities on or within

the unit which seriously affect the appearance and/or edibility of the sweetpotato unit.

(4) "Secondary rootlets" longer than one (1) inch are scoreable. "Secondary rootlets" of one (1) inch or less in length are individually regarded as insignificant but when considered collectively are scoreable as defects if the overall appearance and/or edibility of the product is affected.

(5) "Untrimmed fibrous ends" are the end portions of sweetpotatoes which have noticeable external fibers.

(6) "Pitted" sweetpotatoes are those units which have external pockmarks to the degree that the appearance is materially affected.

(7) "Pathological or insect injury" refers to obvious pathological or insect damage on or in any sweetpotato unit which affects the appearance or edibility of the unit.

(8) "Sand, grit, or silt" means any kind of fine earthy material.

(9) "Peel" means the skin of the sweetpotato.

(10) "Harmless plant material" means harmless plant material which is part of the sweetpotato plant (such as leaves, stems, or roots) or other succulent material from indigenous plants and which is harmless.

(c) (*A*) classification. Canned sweetpotatoes that are practically free from defects may be given a score of 27 to 30 points. "Practically free from defects" means that:

(1) All defects present, whether or not specifically defined or listed in this section, do not materially detract from the appearance or edibility of the product; and

(2) The defects that may be present in a sample unit and in the sample do not exceed the allowances specified in tables IV or VI, as applicable.

(d) (*B*) classification. Canned sweetpotatoes that are reasonably free from defects may be given a score of 24 to 26 points. Canned sweetpotatoes that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that:

(1) All defects present, whether or not specifically defined or listed in this section, do not seriously detract from the appearance or edibility of the product; and

(2) The defects that may be present in a sample unit and in the sample do not exceed the allowances specified in tables V or VI, as applicable.

(e) (*SStd*) classification. Canned sweetpotatoes that fail to meet the requirements of U.S. Grade B shall be given a score of 0 to 23 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule).

TABLE IV.—ALLOWANCES FOR DEFECTS IN CANNED SWEETPOTATOES

Defects	Of the "vacuum pack" type or "regular pack" type only	
	U.S. Grade A Maximum—Per sample unit	U.S. Grade A Maximum—Sample average
Blemished and seriously blemished sweetpotato units—total.	15 percent, by count, but not more than 5 percent, by count, or 1 sweetpotato unit, whichever is greater, may be seriously blemished.	8 percent, by count, but not more than 2 percent, by count, may be seriously blemished.
Insignificant imperfections; untrimmed fibrous ends; secondary rootlets of 1 inch or less in length.	Accumulative effect—does not materially detract from the appearance of the product.	Not applicable.
Unit(s) with 1 or more secondary rootlets longer than 1 inch.	15 percent, by count.	5 percent, by count.
Harmless plant material.	1 piece.	1 piece per 120 ounces of total contents.
Peel—per pound of total contents.	1/4 square inch.	1/4 square inch.
"Pitted" sweetpotato units.	15 percent, by count.	5 percent, by count.
Unit(s) affected by obvious pathological or insect injury.	1.	1 percent, by count.
Soft, grit, or salt.	None.	Not applicable.
TOTAL—All defects specified above and/or any other defects.	Accumulative effect—Does not materially detract from the appearance and/or edibility of the product.	Not applicable.

TABLE V.—ALLOWANCES FOR DEFECTS IN CANNED SWEETPOTATOES

Defects	Of the "vacuum pack" type or "regular pack" type only	
	U.S. Grade B Maximum—Per sample unit	U.S. Grade B Maximum—Sample average
Blemished and seriously blemished sweetpotato units—total.	30 percent, by count, but not more than 10 percent, by count, or 2 sweetpotato units, whichever is greater, may be seriously blemished.	15 percent, by count, but not more than 4 percent, by count, may be seriously blemished.
Insignificant imperfections; untrimmed fibrous ends; secondary rootlets of 1 inch or less in length.	Accumulative effect—does not seriously detract from the appearance of the product.	Not applicable.
Unit(s) with 1 or more secondary rootlets longer than 1 inch.	25 percent, by count.	10 percent, by count.
Harmless plant material.	3 pieces.	1 piece per 60 ounces of total contents.
Peel—per pound of total contents.	1 square inch.	1/4 square inch.
"Pitted" sweetpotato units.	100 percent, by count.	25 percent, by count.
Unit(s) affected by obvious pathological or insect injury.	2.	2 percent, by count.
Soft, grit, or salt.	Trace.	Not applicable.
TOTAL—All defects specified above and/or any other defects.	Accumulative effect—does not seriously detract from the appearance and/or edibility of the product.	Not applicable.

TABLE VI.—ALLOWANCES FOR DEFECTS IN CANNED SWEETPOTATOES

Defects	"Solid pack" type only	
	U.S. Grade A Maximum—per sample unit	U.S. Grade A Maximum—entire sample
Total of all defects present.	Accumulative effect—does not materially detract from the appearance and/or edibility of the product.	The appearance and/or edibility of the product may be affected only to a very slight degree.
	U.S. Grade B Maximum—per sample unit	U.S. Grade B Maximum—entire sample
Total of all defects present.	Accumulative effect—does not seriously detract from the appearance and/or edibility of the product.	The appearance and/or edibility of the product may be affected only to a moderate degree.

§ 52.2056 Character.

(a) *General.* The factor of character refers to the texture and condition of the flesh, the degree of freedom from internal tough or internal coarse fibers, the tenderness of the sweetpotatoes, and the tendency of sweetpotatoes packed in "regular pack" or as "vacuum pack" to retain their apparent original conformation.

(b) *Definition of terms.* For the purposes of evaluating character, the following definitions apply:

(1) "Internal tough" or "internal coarse" fibers means tough, stringy or fibrous material which does not disintegrate easily upon chewing.

(2) "Firm" are those individual sweetpotato units which, either externally or internally, are slightly grainy and/or possess a somewhat stiff, yet yielding texture.

(3) "Very firm" are those individual sweetpotato units which, either externally or internally, are noticeably grainy or have a hardened texture similar to that of an uncooked sweetpotato.

(4) "Soft" are those individual sweetpotato units which are tender but are not approaching disintegration.

(5) "Very soft" are those individual sweetpotato units which show slight to partial disintegration of the sweetpotato unit and a major portion of which is soft and yielding.

(6) "Mushy" sweetpotatoes are those which have materially or completely disintegrated into small pieces or puree-like consistency. The portions have lost their identity as an individual sweetpotato unit and there is a pulpy and/or pasty texture.

(7) "Broken" sweetpotato units are those which have been broken into pieces, or are noticeably crumbly, but are not soft nor mushy.

(c) (A) *classification.* Canned sweetpotatoes that have a good character may be given a score of 18 to 20 points. "Good character" has the following meanings with respect to the following types of packs:

(1) "Vacuum pack" or "regular pack". "Good character" means the sweetpotato units have a uniformly smooth texture, are practically free from internal tough or internal coarse fibers, may be slightly variable in tenderness but hold their apparent original conformation, and do not exceed the allowances in Table VII.

(2) "Solid-pack". "Good character" means that the mass has a smooth texture and that the product is practically free from tough or coarse fibers.

(d) (B) *classification.* Canned sweetpotatoes that have a reasonably good character may be given a score of 16 or 17 points. Canned sweetpotatoes that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" has the following meanings with respect to the following types of packs:

(1) "Vacuum pack" or "regular pack". "Reasonably good character" means that the sweetpotato units have a reasonably uniform smooth texture, are substantially free from internal tough or internal coarse fibers, may be variable in tenderness, may be very soft to very firm but hold their apparent original conformation, and do not exceed the allowances in Table VII.

(2) "Solid-pack". "Reasonably good character" means that the mass has a reasonably smooth texture which may be slightly grainy, and that the product is substantially free from tough or coarse fibers.

(e) (SStd) *classification.* Canned sweetpotatoes that fail to meet the requirements of U.S. Grade B shall be given a score of 0 to 15 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

TABLE VII.—ALLOWANCES FOR CLASSIFICATION OF CHARACTER IN CANNED SWEETPOTATOES

Character classification	"Regular pack" or "vacuum pack" types only—maximum percent per sample unit—by count	
	U.S. Grade A	U.S. Grade B
"Soft" to "firm".....	100 percent.....	100 percent.....
"Mushy".....	2 percent, or 1 sweetpotato unit, whichever is greater.	10 percent, or 2 sweetpotato units, whichever is greater.
"Tough" or "coarse" fibers.....	2 percent, or 1 sweetpotato unit, whichever is greater.	5 percent, or 1 sweetpotato unit, whichever is greater.
"Very soft"; and "very firm"; and "broken".....	Total—10 percent, or 1 sweetpotato unit, whichever is greater.	Total—100 percent.
But not more than		
Limitation for: "Broken".....	5 percent, or 1 sweetpotato unit, whichever is greater.	10 percent, or 2 sweetpotato units, whichever is greater.
or		
"Very firm".....	5 percent, or 1 sweetpotato unit, whichever is greater.	10 percent, or 2 sweetpotato units, whichever is greater.
or		
Any combination of "broken" and "very firm".....	5 percent, or 1 sweetpotato unit, whichever is greater.	10 percent, or 2 sweetpotato units, whichever is greater.

## LOT COMPLIANCE

## § 52.2057 Ascertaining the grade of a lot.

The grade of a lot of canned sweetpotatoes covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Products (§§ 52.1 through 52.87).

## § 52.2058 Designating the color classification of a sample unit and of a lot.

(a) For the purposes of this subpart, the color of each sample unit of canned sweetpotatoes is designated as "yellow", "golden", or "mixed". "Mixed color" is given to any sample unit containing both "golden" and "yellow" sweetpotatoes in any proportion.

(b) A lot of canned sweetpotatoes in which all of the sample units are of the same color classification shall be designated as "golden", or "yellow", or "mixed", as appropriate.

(c) A lot of canned sweetpotatoes in which all of the sample units are not of the same color classification shall be designated in terms of the number of sample units of each color classification present in the sample.

## § 52.2059 Ascertaining the style of a sample unit and of a lot.

(a) This section applies to the "vacuum pack" and "regular pack" types only.

(b) A sample unit of canned sweetpotatoes is considered as a single style when the limits specified in Table VIII, as applicable, are met.

(c) A sample unit of canned sweetpotatoes which fails the limits set forth in Table VIII shall be considered as a mixture of the styles present in the sample unit.

(d) A lot of canned sweetpotatoes shall be assigned a single style designation when all of the sample units representing the lot meet the requirements of one single style.

(e) A lot of canned sweetpotatoes which fails the requirements for a single style classification shall be designated in terms of the styles present in the individual sample units.

TABLE VIII.—ALLOWANCES FOR SINGLE STYLE CLASSIFICATION IN A SAMPLE UNIT OF CANNED SWEETPOTATOES

Style classification	Minimum percentage, by count, of specified style contained in each sample unit
Whole.....	90
Halved; halves.....	90
Sections.....	80
Pieces; cuts; cut.....	80

## SCORE SHEET

## § 52.2060 Score sheet.

Size and kind of container.....	.....
Container marks or identification.....	.....
Label.....	.....
Net weight (ounces).....	.....
Vacuum (inches).....	.....
Drained weight (ounces).....	.....
Brix measurement (syrup, regular pack only).....	.....
Syrup designation (light, heavy, extra heavy).....	.....
Color (yellow, golden, or mixed).....	.....
Type of pack (regular, vacuum, solid).....	.....
Style (whole, halves, etc.).....	.....
Count.....	.....

Factors	Score points
Color.....	(A) 27-30
	(B) 24-26
	(SStd) 10-23
Size and shape or consistency.....	(A) 18-20
	(B) 16-17
	(SStd) 12-15
Defects.....	(A) 27-30
	(B) 24-26
	(SStd) 10-23
Character.....	(A) 18-20
	(B) 16-17
	(SStd) 10-15
Total score.....	100

Flavor and odor (A—"good"; B—"reasonably good"; SStd—"Off").....

Grade.....

<sup>1</sup> Indicates limiting rule.  
<sup>2</sup> Indicates partial limiting rule for size and shape only.

Dated: January 26, 1973.

E. L. PETERSON,  
Administrator,  
Agricultural Marketing Service.

[FR Doc.73-1894 Filed 2-1-73; 8:55 am]

DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE

Social and Rehabilitation Service

[45 CFR Part 233]

## COVERAGE AND CONDITIONS OF ELIGIBILITY IN FINANCIAL ASSISTANCE PROGRAMS

Dependent Children of Unemployed Fathers; Extension of Comment Period

Notice was given on January 3, 1973 (38 FR 49), of proposed regulations, in

alternate form, which provide a Federal definition of unemployed father under the AFDC program. The notice stated that a period of 30 days from the date of publication of the notice was given for comments.

Due to the widespread interest in the proposed regulations since publication of the original notice, the Department has determined that the time for making comments should be extended until March 5, 1973. Accordingly, any comments, suggestions, or objections may be submitted within that time in writing to the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, DC 20201. Comments received will be available for public inspection in Room 5121 of the Department's offices at 301 C Street SW., Washington, DC, on Monday through Friday of each week from 8:30 to 5 p.m. (area code 202-963-7361).

Dated: January 31, 1973.

JOHN D. TWINAME,  
Administrator,  
Social and Rehabilitation Service.

Approved: January 31, 1973.

FRANK CARLUCCI,  
Acting Secretary.

[FR Doc.73-2171 Filed 2-1-73; 9:53 am]

DEPARTMENT OF  
TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 73-SW-4]

## TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter controlled airspace in the Fort Smith, Ark., terminal area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, TX 76101. All communications received on or before March 5, 1973, 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 Chief, Airspace and Procedures Branch. 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.

The official docket will be available for examination by interested persons at the

Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as herein-after set forth.

In § 71.181 (38 FR 435), the Fort Smith, Ark., transition area is amended by adding after "20 miles southwest of the VORTAC," "within 3.5 miles each side of the VORTAC 119°T (112°M) radial extending from the VORTAC to 11.5 miles southeast of the VORTAC."

The extension of the transition area is to provide additional controlled airspace for a proposed instrument approach procedure to the Twin City Airport, Van Buren, Ark.

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

Issued in Fort Worth, Tex., on January 23, 1973.

R. V. REYNOLDS,  
Acting Director, Southwest Region.  
[FR Doc.73-2004 Filed 2-1-73;8:45 am]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 73-SW-5]

#### TRANSITION AREA

##### Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to designate a 700-foot transition area at Henryetta, Okla.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, TX 76101. All communications received on or before March 5, 1973, 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 Chief, Airspace and Procedures Branch. 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.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as herein-after set forth.

In § 71.181 (38 FR 435), the following transition area is added:

#### HENRYETTA, OKLA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Henryetta Municipal Airport (latitude 35°24'40" N., longitude 96°00'50" W.), and within 3.5 miles each side of the 186°T (178°M) bearing from the Henryetta RBN extending from the 5-mile radius area to 8.5 miles south of the RBN.

The proposed transition area will provide controlled airspace for aircraft executing approach/departure procedures proposed at the Henryetta, Okla., Municipal Airport.

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

Issued in Fort Worth, Tex., on January 23, 1973.

R. V. REYNOLDS,  
Acting Director, Southwest Region.  
[FR Doc.73-2005 Filed 2-1-73;8:45 am]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 73-WE-4]

#### CONTROL ZONE

##### Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would establish a new control zone at Livermore Municipal Airport, Livermore, Calif.

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, Airspace and Procedures Branch, Federal Aviation Administration, 5651 West Manchester Boulevard, Post Office Box 92007, Worldway Postal Center, Los Angeles, CA 90009. All communications received on or before March 5, 1973, 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, Federal Aviation Administration, 5651 West Manchester Boulevard, Los Angeles, CA 90045.

An Air Traffic Control Tower will be commissioned at Livermore Municipal Airport on or about April 26, 1973. In

order to provide for VFR and Special VFR operations, a 3-mile radius control zone is proposed.

In consideration of the foregoing, the FAA proposes the following airspace action.

In § 71.181 (38 FR 351) the following control zone is added.

#### LIVERMORE, CALIF.

Within a 3-mile radius of Livermore Municipal Airport (latitude 37°41'38" N., longitude 121°49'02" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continually published in the Airman's Information Manual.

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

Issued in Los Angeles, Calif., on January 19, 1973.

ROBERT O. BLANCHARD,  
Acting Director, Western Region.  
[FR Doc.73-2003 Filed 2-1-73;8:45 am]

#### National Highway Traffic Safety Administration

#### [ 49 CFR Part 571 ]

[Docket No. 69-19; Notice 4]

#### LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

##### Proposed Motor Vehicle Safety Standard; Correction

The purpose of this notice is to correct the notice of a proposed revision of Standard No. 108, Lamps, Reflective Devices, and Associated Equipment, published on October 25, 1972 (Docket No. 69-19, Notice 3, 37 FR 22801).

Paragraph S8.13 of the notice, which proposed various relationships between the mounting heights of Type 1 through Type 8 headlamps, did not specify a maximum and minimum mounting height for headlamps. The paragraph is being amended to propose a maximum height of 54 inches from the ground and a minimum height of 24 inches, identical to the current requirements.

Paragraph S7.2 erred in referring to "paragraphs 3.4 and 4.2" instead of "paragraphs 3.4 and 4.2". The proper identifying date in Schedule II and for the SAE Standard applicable to intermediate side reflex reflectors should be "March 1970", not "December 1970".

Footnote 1 in Schedule I, II, and III specifies that the height of a lamp or reflector above the road surface is "Measured from center of item on vehicle at curb weight". The NHTSA adopted a definition of "unloaded vehicle weight" in February 1971 (36 FR 2511) that it finds more suitable for this purpose than curb weight, and is changing Footnote 1 to use "unloaded vehicle weight."

In consideration of the foregoing, the proposal to amend 49 CFR 571.108, Motor Vehicle Safety Standard No. 108, published on October 25, 1972 (37 FR 22801), is revised as follows:

1. In paragraph S7.2 the last two lines are changed to read "meet the requirements of paragraphs 3.4 and 4.2 of SAE J576c".

2. The following sentence is added at the end of paragraph S8.13:

"The geometric center of each activated headlamp shall be not less than 24 inches nor more than 54 inches from the road surface measured with the vehicle at unloaded vehicle weight."

3. In Schedules I, II, and III, the words "curb weight" are changed to "unloaded vehicle weight".

(Secs. 103, 119, Public Law 89-563, 80 Stat. 718, 15 U.S.C. 1392, 1407; delegations of authority at 49 CFR 501.8, 1.51)

Issued on January 26, 1973.

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

[FR Doc. 73-2025 Filed 2-1-73; 8:45 am]

## COST OF LIVING COUNCIL

[ 6 CFR Part 130 ]

### HOME-HEATING OIL PRICE INCREASES

#### Notice of Public Hearing

Notice is hereby given that the Cost of Living Council will hold a public hearing beginning at 9:30 a.m., Wednesday, February 7, 1973, at the General Services Administration Auditorium, 18th and F Streets NW., Washington, D.C., to receive information and the views of interested persons on appropriate pricing policies for home-heating oil with special emphasis on price increases for home-heating oil recently effected by major producers. Further information regarding these price increases may be obtained at the Public Reference Facility of the Cost of Living Council, Room 2313, 2000 M Street NW., Washington, DC, between the hours of 8:30 a.m. and 5:30 p.m., Monday through Friday.

The public hearing hereby scheduled will be conducted under the authority of section 207 of the Economic Stabilization Act of 1970 which requires that, to the maximum extent possible, formal hearings be conducted for the purpose of acquiring information bearing on a change or a proposed change in prices which have or may have a significantly large impact upon the national economy.

Any person who has a substantial interest in the subject of the hearing, or who is a representative of a group or class of persons which has substantial interest in the subject of the hearing, may submit, on or before 12 noon, February 5, 1973, a written request to make an oral presentation. Any such written request should include a description of the substantial interest concerned; if appropriate, a statement of why the requesting person is a proper representative of a group or class of persons which has such an interest; and a concise

summary of the proposed oral presentation and a phone number where the requesting party may be contacted on February 6. Oral requests should be made by calling 202-254-8610. Oral presentations may be supplemented by written submissions filed with the Council not later than February 15, 1973.

The Council reserves the right to select the persons to be heard at the hearing, to schedule their respective presentations, and to establish the procedures governing the conduct of the hearing. Each presentation may be limited, based on the number of persons requesting to be heard. In addition, the Council, requests all other interested persons to submit written suggestions and comments on the subject for Council consideration not later than February 15, 1973.

All written submissions and written requests to make an oral presentation should be sent to Oil Hearings, Executive Secretariat, Cost of Living Council, 2000 M Street NW., Washington, DC 20508.

Any information or data considered by the person furnishing it to be confidential must be submitted in writing, one copy only, before the person's scheduled appearance, or by February 15, 1973, as applicable. The Cost of Living Council reserves the right to determine the confidential status of the information or data and to treat it accordingly.

The hearing will be an informal one. A Cost of Living Council official will be designated to preside. 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 Council with respect to the subject matter of the hearing will be based on all information available to the Council, from whatever source received, and will not be based solely on the record of the hearing. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and may not exceed 10 minutes each.

Any interested person may submit questions, to be asked of any person making a statement at the hearing, before February 6, 1973. Any person who makes an oral statement and who wishes to ask a question at the hearing may submit the question, in writing, to the presiding officer. The Council, 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 needed 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 re-

tained by the Council and made available for inspection at the Public Reference Facility of the Council, Room 2313, 2000 M Street NW., Washington, DC, between the hours of 8:30 a.m. and 5:30 p.m., Monday through Friday. Anyone may buy a copy of the transcript from the reporter.

Issued in Washington, D.C., on January 31, 1973.

JAMES W. McLANE,  
Deputy Director.

[FR Doc. 73-2175 Filed 2-1-73; 11:02 am]

## VETERANS ADMINISTRATION

[ 38 CFR Part 3 ]

### DEFINITION OF "WIFE" AND "WIDOW"

#### Notice of Proposed Rule Making

Public Law 92-540, enacted October 24, 1972, changed the definition of the term "wife" and "widow" in 38 U.S.C. 102(b) to include any husband or widower of a female veteran. Previously the term "wife" or "widow" included the husband or widower of a female veteran only if such individual was permanently incapable of self-support due to mental or physical disability. To implement this provision of the law it is proposed to amend Part 3, Title 38, Code of Federal Regulations as set forth below.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (322H), Veterans Administration, Central Office, 810 Vermont Avenue, NW., Washington, DC 20420. All relevant material received before March 5, 1973, will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in Room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and will be furnished the address and the above room number.

Notice is also given that it is proposed to make these regulatory changes effective October 24, 1972.

1. In § 3.807, paragraph (d) is amended to read as follows:

§ 3.807 Dependents' educational assistance; certification.

For the purposes of dependents' educational assistance under 38 U.S.C. ch. 35 (see § 21.3020 of this chapter), the child, wife or widow of a veteran will have basic eligibility if the following conditions are met:

(d) Relationship. (1) "Child" means the son or daughter of a veteran who

meets the requirements of § 3.57, except as to age and marital status.

(2) "Wife" means a person whose marriage to the veteran meets the requirements of § 3.50(a). A husband is included.

(3) "Widow" means a person whose marriage to the veteran meets the re-

quirements of § 3.50(b) or 3.52. A widower is included.

2. Immediately following § 3.807, the cross references are amended to read as follows:

CROSS REFERENCES: Husband or widower. See § 3.51. Discontinuance. See § 3.503(h).

Election: concurrent benefits. See § 3.707. Nonduplication. See § 21.3023 of this chapter.

Approved: January 29, 1973.

By direction of the Administrator.

FRED B. RHODES,  
Deputy Administrator.

[FR Doc.73-2040 Filed 2-1-73;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

### Office of the Secretary

[Public Notice 377; Delegation of Authority 126]

### UNDER SECRETARY OF STATE FOR POLITICAL AFFAIRS, ET AL.

#### Delegation of Authority To Act as Secretary of State

By virtue of the authority vested in me by section 4 of the Act of May 26, 1949 (63 Stat. 111; 22 U.S.C. 2658), as amended, and in accordance with Executive Order 10839 (24 FR 7939), during my absence and the absence of the Deputy Secretary of State, I hereby delegate all duties, functions and responsibilities vested in me as Secretary of State or as head of the Department of State to the Under Secretary of State for Political Affairs, or if he be absent or there is a vacancy in this position, to the Under Secretary of State for Economic Affairs, or if both of these be absent or there be a vacancy in both positions, or any combination of absence or vacancy in both positions, to the Under Secretary of State for Coordinating Security Assistance Programs.

This delegation of authority shall be effective on February 2, 1973.

[SEAL] WILLIAM P. ROGERS,  
Secretary of State.

JANUARY 15, 1973.

[FR Doc.73-2013 Filed 2-1-73;8:45 am]

## DEPARTMENT OF THE TREASURY

### Office of the Secretary

### STAINLESS STEEL PLATE FROM SWEDEN

#### Withholding of Appraisal Notice

JANUARY 31, 1973.

Information was received on April 25, 1972, that stainless steel plate from Sweden was being sold at less than fair value within the meaning of the Anti-dumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of May 26, 1972, on page 10675. The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), notice is hereby given that there are reasonable grounds to believe or suspect that the purchase price (section 203 of the Act; 19 U.S.C. 162) of stainless steel plate from Sweden is less,

or is likely to be less, than the foreign market value (section 205 of the Act; 19 U.S.C. 164).

Customs officers are being directed to withhold appraisement of stainless steel plate from Sweden in accordance with § 153.48, Customs regulations (19 CFR 153.48).

In accordance with §§ 153.32(b) and 153.37, Customs regulations (19 CFR 153.32(b), 153.37), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, DC 20229, in time to be received by his office not later than February 9, 1973. Such requests must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than February 16, 1973.

This notice, which is published pursuant to § 153.34(a), Customs regulations (19 CFR 153.34(a)), shall become effective on February 2, 1973. It shall cease to be effective on May 2, 1973, unless previously revoked.

[SEAL] EDWARD L. MORGAN,  
Assistant Secretary of the Treasury.

[FR Doc.73-2133 Filed 2-1-73;8:45 am]

### STAINLESS STEEL PLATE FROM SWEDEN

#### Determination of Sales at Less Than Fair Value

JANUARY 31, 1973.

Information was received on April 25, 1972, that stainless steel plate from Sweden is being sold at less than fair value within the meaning of the Anti-dumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act").

A "Withholding of Appraisal Notice" issued by the Secretary of the Treasury is being published concurrently with this notice.

I hereby determine that, for the reasons stated below, stainless steel plate from Sweden is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

Statement of reasons on which this determination is based. The information currently before the Bureau of Customs indicates that the proper basis of com-

parison for fair value purposes is between purchase price or exporter's sales price, as appropriate, and home market price.

Purchase price was calculated by deducting from the c.i.f. delivered price to the United States or f.o.b. Swedish port of export the included ocean freight, marine insurance, and inland freight charges, as appropriate.

Exporter's sales price was calculated by deducting from the resale price to unrelated purchasers in the United States U.S. duties, brokerage fees, freight charges, marine insurance, selling expenses, warehouse expenses, and cash discounts, where appropriate.

Home market price was based on the delivered distributor's price from which deductions were made for inland freight, insurance, advertising, and technical services.

Comparisons between purchase price, appropriate in over 70 percent of the sales to the United States, and home market price revealed that home market price was higher than purchase price.

The U.S. Tariff Commission is being advised of this determination.

This determination is published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)).

[SEAL] EDWARD L. MORGAN,  
Assistant Secretary of the Treasury.

[FR Doc.73-2134 Filed 2-1-73;8:45 am]

## DEPARTMENT OF THE AIR FORCE

### ARMAMENT DEVELOPMENT AND TEST ADVISORY GROUP ET AL.

#### Notice of Closed Meetings

JANUARY 29, 1973.

*Armament Development and Test Center Advisory Group.* The Armament Development and Test Center Advisory Group will hold a closed meeting on February 8, 1973, from 8:30 a.m. until 5 p.m., at Eglin Air Force Base, Fla.

The agenda will include topics pertinent to munitions development and test program.

*Foreign Technology Division Advisory Group.* The Foreign Technology Division Advisory Group will hold a closed meeting on February 22, 1973, from 8:30 a.m. until 5 p.m., at Wright-Patterson Air Force Base, Ohio.

The agenda will be a review of analytic techniques used by FTD in aerodynamics system analysis.

*Electronic Systems Division Advisory Group.* The Electronic Systems Division Advisory Group will hold a closed meeting on February 22, 1973, from 8:30 a.m. until 5 p.m., at L. G. Hanscom Field, Bedford, Mass.



The agenda will be electromagnetic pulses and FPS-95 radar system.

**Guidance and Control Panel.** The Guidance and Control Panel will hold a closed meeting on February 5 and 6, 1973, from 8:30 a.m. until 5 p.m., at Lowry Air Force Base, Colo.

The agenda of the meeting will be subgroup review of all-weather terminal guidance tasks.

For additional information on these meetings, telephone 697-4648.

JOHN W. FAHRNEY,  
Colonel, USAF, Chief, Legislative  
Division, Office of the  
Judge Advocate General.

[FR Doc. 73-2026 Filed 2-1-73; 8:45 am]

## DEPARTMENT OF JUSTICE

Bureau of Narcotics and Dangerous Drugs  
[Docket No. 73-3]

### TABLE ROCK LABORATORIES, INC.

#### Notice of Continuance

Notice is hereby given that on November 21, 1972, the Bureau of Narcotics and Dangerous Drugs, Department of Justice, issued to Table Rock Laboratories, Inc., an Order to Show Cause as to why the Bureau of Narcotics and Dangerous Drugs should not deny the Applications for Registration under the Controlled Substances Act of 1970, of the Respondent, executed on October 4, 1972, pursuant to section 303 of the Controlled Substances Act (21 U.S.C. 823).

On January 8, 1973, counsel for the Respondent requested a prehearing conference in accordance with the provisions of § 316.54, Title 21, Code of Federal Regulations, to define and particularize the issues raised in the above Order to Show Cause. Subsequently, counsel for the Respondent and the Government joined in making application to Frederick W. Denniston, administrative law judge in the above-captioned matter for a continuance in the above proceedings to Monday, February 26, 1973. In addition, both parties further requested that the summaries of testimony, ordered by Judge Denniston during the above prehearing conference, be rescinded.

In response to the above application, the following order modifying procedures was issued by the administrative law judge:

Pursuant to oral orders given during the course of the prehearing conference herein held on January 8, 1973, a date for hearing herein was established and counsel for the Bureau of Narcotics and Dangerous Drugs (herein described as the Bureau), was directed, pursuant to § 316.58 of the Rules of the Bureau, to present summaries of its proposed testimony prior to the hearing.

There is now for consideration a communication, dated January 22, 1973, from Bureau counsel, a copy of which was served on counsel for Respondent, requesting a postponement of the hearing date and asking to be relieved of the requirement of predistribution of summaries. It is indicated that counsel for Respondent joins in the request.

In view of the foregoing, it is ordered, That the hearing now scheduled to commence on January 25, 1973, is postponed to commence at 10 a.m., on February 26, 1973, in the offices of the Bureau, 1405 I Street NW., Washington, DC 20537; and the requirement of prior distribution of summaries pursuant to § 316.58 of the rules is rescinded.

Dated: January 24, 1973.

ANDREW C. TARTAGLINO,  
Acting Director, Bureau of  
Narcotics and Dangerous Drugs.

[FR Doc. 73-2036 Filed 2-1-73; 8:45 am]

## DEPARTMENT OF AGRICULTURE

Rural Electrification Administration  
MINNKOTA POWER COOPERATIVE  
Draft Environmental Statement

Notice is hereby given that the Rural Electrification Administration has prepared a draft environmental statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969, in connection with a loan application from Minnkota Power Cooperative of Grand Forks, N. Dak. This loan application requests REA loan funds for the purchase and installation of an electrostatic precipitator for Unit No. 1 at the Center Plant.

Additional information may be secured on request, submitted to the Assistant Administrator-Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. Comments are particularly invited from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved from which comments have not been requested specifically.

Copies of the REA Draft Environmental Statement have been sent to various Federal, State, and local agencies, as outlined in the Council on Environmental Quality Guidelines. The Draft Environmental Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C., Room 4310, or at the borrower address indicated above.

Comments concerning the environmental impact of the construction proposed should be addressed to the Assistant Administrator-Electric at the address given above. Comments must be received on or before March 5, 1973, to be considered in connection with the proposed action.

Final REA action with respect to this matter (including any release of funds) will be taken only after REA has reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 29th day of January 1973.

E. C. WETZELL,  
Acting Administrator, Rural  
Electrification Administration.

[FR Doc. 73-2085 Filed 2-1-73; 8:45 am]

### Soil Conservation Service

KNIFE LAKE IMPROVEMENT MEASURE  
PLAN, MINN.

#### Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, Department of Agriculture, has prepared a draft environmental statement for the Knife Lake Improvement RC&D Measure, USDA-SCS-ES (Adm) 73-RD-1(D).

The environmental statement concerns a plan for a multipurpose development for public recreation and flood damage reduction and the application of associated land treatment measures to protect the proposed development.

This draft environmental statement was filed with CEQ on January 24, 1973.

Copies are available for inspection during regular working hours at the following locations:

USDA, Soil Conservation Service, Washington Office, South Agriculture Building, Room 5105A, 12th Street and Independence Avenue SW., Washington, DC 20250.

USDA, Soil Conservation Service, 200 Federal Building and U.S. Courthouse, 316 North Robert Street, St. Paul, MN 55101.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151 for \$3 each. Please refer to the name and number of statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Harry M. Major, State Conservationist, Soil Conservation Service, 200 Federal Building and U.S. Courthouse, 316 North Robert Street, St. Paul, MN 55101.

Comments must be received on or before March 5, 1973, to be considered in the preparation of the final environmental statement.

Dated: January 24, 1973.

KENNETH E. GRANT,  
Administrator,  
Soil Conservation Service.

[FR Doc. 73-2033 Filed 2-1-73; 8:45 am]

### SHORT CREEK WATERSHED PROJECT, OHIO

#### Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, U.S. Department of Agriculture, has prepared a draft environmental statement for the Short Creek Watershed Project, Harrison and Jefferson Counties, Ohio, USDA-SCS-ES-WS-(ADM)-73-17(D).

The environmental statement concerns a plan for watershed protection and flood prevention. The planned works of improvement include conservation land treatment, supplemented by one flood-water retarding structure and about 10 miles of flood prevention channel work.

This draft environmental statement was transmitted to CEQ on January 23, 1973.

Copies are available during regular working hours at the following locations:

Soil Conservation Service, USDA, South Agriculture Building, Room 5227, 14th and Independence Avenue SW., Washington, DC 20250.

Soil Conservation Service, USDA, 311 Old Federal Building, Third and State Streets, Columbus, OH 43215.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please use name and number of statement above when ordering. The estimated cost is \$3.

Copies of the draft environmental statement have been sent for comment to various Federal, State, and local agencies as outlined in the Council on Environmental Quality Guidelines. Comments are also invited from others having knowledge of or special expertise on environmental impacts.

Comments concerning the proposed action or requests for additional information should be addressed to Robert E. Quilliam, State Conservationist, Soil Conservation Service, 311 Old Federal Building, Third and State Streets, Columbus, OH 43215.

Comments must be received on or before March 26, 1973, in order to be considered in the preparation of the final environmental statement.

Dated: January 24, 1973.

WILLIAM D. DAVEY,  
*Deputy Administrator for  
Watersheds, Soil Conservation  
Service.*

[FR Doc.73-2032 Filed 2-1-73;8:45 am]

### DEPARTMENT OF COMMERCE

#### Maritime Administration AMERICAN SHIPPING, INC.

#### Application for Construction-Differential Subsidy; Notice of Filing

Notice is hereby given that pursuant to title V of the Merchant Marine Act, 1936, as amended, American Shipping, Inc., filed an application on January 24, 1973, for a construction-differential subsidy to aid in the construction of one oil

tanker of 87,000 d.w.t. for use in foreign commerce of the United States.

Interested parties may inspect this application in the Office of the Secretary, Room 3099-B, Maritime Administration, Commerce Department Building, 14th and E Streets NW., Washington, D.C. 20235.

Dated: January 31, 1973.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, Jr.,  
*Secretary.*

[FR Doc.73-2149 Filed 2-1-73;8:45 am]

### PACIFIC SHIPPING, INC.

#### Application for Construction-Differential Subsidy; Notice of Filing

Notice is hereby given that pursuant to title V of the Merchant Marine Act, 1936, as amended, Pacific Shipping, Inc., filed an application on January 24, 1973, for a construction-differential subsidy to aid in the construction of one oil tanker of 87,000 d.w.t. for use in foreign commerce of the United States.

Interested parties may inspect this application in the Office of the Secretary, Room 3099-B, Maritime Administration, Commerce Department Building, 14th and E Streets NW., Washington, DC 20035.

Dated: January 31, 1973.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, Jr.,  
*Secretary.*

[FR Doc.73-2150 Filed 2-1-73;8:45 am]

### National Industrial Pollution Control Council

#### NOTICE OF MEETING

The National Industrial Pollution Control Council and subcouncils will meet February 14, 1973, at 9:30 a.m. in the Auditorium of the Main Commerce Building, 14th Street and Constitution Avenue NW., Washington, DC 20230.

The Council and subcouncils advise the president and the chairman of the Council on Environmental Quality through the Secretary of Commerce on programs of industry relating to the quality of the environment.

Agenda items are as follows:

- (1) Convening of Meeting and Opening Remarks—Bert S. Cross, Chairman, NIPCC.
- (2) The Roll of the NIPCC—Frederick B. Dent, Secretary of Commerce.
- (3) The New Administration's Environmental Policies—Russell E. Train, Chairman, Council on Environmental Quality.
- (4) Environmental Regulations—William D. Ruckelshaus, Administrator, Environmental Protection Agency.
- (5) Executive Structure of the New Administration—Earl L. Butz, Counselor to the President on Natural Resources.
- (6) Activities of the Council—Past, Present, and Future—Bert S. Cross, Chairman, NIPCC.
- (7) Adjournment.

The Council consists of 63 chief executives from business and industry.

There are 29 subcouncils with membership of four to six chief executives on each representing specific industry categories.

A limited number of seats—approximately 50—will be available to observers from the press and the public on a reserved, first-come basis. Requests to attend the meeting must be submitted in writing to John L. Sullivan, Acting Executive Director, National Industrial Pollution Control Council, Room 4845, U.S. Department of Commerce, Washington, D.C. 20230 no later than, Monday, February 12, 1973. Oral statements or questioning of committee members or other participants by observers in attendance at the meeting will not be permitted.

Requests for information should be submitted to John L. Sullivan (address given above) Telephone 202-967-3624.

Summary minutes will be available on March 16, 1973. Pursuant to regulations of the Department of Commerce contained in Part 4, Title 15, Code of Federal Regulations, requests for copies of such minutes may be made by completing and submitting Form CD-244 together with the appropriate user charge. Copies of this form are available from the Central Reference and Records Inspection Facility, Department of Commerce, Washington, D.C. 20230.

JOHN L. SULLIVAN,  
*Acting Executive Director, National  
Industrial Pollution  
Control Council.*

[FR Doc.73-2043 Filed 2-1-73;8:45 am]

### Office of Import Programs

#### UNIVERSITY OF SOUTH CAROLINA ET AL Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before February 22, 1973.

Amended regulations issued under cited Act, as published in the February 24, 1972, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 73-00164-58-46070. Applicant: University of South Carolina, Purchasing Department, Columbia, S.C. 29208. Article: Scanning electron microscope, Model JSM-U3. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in research projects for the following purposes:

(1) To study the processes of calcification in marine and fresh-water invertebrates at their larval and post-larval stages.

(2) To study the history of sedimentation over the past million years in a series of piston cores taken in the area of the Antarctica Convergence on the southeast portion of the Indian Antarctic Ridge south of Australia, and

(3) To understand the mechanisms of brittle fracture in polycrystalline rocks. The article will also be used for the graduate course of electron microscopy (Biology 760 and Biology 760L) to train students in ultrastructural studies. Application received by Commissioner of Customs: September 19, 1972.

Docket No. 73-00324-33-46040. Applicant: University of Cincinnati Medical Center, Department of Pathology, Cincinnati General Hospital, Goodman Street, Cincinnati, Ohio 45229. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, NVD., The Netherlands. Intended use of article: The article is intended to be used to investigate various aspects of ultrastructural pathology, particularly as associated with renal disease. The high resolution of this instrument with marked stability will permit examination of virus preparations associated with an ongoing study dealing with the role of virus infections and chronic renal failure. In addition, the article will be used by two to four graduates and/or medical students participating in a formalized course (26-955-972 UC Graduate Studies Catalog 1972) dealing with electron microscopic technique. Application received by Commissioner of Customs: January 9, 1973.

Docket No. 73-00325-99-46040. Applicant: Montclair State College, Valley Road and Normal Avenue, Upper Montclair, N.J. 07043. Article: Electron microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used as an instrument for instruction in techniques of electron microscopy. The courses in which the article is to be used include:

Techniques of Electron Microscopy—Teaching students the basic steps in the preparation, sectioning and examination of tissues for ultra-structure study.  
Histology—Familiarizing students with the principles of electron microscopy adding significance to knowledge obtained from books.  
Premedical and Medical Technology Programs—Preliminary training in the use of an electron microscope on the undergraduate level for premedical students as well as those planning a career in medical technology.

Other courses that would benefit from the article are Cell Biology, Genetics, Microbiology, Plant Morphology and Marine Biology. Application received by Commissioner of Customs: January 9, 1973.

Docket No. 73-00326-01-01100. Applicant: University of Minnesota, Department of Soil Science, St. Paul, Minn. 55101. Article: Nitrogen-15 analyzer complete with Isocommerz Sample Prep Kit. Manufacturer: Isocommerz, East Germany. Intended use of article: The article is intended to be used to analyze samples for N-15/N-14 ratios in samples where N-15 enriched compounds have been introduced for tracer studies. The relative abundance of N-15 and N-14 will be determined using an emission principle. Application received by Commissioner of Customs: January 9, 1973.

Docket No. 73-00327-88-46070. Applicant: Field Museum of Natural History, Lake Shore Drive and Roosevelt Road, Chicago, Ill. 60605. Article: Scanning electron microscope, Model S4-10. Manufacturer: Cambridge Instruments, Ltd., United Kingdom. Intended use of article: The article is intended to be used primarily to study surface features, histological details, and fracture sections of biological objects and fossils. Some investigations will involve petrographic and sedimentary analyses. Insects, snail teeth, bat hairs, mammal teeth, fossils of unknown affinities, pollen analysis, spores of fungi, and concretions of possible biological origin are among the objects to be studied immediately. The article will also be used extensively in teaching in graduate level courses (open to students at the University of Chicago, Northwestern University, University of Illinois Medical Center and other institutions of higher education) offered in Problems in Phylogeny and Zoogeography, Mammalian Systematics, Vertebrate Paleontology, Entomology, Organic Evolution and Biogeography by Museum staff members. Application received by Commissioner of Customs: January 9, 1973.

Docket No. 73-00328-01-86300. Applicant: The Pennsylvania State University, Department of Purchases, 219 Shields Building, University Park, Pa. 16802. Article: Model DDV II Rheovibron Dynamic Viscoelastometer. Manufacturer: Toyo Measuring Instruments Co. Ltd., Japan. Intended use of article: The article is intended to be used for studies of various types of polymers and polymer based composite materials. Experiments involved will include the determination of relaxation spectra; detection of structural changes resulting from processing or specialized treatment; the determination of so-called sub-order transitions. The article will also be used in the following courses:

PLM SC 406 Introduction to the Materials Science of Polymers  
PLM SC 407 Technology and Application of Polymeric Materials  
PLM SC 408 Polymeric Materials Laboratory  
PLM SC 409 Introduction to Properties of Polymeric Materials

PLM SC 410 Polymer Based Composites  
PLM SC 502 Polymeric Materials Characterization Laboratory

Application received by Commissioner of Customs: January 9, 1973.

Docket No. 73-00329-01-77030. Applicant: Texas A & M University, College Station, Tex. 77843. Article: PS-100 High Resolution/Wide Line Multi-Nuclear NMR Spectrometer System. Manufacturer: JEOL Limited, Japan. Intended use of article: The article is intended to be used for the following:

(1) Determination of  $^{13}\text{C}$  and  $^1\text{H}$  spectra of the colored modifications of photochromic and thermochromic organic compounds.

(2) Determination of  $^{13}\text{C}$ ,  $^1\text{H}$ , and  $^{19}\text{F}$  spectra, for use in ascertaining structures of newly-synthesized compounds and in testing theoretical calculations of electronic structure, and

(3) Determination of relaxation times ( $T_1$  and  $T_2$ ) in a wide variety of systems ranging from highly crystalline polymers to gases and at a variety of temperatures.

Application received by Commissioner of Customs: January 8, 1973.

Docket No. 73-00330-33-46500. Applicant: Shriners Hospitals for Crippled Children, Burns Institute—Cincinnati Unit, 202 Goodman Street, Cincinnati, OH 45219. Article: Ultramicrotome, Model Om U2. Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article is intended to be used for studies of skin from the human body and scalp and the development of nerve tissue in scars formed in burned individuals which includes a detailed study of the collagen and elastic tissue structure in scar tissue. Any modifications in this structure in keloids compared to normal scars will be of special interest. The study will also involve demonstration of nerves in the scars and study of their relationship to the scar tissue. The article will also be used by graduate students in Physiology and Surgery from the University of Cincinnati College of Medicine. Application received by Commissioner of Customs: January 8, 1973.

Docket No. 73-00331-33-46040. Applicant: Baylor University, Waco, Tex. 76703. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for research on the following subjects:

(1) Retinal of several species of notothenoid fishes;  
(2) Nerve endings, more specifically the nerve endings within neuromasts of fishes and larval amphibians;  
(3) Cocoons produced by certain fishes and paedomorphic amphibians during aestivation.

The article will also be used for training of biology and parabiology students in biological electron microscopy. Application received by Commissioner of Customs: January 10, 1973.

B. BLANKENHEIMER,  
Acting Director,  
Office of Import Programs.

[FR Doc.73-2042 Filed 2-1-73;8:45 am]

## Office of the Secretary

[Dept. Organization Order 30-2B, Amdt. 2]

NATIONAL BUREAU OF STANDARDS  
Organization and Functions

This order effective January 11, 1973 further amends the material appearing at 37 FR 14423 July 20, 1972 and 37 FR 24202 November 15, 1972.

Department Organization Order 30-2B, dated June 12, 1972, is hereby further amended as follows:

1. Sec. 10, *Institute for Basic Standards*, Subparagraph .04b. is revised to read: b. The organizational units of the Center for Radiation Research are as follows:

Nuclear Sciences Division  
Applied Radiation Division

These divisions shall engage in research, measurements, and application of radiation to the solution of Bureau and other institutional problems, primarily through collaboration.

2. The organization chart of November 2, 1972, attached to Amendment 1, is superseded by the chart attached to this amendment. A copy of the organization chart is on file with the original of this document in the Office of the Federal Register.

Effective date: January 11, 1973.

GUY W. CHAMBERLIN, Jr.,  
Acting Assistant Secretary  
for Administration.

[FR Doc. 73-2041 Filed 2-1-73; 8:45 am]

DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE

## Food and Drug Administration

[Docket No. FDC-D-581; NDA 4-670 et al.]

## BLUE LINE CHEMICAL COMPANY, ET AL.

New Drug Applications; Notice of  
Withdrawal of Approval

The holders of the new-drug applications listed herein have not submitted annual reports of experience with the drugs as required and have advised the Food and Drug Administration that the new drugs involved were never marketed or marketing has been discontinued and have requested withdrawal of approval of the new drug applications, thereby waiving opportunity for a hearing.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505(e), 52 Stat. 1053 as amended; 21 U.S.C. 355(e)), and under authority delegated to the Commissioner (21 CFR 2.120), approval of the following new drug applications, and supplements thereto, is hereby withdrawn on the grounds that the applicants have failed to make reports under section 505(j) of the Act (21 U.S.C. 355(j)) and § 130.13 or § 130.35 (e) and (f) of the new-drug regulations (21 CFR 130.13 and 130.35).

NDA number	Drug name	Applicant's name and address
4-670...	Formula No. 3875 (alcohol, potassium acetate, potassium bromide, menthol, syrup tolu balsam, camphor water).	The Blue Line Chemical Co., 302 South Broadway, St. Louis, MO 63102.
5-677...	Traesentine suppositories (traesentine).	Ciba-Geigy Corp., Summit, N.J. 07901.
5-850...	Gentia-Jel (gentian violet).	Westwood Pharmaceuticals, Inc., 468 DeWitt St., Buffalo, NY 14213.
6-330...	Quinidine hydrochloride injection (quinidine hydrochloride).	Cooper Laboratories, Inc., 2900 North 17th St., Philadelphia, PA 19132.
7-630...	Stenediol injection (methylandrostenediol).	Orranon, Inc., 375 Mount Pleasant Ave., West Orange, NJ 07082.
8-630...	M-minus 5 tablets (Pamabrom, acetophenetidin).	Whittier Laboratories, Subsidiary of A. H. Robins Co., Inc., 2101 Dempster St., Evanston, IL 60201.
9-780...	Reserpine tablets (reserpine).	S. B. Penick & Co., 100 Church St., New York, NY 10007.
10-146...	Serpate elixir (reserpine).	The Vale Chemical Co., Inc., 1201 Liberty St., Allentown, PA 18102.
10-321...	Broxolin vaginal cream (glycochlorol).	Breon Laboratories, Inc., 90 Park Ave., New York, NY 10016.
10-621...	Balcort solution and balcort vaginal suppositories (arthinol, hydrocortisone).	Endo Laboratories, Inc., 1000 Stewart Ave., Garden City, NY 11530.
11-364...	Thylox anti-fungal ointment (FEAT) (pelargonic acid, zinc pelargonate, and sulfur).	Shulton, Inc., 607 Route 46, Clifton, NJ 07011.
11-378...	Sofran tablets (bucizine hydrochloride).	ICI America, Inc., Wilmington, Del. 19899.
12-288...	Alvodine ethanesulfonate injection (pimindine ethanesulfonate).	Sterling Drug, Inc., 90 Park Ave., New York, NY 10016.
12-294...	Alvodine ethanesulfonate tablets (pimindine ethanesulfonate).	Do.
12-446...	Ice-O-Derm (parachlorophenyl glyceryl ether).	Shulton, Inc., 607 Route 46, Clifton, NJ 07011.
16-150...	Dimethone tablets (dipyrene).	Phillips Roxane Laboratories, Inc., 330 Oak St., Columbus, OH 43216.
16-333...	Surgidine (elemental iodine).	Continental Laboratories, Inc., Post Office Box 1503, Palo Alto, CA 94302.

This order shall become effective on February 2, 1973.

Dated: January 23, 1973.

MARY A. McENIRY,  
Assistant to the Director for  
Regulatory Affairs, Bureau of  
Drugs.

[FR Doc. 73-1940 Filed 2-1-73; 8:45 am]

[DESI 3684; Docket No. FDC-D-406;  
NDA 3-684 etc.]

CERTAIN SULFONAMIDE-CONTAINING  
PREPARATIONS FOR TOPICAL, OPHTHALMIC OR OTIC USENotice of Withdrawal of Approval of New  
Drug Applications

A notice was published in the FEDERAL REGISTER of February 12, 1972 (37 FR

3198), extending to each holder of a new drug application listed below and to any interested person, an opportunity for hearing on the proposal of the Commissioner of Food and Drugs to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act, withdrawing approval of each listed application and all amendments and supplements thereto. The basis of the proposed action was the lack of substantial evidence that the drugs are effective for their labeled indications.

NDA No.	Drug	NDA holder
6-187...	ACR-Allantoin Ointment: sulfanilamide, amilmerine hydrochloride and allantoin.	Merrell-National Laboratories, Division of Richardson-Merrell, Inc., 110 East Amity Rd., Cincinnati, OH 45212.
3-684...	Allantoin Ointment: sulfanilamide and allantoin.	Merrell-National Laboratories.
4-494...	Sulfathiazole Cream 5 percent.	Abbott Laboratories, 14th and Sheridan Bld., North Chicago, IL 60064.
5-051...	Alulotion Sulfathiazole: sulfathiazole, kaolin and aluminum hydroxide gel.	Wyeth Laboratories Division, American Home Products Corp., Post Office Box 829, Philadelphia, PA 19101.
8-781...	Gantrisin Ear Solution; sulfisoxazole diolamine, urea, and chlorbutanol.	Roche Laboratories Division, Hoffmann-LaRoche, Inc., Roche Park, Nutley, N.J. 07110.
5-623...	Otomide Otic Solution: sulfanilamide, urea, and chlorbutanol.	White Laboratories, Inc., Gallipoli Hill Rd., Kenilworth, N.J. 07033.
4-757...	Sulfanilamide Powder.	Aeme Scientific Co., Post Office Box 8826, Richmond, VA 23226.
4-361...	do	Hynson, Westcott, and Dunning, Inc., Charles and Chase Streets, Baltimore, Md. 21201.
4-507...	Sulfathiazole Cream 5%.	S. F. Durst & Co. Inc., 5317 North Third Street, Philadelphia, PA 19120.
4-604...	Triethyl-Diazine Solution; sulfadiazine.	Lederle Laboratories, Division of American Cyanamid Co., Pearl River, N.Y. 10964.
4-122...	Sulfadiazine Ointment 5 percent, and Sulfadiazine Ophthalmic Ointment 5 percent.	Ell Lilly and Co., Post Office Box 618, Indianapolis, IN.

The following products, reviewed by the National Academy of Sciences-National Research Council, Drug Efficacy Study Group and included in the Administration's evaluation of such products published in the FEDERAL REGISTER of September 25, 1970 (35 FR 14954), were not included in the aforesaid notice of opportunity for hearing February 12, 1972 since approval of the new drug applications had already been withdrawn on the grounds of failure to file certain required reports under section 505(j) of the Act (21 U.S.C. 355(j)). They are listed in this notice only for the purpose of informing interested persons that data providing substantial evidence of effectiveness of these products were not received and the conclusions described herein are applicable to these related drug products.

1. Morumide Ointment containing sulfanilamide; The S. E. Massengill Co.

527 Fifth Street, Bristol, TN 37620 (NDA 5-114).

2. Sulfallantoin Ointment and Powder containing sulfanilamide and allantoin; S. F. Durst & Co., Inc., 5317 North Third Street, Philadelphia, PA 19120 (NDA 3-756).

All identical, related, or similar products, not the subject of an approved new drug application, are covered by the new drug applications reviewed and are subject to this notice. See 21 CFR 130.40 (37 FR 23185, October 31, 1972). Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (BD-300), 5600 Fishers Lane, Rockville, MD 20852.

Abbott Laboratories, holder of NDA 4-494 for Sulfathiazole Cream 5 percent, and Hoffmann-LaRoche Inc., the holder of NDA 8-781 Gantrisin Ear Solution have waived opportunity for hearing, stating that marketing of these drugs has been discontinued. None of the other holders of NDAs listed above, nor any other interested persons, have filed a written appearance of election as provided by said notice. The failure to file such an appearance constitutes an election by such persons not to avail themselves of an opportunity for hearing.

The Commissioner of Food and Drugs, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1053, as amended; 21 U.S.C. 355), and the Administrative Procedure Act (5 U.S.C. 554), and under authority delegated to him (21 CFR 2.120), finds that on the basis of new information before him with respect to each of said drugs, evaluated together with the evidence available to him when each application was approved, there is a lack of substantial evidence that each of the drugs will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof.

Therefore, pursuant to the foregoing findings, approval of the above-listed new drug applications and all amendments and supplements thereto is withdrawn effective on February 2, 1973. Shipment in interstate commerce of any of the above-listed drug products or of any identical, related, or similar product, not the subject of an approved new drug application, is henceforth unlawful.

Dated: January 26, 1973.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc. 73-2015 Filed 2-1-73; 8:45 am]

#### GEIGY PHARMACEUTICALS

[DESI 8319; Docket No. FDC-D-573; NDA 8-319]

Combination Drug Containing Phenylbutazone, Aluminum Hydroxide Gel, and Magnesium Trisilicate; Opportunity for Hearing on Proposal To Withdraw Approval of New Drug Application

The Food and Drug Administration has reviewed available evidence concerning

the safety and effectiveness of the following drug, for which the new drug application was approved on the basis of safety prior to October 10, 1962.

Butazolidin alka Capsules, containing phenylbutazone, aluminum hydroxide gel, and magnesium trisilicate; marketed by Geigy Pharmaceuticals, Division of Ciba-Geigy Chemical Corp., Saw Mill River Road, Ardsley, N.Y. 10502 (NDA 8-319).

As a result of that review, the Commissioner of Food and Drugs concludes that there is a lack of substantial evidence, within the meaning of the Federal Food, Drug, and Cosmetic Act, that this fixed combination drug has the effects that it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling and that such drugs are not appropriate for administration in fixed combination within the guidelines set forth in the Statement of General Policy and Interpretation § 3.86 Fixed Combination Prescription Drugs For Humans published in the FEDERAL REGISTER of October 15, 1971 (36 FR 20037).

Therefore, notice is given to the holder(s) of the new drug application(s) and to any other interested person that the Commissioner proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355 (e)) withdrawing approval of pertinent parts of the listed new drug application(s) and all amendments and supplements thereto on the grounds that new information before him with respect to the drug(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug(s) will have all the effects purported or represented to have under the conditions of use prescribed, recommended, or suggested in the labeling.

All identical, related, or similar products, not the subject of an approved new drug application, are covered by the new drug application(s) reviewed. See 21 CFR 130.40 (37 FR 23185, October 31, 1972). Any manufacturer or distributor of such an identical, related, or similar product is an interested person who may in response to this notice submit data and information, request that the new drug application(s) not be withdrawn, request a hearing, and participate as a party in any hearing. Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (BD-300), 5600 Fishers Lane, Rockville, MD 20852.

In accordance with the provisions of section 505 of the Act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Part 130), the Commissioner hereby gives the applicant(s) and any other interested person an opportunity for a hearing to show why approval of the new drug application(s) should not be withdrawn.

On or before March 5, 1973, the applicant(s) and any other interested person is required to file with the Hearing

Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, a written appearance electing whether or not to avail himself of the opportunity for a hearing. Failure of an applicant or any other interested person to file a written appearance of election within said 30 days will constitute an election by him not to avail himself of the opportunity for a hearing.

If no person elects to avail himself of the opportunity for a hearing, the Commissioner without further notice will enter a final order withdrawing approval of pertinent parts of the application(s).

If an applicant or any other interested person elects to avail himself of the opportunity for a hearing, he must file, on or before March 5, 1973, a written appearance requesting the hearing, giving the reasons why approval of the new drug application(s) should not be withdrawn, together with a well-organized and full-factual analysis of the clinical and other investigational data he is prepared to prove in support of his opposition. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that a genuine and substantial issue of fact requires a hearing (21 CFR 130.14(b)).

If review of the data submitted by an applicant or any other interested person warrants the conclusion that there exists substantial evidence demonstrating the effectiveness of the product(s) for the labeling claims involved, the Commissioner will rescind this notice of opportunity for hearing.

If review of the data in the application(s) and data submitted by the applicant(s) or any other interested person in a request for a hearing, together with the reasoning and factual analysis in a request for a hearing, warrants the conclusion that no genuine and substantial issue of fact precludes the withdrawal of approval of the application(s), the Commissioner will enter an order of withdrawal making findings and conclusions on such data.

If, upon the request of the new drug applicant(s) or any other interested person, a hearing is justified, the issues will be defined, a hearing examiner will be named, and he shall issue, as soon as practicable after the expiration of 30 days, a written notice of the time and place at which the hearing will commence. All persons interested in identical, related, or similar products covered by the new drug application(s) will be afforded an opportunity to appear at the hearing, file briefs, present evidence, cross-examine witnesses, submit suggested findings of fact, and otherwise participate as a party. The hearing contemplated by this notice will be open to the public except that any portion of the hearing that concerns a method or process the Commissioner finds entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

Requests for a hearing and/or elections not to request a hearing may be seen in the Office of the Hearing Clerk (address given above) during regular

business hours, Monday through Friday. This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1052-53, as amended; 21 U.S.C. 355), and the Administrative Procedure Act (5 U.S.C. 554), and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: January 26, 1973.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.73-2016 Filed 2-1-73;8:45 am]

[DESI 7289]

**CODEINE WITH ACETAMINOPHEN,  
ASPIRIN, AND CAFFEINE FOR ORAL USE**

**Drugs for Human Use; Drug Efficacy Study  
Implementation**

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on trigesic with codeine tablets (NDA 7-289) containing codeine, acetaminophen, aspirin, and caffeine; E. R. Squibb & Sons, Division Olin Mathieson Chemical Corp., 745 Fifth Avenue, New York, N.Y. 10022.

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). Supplemental new drug applications are required to revise the labeling in and to update previously approved applications providing for such drugs. A new drug application is required from any person marketing such drug without approval.

A. *Effectiveness classification.* 1. The Food and Drug Administration has considered the Academy's report, as well as other available evidence, and concludes that combination drugs containing codeine with acetaminophen, aspirin, and caffeine are effective for the relief of mild to moderate pain.

B. *Conditions for approval and marketing.* The Food and Drug Administration is prepared to approve abbreviated new drug applications and abbreviated supplements to previously approved new drug applications under conditions described herein.

1. *Form of drug.* Preparations containing codeine, acetaminophen, aspirin, and caffeine are in tablet form suitable for oral administration.

2. *Labeling conditions.* a. The label bears the statement, "Caution: Federal law prohibits dispensing without prescription."

b. The drug is labeled to comply with all requirements of the Act and regulations, and the labeling bears adequate information for safe and effective use of the drug(s). The indication for use is: For the relief of mild to moderate pain.

3. *Marketing status.* Marketing of such drugs may be continued under the conditions described in the notice entitled *Conditions for Marketing New Drugs Evaluated in Drug Efficacy Study*, published in the FEDERAL REGISTER July 14, 1970 (35 FR 11273), as follows:

a. For holders of "deemed approved" new drug applications (i.e., an application which became effective on the basis of safety prior to October 10, 1962), the submission of a supplement for revised labeling and an abbreviated supplement for updating information as described in paragraph (a) (1) (i) and (iii) of the notice of July 14, 1970.

b. For any person who does not hold an approved or effective new drug application, the submission of an abbreviated new drug application as described in paragraph (a) (3) (i) of that notice.

c. For any distributor of the drug, the use of labeling in accord with this announcement for any such drug shipped within the jurisdiction of the Act as described in paragraph (b) of that notice.

A copy of the Academy's report has been furnished to the firm referred to above. Communications forwarded in response to this announcement should be identified with the reference number DESI 7289, directed to the attention of the appropriate office listed below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Supplements (Identify with NDA number):  
Office of Scientific Evaluation (BD-100),  
Bureau of Drugs.

Requests for the Academy's report: Drug  
Efficacy Study Information Control (BD-  
66), Bureau of Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-60), Bureau of Drugs.

All identical, related, or similar products, not the subject of an approved new drug application, are covered by the new drug application reviewed and are subject to this notice. See 21 CFR 130.40 (37 FR 23185, October 31, 1972). Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (BD-300), 5600 Fishers Lane, Rockville, MD 20852.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and the Administrative Procedure Act (5 U.S.C. 554) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: January 26, 1973.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.73-2017 Filed 2-1-73;8:45 am]

[Docket No. FDC-D-494; NADA No. 6-737V  
and NADA No. 7-495V]

**HILLTOP LABORATORIES, INC. AND  
BEEBE LABORATORIES, INC.**

**Certain Drug Products Containing Sulfa-  
quinoxaline; Notice of Withdrawal of  
Approval of New Animal Drug Applica-  
tions**

In the FEDERAL REGISTER of November 30, 1972 (37 FR 25423), the Commissioner of Food and Drugs published a notice

proposing to withdraw approval of new animal drug application (NADA) No. 6-737V for Sulfaquin-O-Mor; marketed by Hilltop Laboratories, Inc., 2035 East Larpenteur Avenue, St. Paul, MN 55109 and NADA No. 7-495V for B-B-Q Liquid; marketed by Beebe Laboratories, Inc., 2035 East Larpenteur Avenue, St. Paul, MN 55109.

Neither the above named firms nor any other interested persons have filed a written appearance in response to the above cited notice. This is construed as an election by said persons not to avail themselves of the opportunity for a hearing.

Therefore, based on the grounds set forth in said notice of opportunity for a hearing, the Commissioner concludes that approval of said new animal drug applications should be withdrawn. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-351; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120), approval of NADA No. 6-737V and NADA No. 7-495V, including all amendments and supplements thereto, is hereby withdrawn effective on February 2, 1973.

Dated: January 26, 1973.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.73-2019 Filed 2-1-73;8:45 am]

[DESI 11160; Docket No. FDC-D-522;  
NDA 11-160]

**PURDUE FREDERICK CO.;  
THOREXIN COUGH MEDICINE**

**Opportunity for Hearing on Proposal To  
Withdraw Approval of New Drug Applica-  
tion; Drug for Human Use; Drug Efficacy  
Study Implementation**

Notice is hereby given to the Purdue Frederick Co., 99-101 Saw Mill River Road, Yonkers, N.Y. 80100, holder of NDA 11-160, Thorexin Cough Medicine, a liquid containing dextromethorphan hydrobromide, potassium gualacolate sulfonate, ammonium chloride, and antimony potassium tartrate, and to any interested person who may be adversely affected, that the Commissioner of Food and Drugs proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) withdrawing approval of the above new drug application and all amendments and supplements thereto. It is proposed to withdraw approval of this new drug application on the grounds that new evidence, not contained in the new drug application or not available to the Commissioner until after the application was approved, evaluated together with the evidence available to him when the application was approved, reveals that Thorexin Cough Medicine is not shown to be safe for use under the conditions of use upon the basis of which the application was approved.

The National Academy of Sciences—National Research Council, Drug Efficacy Study Group evaluated this drug

as lacking substantial evidence of effectiveness and as lacking substantial evidence of effectiveness as a fixed combination for its labeled indications, commenting that the antimony potassium tartrate in the product is much too toxic to be used as an expectorant, especially if medication is continued for a period of time, because cumulative effects may occur.

The Food and Drug Administration has considered the Academy's report, as well as other available evidence, and, in view of the potential hazards and the availability of other similarly used drugs having a wider margin of safety, concludes that the unfavorable ratio of benefit-to-risk with Thorex Cough Medicine does not justify its marketing. The product is not now being marketed by the NDA holder.

All identical, related, or similar products, not the subject of an approved new drug application, are covered by the new drug application(s) reviewed. See 21 CFR 130.40 (37 FR 23185, October 31, 1972). Any manufacturer or distributor of such an identical, related, or similar product is an interested person who may in response to this notice submit data and information, request that the new drug application(s) not be withdrawn, request a hearing, and participate as a party in any hearing. Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (BD-300), 5600 Fishers Lane, Rockville, MD 20852.

In accordance with the provisions of section 505 of the Act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Part 130), the Commissioner hereby gives the applicant(s) and any other interested person an opportunity for a hearing to show why approval of the new drug application(s) should not be withdrawn.

On or before March 5, 1973, the applicant(s) and any other interested person is required to file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, MD 20852, a written appearance electing whether or not to avail himself of the opportunity for a hearing. Failure of an applicant or any other interested person to file a written appearance of election on or before March 5, 1973 will constitute an election by him not to avail himself of the opportunity for a hearing.

If no person elects to avail himself of the opportunity for a hearing, the Commissioner without further notice will enter a final order withdrawing approval of the application(s).

If an applicant or any other interested person elects to avail himself of the opportunity for a hearing, he must file, on or before March 5, 1973 a written appearance requesting the hearing, giving the reasons why approval of the new drug application(s) should not be withdrawn, together with a well-organized and full-factual analysis of the clinical and other investigational data he is

prepared to prove in support of his opposition. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that a genuine and substantial issue of fact requires a hearing (21 CFR 130.14 (b)).

If review of the data submitted by the the applicant or any other interested person warrants the conclusion that the drug is safe for use under the conditions of use prescribed, recommended, or suggested in its labeling, the Commissioner will rescind this notice of opportunity for hearing.

If review of the data in the application(s) and data submitted by the applicant(s) or any other interested person in a request for a hearing, together with the reasoning and factual analysis in a request for a hearing, warrants the conclusion that no genuine and substantial issue of fact precludes the withdrawal of approval of the application(s), the Commissioner will enter an order of withdrawal making findings and conclusions on such data.

If, upon the request of the new drug applicant(s) or any other interested person, a hearing is justified, the issues will be defined, a hearing examiner will be named, and he shall issue, as soon as practicable after the expiration of 30 days, a written notice of the time and place at which the hearing will commence. All persons interested in identical, related, or similar products covered by the new drug application(s) will be afforded an opportunity to appear at the hearing, file briefs, present evidence, cross-examine witnesses, submit suggested findings of fact, and otherwise participate as a party. The hearing contemplated by this notice will be open to the public except that any portion of the hearing that concerns a method or process the Commissioner finds entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

Requests for a hearing and/or elections not to request a hearing may be seen in the Office of the Hearing Clerk (address given above) during regular business hours, Monday through Friday.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1052-53, as amended; 21 U.S.C. 355), and the Administrative Procedure Act (5 U.S.C. 554), and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: January 26, 1973.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc. 73-2018 Filed 2-1-73; 8:45 am]

[Docket No. FDC-D-592; NADA 9-336V, 38-660V, 33-212V, and 43-946V etc.]

**SCHERING CORP. ET AL.**

**Dienestrol Diacetate; Notice of Opportunity for Hearing**

Notice is hereby given to the firms listed below and to any interested per-

sons who may be adversely affected that the Commissioner of Food and Drugs proposes to issue an order under the provisions of section 512(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(e)) withdrawing approval of the following listed NADA's (new animal drug applications) with respect to the use of dienestrol diacetate, which is administered to chickens and turkeys in feed for the promotion of fat distribution for tenderness and bloom:

Schering Corp., 86 Orange Street, Bloomfield, NJ 07003. NADA Nos. 9-336 and 38-660.

Peter Hand Foundation, 2 East Madison Street, Waukegan, IL 60085. NADA No. 33-212.

Central Soya Co., McMillan Feed Division, Ft. Wayne, Ind. 46805. NADA No. 43-946.

The Commissioner, on the basis of new information before him with respect to such drug evaluated together with the evidence available to him when the applications were approved, concludes that the drug is not shown to be safe under the conditions of use upon the basis of which the applications were approved.

Dienestrol diacetate is a hormone product, related chemically to diethylstilbestrol, and is a carcinogen. Information available to the Commissioner has shown that more sensitive methods of analysis than those submitted with the NADA's are available to determine that no residues of the drug are present in the edible products of treated chickens and turkeys. The Food and Drug Administration informed the Schering Corp. (the basic manufacturer), by letter dated August 18, 1972, of the need for residue data derived from more sensitive analytical procedures, such as radioactive tracer studies, radio-immunoassay, or gas-liquid chromatography; such data have not been submitted. In order to assure that edible products from treated chickens and turkeys will contain no residues of the drug, data must be supplied to show that the drug is not present in edible tissues when measured by such methodology.

Therefore, notice is given to the holder(s) of the new animal drug application(s) and to any other interested person that the Commissioner proposes to issue an order under section 512(e) of the Federal Food, Drug, and Cosmetic Act withdrawing approval of the listed new animal drug application(s) and all amendments and supplements thereto on the grounds that new evidence not contained in such application(s) and not available until after such application(s) was approved, and tests by new methods, and tests by methods not deemed reasonably applicable when such application(s) was approved, evaluated together with the evidence available when the application(s) was approved, shows that such drug is not shown to be safe for use under the conditions of use upon the basis of which the application(s) was approved.

All identical, related, or similar products not the subject of an approved new animal drug application are covered by

the new animal drug application(s) reviewed. Any manufacturer or distributor of such an identical, related, or similar product is an interested person who may in response to this notice submit data and information, request that the new animal drug application(s) not be withdrawn, request a hearing, and participate as a party in any hearing. Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Veterinary Medicine, Division of Compliance, 5600 Fishers Lane, Rockville, MD 20852.

In accordance with the provisions of section 512 of the act and the regulations promulgated thereunder (21 CFR Part 135), the Commissioner hereby gives the applicant(s) and any other interested person an opportunity for a hearing to show why approval of the new animal drug application(s) should not be withdrawn.

On or before March 5, 1973, the applicant(s) and any other interested person is required to file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, MD 20852, a written appearance electing whether or not to avail himself of the opportunity for a hearing. Failure of an applicant or any other interested person to file a written appearance of election on or before March 5, 1973, will constitute an election by him not to avail himself of the opportunity for a hearing.

If no person elects to avail himself of the opportunity for a hearing, the Commissioner without further notice will enter a final order withdrawing approval of the application(s).

If an applicant or any other interested person elects to avail himself of the opportunity for a hearing, he must file, on or before March 5, 1973, a written appearance requesting the hearing, giving the reasons why approval of the new animal drug application(s) should not be withdrawn, together with a well organized and full factual analysis of the data he is prepared to prove in support of his opposition. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that a genuine and substantial issue of fact requires a hearing (21 CFR 135.15(b)).

If review of the data submitted by an applicant or any other interested person warrants the conclusion that there exists substantial evidence demonstrating the safety of the product(s) for the labeling claims involved, the Commissioner will rescind this notice of opportunity for a hearing.

If review of the data in the application(s) and data submitted by the applicant(s) or any other interested person in a request for a hearing, together with the reasoning and factual analysis in a request for a hearing, warrants the conclusion that no genuine and substantial issue of fact precludes the withdrawal of approval of the application(s), the Commissioner will enter an order of with-

drawal making findings and conclusions on such data.

If, upon the request of the new animal drug applicant(s) or any other interested person, a hearing is justified, the issues will be defined, an administrative law judge will be named, and he shall issue, as soon as practicable after the expiration of such 30 days, a written notice of the time and place at which the hearing will commence. All persons interested in identical, related, or similar products covered by the new animal drug application(s) will be afforded an opportunity to appear at the hearing, file briefs, present evidence, cross-examine witnesses, submit suggested findings of fact, and otherwise participate as a party. The hearing contemplated by this notice will be open to the public except that any portion of the hearing that concerns a method or process the Commissioner finds entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

Requests for a hearing and/or elections not to request a hearing may be seen in the Office of the Hearing Clerk (address given above) during regular business hours, Monday through Friday.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 343-351; 21 U.S.C. 360b(e)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: January 26, 1973.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.73-2020 Filed 2-1-73;8:45 am]

[DESI 6449; Docket No. FDC-D-488; NDA No. 7-531]

#### TRAVENOL LABORATORIES AND BAXTER LABORATORIES

Large Volume Procaine Hydrochloride Parenteral Solutions; Withdrawal of Approval of New Drug Application

##### Correction

In FR Doc. 72-22093, appearing at page 28527, in the issue of Wednesday, December 27, 1972, in the table, first column, under the first entry, insert "7-531".

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. D-73-217]

#### SUPERVISORY CONTRACT SPECIALIST, CONTRACTS AND AGREEMENTS DIVISION, OFFICE OF GENERAL SERVICES

Designation as Contracting Officer and Redesignation of Authority

SECTION A. Authority delegated. The Supervisory Contract Specialist, Contracts and Agreements Division, Office of General Services, is designated as a Contracting Office and is authorized to:

1. Enter into and administer procurement contracts and make related determinations except determinations under sections 302(c) (11), (12), and (13) of the Federal Property and Administrative Services Act, as amended (41 U.S.C. 252 (c) (11), (12), and (13)).

2. Enter into and administer agreements with other Federal agencies involving the obligation of funds.

Sec. B. *Supersedeure*. The designations and redelegations to the Chief, Contract Branch, and the Chief, Contract Administration Branch, published at 35 FR 2462, February 3, 1970 and to the Chief, Policy and Review Branch, published at 36 FR 16215, August 20, 1971, effective July 19, 1971, are superseded.

(Designation and redelegation of Director, Office of General Services, effective March 25, 1967, 32 FR 4548, March 25, 1967)

Effective date. This document shall be effective on February 2, 1973.

MAXWELL S. FULCHER,  
Director, Contracts and  
Agreements Division.

[FR Doc.73-2084 Filed 2-1-73;8:45 am]

#### DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration  
ENGINEERING AND MANUFACTURING  
DISTRICT OFFICE AT YPSILANTI, MICH.

##### Notice of Closing

Notice is hereby given that on or about February 5, 1973, the Engineering and Manufacturing District Office at Ypsilanti, Mich., will be closed. Services to the aviation public located in southeastern Michigan, formerly provided by this office, will be provided by the Engineering and Manufacturing District Office at Muskegon, Mich. This information will be reflected in the FAA Organization Statement the next time it is reissued.

(Sec. 313(a), 72 Stat. 752; 49 U.S.C. 1354)

Issued in Des Plaines, Ill., on January 19, 1973.

LYLE K. BROWN,  
Director,  
Great Lakes Region.

[FR Doc.73-2002 Filed 2-1-73;8:45 am]

#### ADVISORY COUNCIL ON HISTORIC PRESERVATION

##### PLAQUEMINE LOCK, LOUISIANA

Notice of Meeting Regarding Proposed Closing

Notice is hereby given in accordance with Public Law 92-463 that the regular quarterly meeting of the Advisory Council on Historic Preservation will be held at 9:30 a.m. on February 7-8, 1973, at the National Portrait Gallery, Eighth and F Streets NW., Washington, DC.

As its main item of business, the Advisory Council, in accordance with section 106 of the National Historic Preservation Act of 1966 (Public Law 89-665, 16 U.S.C. 470f), will consider a proposal by the Corps of Engineers to close



Plaquemine Lock, in Iberville Parish, La. The council will hear presentations in public session, at the close of which the council will meet in executive session to formulate its comments. The council will then reconvene in public session to consider its routine business.

Persons wishing to submit statements or desiring further information should contact the Executive Secretary of the Advisory Council, Suite 430, 1522 K Street NW., Washington, DC 20005, telephone 202-254-3974.

Dated: January 29, 1973.

ROBERT R. GARVEY, Jr.,  
Executive Secretary.

[FR Doc. 73-2070 Filed 2-1-73; 8:45 am]

## ATOMIC ENERGY COMMISSION

### LOSS OF FLUID TEST FACILITY, NRTS, IDAHO

#### Notice of Availability of the General Manager's Final Environmental Statement

Notice is hereby given that a document entitled, "Loss of Fluid Test Facility, NRTS, Idaho" issued pursuant to the Atomic Energy Commission's implementation of section 102(2)(c) of the National Environmental Policy Act of 1969 is being placed in the Commission's Public Document Room, 1717 H Street NW., Washington, DC 20545, and in the Commission's Albuquerque Operations Office, Post Office Box 5400, Albuquerque, NM 87115; Chicago Operations Office, 9500 South Cass Avenue, Argonne, IL 60439; Grand Junction Office, Post Office Box 2567, Grand Junction, CO 81501; Idaho Operations Office, Post Office Box 2108, Idaho Falls, ID 83401; Health and Safety Laboratory, 376 Hudson Street, New York, NY 10014; Oak Ridge Operations Office, Post Office Box E, Oak Ridge, TN 37830; San Francisco Operations Office, 2111 Bancroft Way, Berkeley, CA 94704. This statement was prepared in support of the Commission's administrative action related to operation of the loss of fluid test facility at the National Reactor Testing Station (NRTS) in Idaho.

This final environmental statement will be furnished upon request addressed to the Director, Division of Environmental Affairs, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Germantown, Md., this 26th day of January 1973.

For the Atomic Energy Commission.

PAUL C. BENDER,  
Secretary of the Commission.

[FR Doc. 73-2027 Filed 2-1-73; 8:45 am]

### TRANSURANIUM SOLID WASTE DEVELOPMENT FACILITY, NEW MEXICO ET AL.

#### Notice of Availability of the General Manager's Draft Environmental Statement

Notice is hereby given that three draft environmental statements issued pursuant to the Atomic Energy Commission's

implementation of section 102(2)(c) of the National Environmental Policy Act of 1969 are being placed in the Commission's Public Document Room, 1717 H Street NW., Washington, DC 20545. The draft statements are:

WASH-1527 Transuranium Solid Waste Development Facility, LASL, New Mexico.

WASH-1528 Future High Level Waste Facilities, SRP, South Carolina.

WASH-1529 Calcined Solids Storage Additions, NRTS, Idaho.

The statements will also be in the Commission's Albuquerque Operations Office, Post Office Box 5400, Albuquerque, NM 87115; Chicago Operations Office, 9500 South Cass Avenue, Argonne, IL 60439; Grand Junction Office, Post Office Box 2567, Grand Junction, CO 81401; Health and Safety Laboratory, 376 Hudson Street, New York, NY 10014; Oak Ridge Operations Office, Post Office Box E, Oak Ridge, TN 37830; San Francisco Operations Office, 2111 Bancroft Way, Berkeley, CA 94704. The statements were prepared in support of legislative action related to the Commission's request for appropriation of funds for fiscal year 1974 for these projects.

The draft environmental statements will be furnished upon request addressed to the Director, Division of Environmental Affairs, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Comments on the draft environmental statements from members of the public shall be considered in the final environmental statements if received by the Director, Division of Environmental Affairs, by March 19, 1973.

Dated at Germantown, Md., this 31st day of January 1973.

For the Atomic Energy Commission.

PAUL C. BENDER,  
Secretary of the Commission.

[FR Doc. 73-2188 Filed 2-1-73; 10:50 am]

## FEDERAL MARITIME COMMISSION

### BALTIC SHIPPING CO.

#### Notice of Application for Performance Certificate

Security for the protection of the public, indemnification of passengers for nonperformance of transportation.

Notice is hereby given that the following persons have applied to the Federal Maritime Commission for a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation pursuant to the provisions of Section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540):

The Baltic Shipping Co., Mezhevoj Can. 5, Leningrad, U.S.S.R.

Dated: January 30, 1973.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 73-2067 Filed 1-2-73; 8:45 am]

## CHINA NAVIGATION CO., LTD.

### Notice of Application for Performance Certificate

Security for the protection of the public, indemnification of passengers for nonperformance of transportation.

Notice is hereby given that the following persons have applied to the Federal Maritime Commission for a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540):

The China Navigation Co. Ltd., 66 Cannon Street, London, E.C.4, England.

Dated: January 30, 1972.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 73-2066 Filed 2-1-73; 8:45 am]

## CHINA NAVIGATION CO., LTD.

### Application for Certificate of Financial Responsibility

Notice is hereby given that the following persons have applied to the Federal Maritime Commission for a certificate of financial responsibility to meet liability incurred for death or injury to passengers or other persons on voyages pursuant to the provisions of section 2, Public Law 89-777 (80 Stat. 1356, 1357) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540):

The China Navigation Co. Ltd., 66 Cannon Street, London, E.C. 4, England.

Dated: January 30, 1973.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 73-2065 Filed 2-1-73; 8:45 am]

[Independent Ocean Freight Forwarder License 492]

## W. P. NETH CO., INC.

### Order of Revocation

On January 19, 1973, the Federal Maritime Commission received notification that The W. P. Neth Co., Inc., 325 Spring Street, New York, NY 10013, wishes to voluntarily surrender its Independent Ocean Freight Forwarder License No. 492 for revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) § 7.04(f) (dated May 1, 1972):

It is ordered, That Independent Ocean Freight Forwarder License No. 492 be returned to the Commission for cancellation.

It is further ordered, That the Independent Ocean Freight Forwarder License of The W. P. Neth Co., Inc., be and is hereby revoked effective January 19, 1973, without prejudice to reapply for a license at a later date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon The W. P. Neth Co., Inc.

AARON W. REESE,  
Managing Director.

[FR Doc.73-2064 Filed 2-1-73; 8:45 am]

## FEDERAL POWER COMMISSION

[Docket No. CP73-192]

### ALGONQUIN GAS TRANSMISSION CO.

#### Notice of Application

JANUARY 29, 1973.

Take notice that on January 22, 1973, Algonquin Gas Transmission Co. (Applicant), 1284 Soldier Field Road, Boston, MA 02135, filed in Docket No. CP73-192 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation and delivery of regasified liquefied natural gas (LNG), by displacement, to the Connecticut Gas Co. (Connecticut Gas) and Providence Gas Co. (Providence Gas), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that on January 17, 1973, it entered into an agreement with three of its customers, Connecticut Gas, Providence Gas and Boston Gas Co. (Boston Gas), providing for certain delivery rearrangements whereby Applicant would transport and deliver up to 500,000 Mcf of gas to Connecticut Gas and up to 757,500 Mcf of gas to Providence Gas at 10 cents per Mcf during the 1972-73 winter heating season ending April 15, 1973. Applicant further states that deliveries will be made at existing delivery points where Applicant presently serves both Connecticut Gas and Providence Gas.

It is stated that Connecticut Gas and Providence Gas have arranged with Distrigas Corp. for the purchase of LNG at Distrigas' LNG terminal in Everett, Mass. It is also stated that Distrigas will deliver LNG to Boston Gas, and Applicant will reduce its normal deliveries of gas to Boston Gas by an equivalent amount and redeliver such amounts of regasified LNG to Connecticut Gas and Providence Gas.

Applicant states that the proposed transportation and delivery of LNG will provide Connecticut Gas and Providence Gas with needed additional supplies of gas and is designed to alleviate the emergency situation which is expected to continue throughout the 1972-73 winter heating season. Applicant also states that this proposal will not require any new facilities or disruption of service to existing customers.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before February 9, 1973, file with the Federal Power Commission, Washington,

D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2023 Filed 2-1-73; 8:45 am]

[Docket No. E-7973]

### BALTIMORE GAS & ELECTRIC CO. ET AL.

#### Notice of Application

JANUARY 26, 1973.

Take notice that on January 12, 1973, the Baltimore Gas & Electric Co., the Potomac Electric Power Co., and the Virginia Electric & Power Co. filed with the Commission a facilities agreement, dated November 27, 1972, which provides that each of the three companies will construct facilities in order to complete a 500 kv. transmission loop around the Washington, D.C. metropolitan area by the end of 1976. The 500 kv. loop is intended to improve the capability and reliability of the bulk power supply systems of not only the three signatory companies, but also of other interconnected electric utilities of the Middle Atlantic States.

Any person desiring to be heard or to make any protest with reference to said application, should, on or before February 23, 1973, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not

serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2053 Filed 2-1-73; 8:45 am]

[Docket No. E-7970]

### CONSOLIDATED EDISON CO. OF NEW YORK, INC.

#### Initial Rate Filing

JANUARY 26, 1973.

Take notice that Consolidated Edison Co. of New York, Inc. (Con Edison) on January 11, 1973, tendered for filing as an Initial Rate Schedule an executed agreement dated December 22, 1972, between Con Edison and Central Hudson Gas and Electric Corp. (Central Hudson). The proposed rate schedule will increase Con Edison's revenues from jurisdictional sales and services by approximately \$123,215 during the period of transmission service period commencing January 1, 1973, and terminating April 29, 1973. Con Edison requests waiver of the notice requirements of § 35.3 of the Commission's regulations and an effective date of January 1, 1973, be designated.

In support of its filing, Con Edison states that in exchange for its transmission services it will receive an intervening party transmission facility charge which is the same rate provided for in the New York Power Pool Agreement of March 31, 1971, for transmission of supplemental capability, to which Con Edison and Central Hudson are signatories. Further, Con Edison states that no facilities have been installed or modified to supply the proposed service.

In support of its requested waiver of the notice period, Con Edison states that the agreement was not fully executed until December 29, 1972, and that service under the Agreement has commenced. Thus, Con Edison says, if waiver is not granted it will be uncompensated for its service. Finally, Con Edison states that a grant of waiver will have no effect on its other customers.

Con Edison states that copies of this filing were served on Central Hudson.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before February 1, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are

on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2050; Filed 2-1-73; 8:45 am]

[Docket No. RP72-151]

**EL PASO NATURAL GAS CO.**

**Extension of Time and Postponement of Hearing**

JANUARY 29, 1973.

On January 26, 1973, Staff Counsel filed a motion for extension of dates for the service of evidence and for the continuance of hearing fixed by order issued July 31, 1972, as amended by notice issued December 1, 1972, Docket No. RP72-151 (Northwest Division System) (37 FR 26057). The motion states that no party objects to the motion.

Staff Counsel also requests that the rate design evidence be served and hearing on rate design be held in accordance with the procedural schedules for the conjunctive billing phase as proposed in the customers' motion filed on January 23, 1973, and as set forth in the notice issued this date in Docket No. RP71-137, et al.

Upon consideration, notice is hereby given that the procedural dates fixed by the order issued July 31, 1972, and amended by notice issued December 1, 1972, except for the rate design are modified as follows:

Service of staff's evidence.....	Mar. 16, 1973
Interveners' evidence.....	Apr. 6, 1973
El Paso's rebuttal evidence.....	Apr. 20, 1973
Hearing and commencement of cross examination of witnesses.....	May 8, 1973

The procedural dates for rate design are modified as follows and as set out in a separate notice issued today in Docket No. RP72-137 and RP72-151:

Direct evidence by El Paso and interveners.....	Mar. 30, 1973
Staff evidence.....	Apr. 27, 1973
Rebuttal evidence, if any, by El Paso and interveners.....	May 11, 1973
Hearing for cross examination.....	May 22, 1973

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2061 Filed 2-1-73; 8:45 am]

[Dockets Nos. G-10426, CP70-137]

**EL PASO NATURAL GAS CO.**

**Extension of Time**

JANUARY 29, 1973.

On January 24, 1973, El Paso Natural Gas Co. filed a request for a change in dates for the filing of evidence and for hearing as set by the order issued January 8, 1973, in the above matter (38 FR 1606).

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Mar. 8, 1973..... Testimony and exhibits by El Paso.

Mar. 28, 1973..... Hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2060 Filed 2-1-73; 8:45 am]

[Docket No. E-7754]

**GREEN MOUNTAIN POWER CORP.**

**Extension of Time**

JANUARY 29, 1973.

On January 24, 1973, counsel for the Village of Hardwick Electric Department, et al., filed a motion for an extension of time to file prepared testimony and exhibits as fixed by the order issued on September 7, 1972, in the above matter (37 FR 18584). The motion states that Staff Counsel and counsel for the applicant have no objection to the change in dates requested in the motion.

Upon consideration, notice is hereby given that the time is extended to and including February 16, 1973, within which the testimony and exhibits of interveners may be filed. The other dates are modified accordingly:

Prehearing conference.....	Feb. 22, 1973 (10 a.m. e.s.t.)
Service of rebuttal testimony by applicant.....	Mar. 2, 1973
Commencement of cross examination.....	Mar. 13, 1973 (10 a.m.)

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2052 Filed 2-1-73; 8:45 am]

[Docket No. E-7740]

**INDIANA AND MICHIGAN ELECTRIC CO.**  
**Notice of Application for Issuance of Subpoena Duces Tecum and Production of Documentary Evidence**

JANUARY 29, 1973.

Take notice that the Intervenor City of Richmond, Ind. (Richmond) on January 4, 1973, filed with the Commission an application for issuance of a Subpoena Duces Tecum to Mr. Donald C. Cook, president of Indiana and Michigan Electric Co. (I&M) for production of documentary evidence. In support of its application, Richmond states that the documents are essential in order for Richmond to prepare and prove its case in the above captioned proceeding and that I&M has refused to respond to previous requests for these documents.

Any party to this proceeding desiring to be heard or to protest said application should file comments with the Federal Power Commission, 441 G Street, NW., Washington, DC 20426. All such comments or responses should be filed on or before February 7, 1973. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2022 Filed 2-1-73; 8:45 am]

[Docket No. CP73-186]

**KANSAS-NEBRASKA NATURAL GAS CO., INC.**

**Notice of Application**

JANUARY 26, 1973.

Take notice that on January 16, 1973, Kansas-Nebraska Natural Gas Co., Inc. (Applicant), 300 North St. Joseph Avenue, Hastings, NE 68901, filed in Docket No. CP73-186 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of approximately 47.5 miles of pipeline facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it is experiencing increasing firm residential and commercial peak day demand of natural gas on its system and that the estimated peak day system deliveries of natural gas for the 1973-74 heating season will be 561,495 Mcf, approximately 10,000 Mcf of gas per day more than the peak day system deliveries estimated for the 1972-73 heating season. It is stated that the proposed facilities listed below will provide the additional capacity necessary to supply the additional demand for natural gas:

(a) Approximately 9.1 miles of new 16-inch pipeline, parallel to existing 12-inch pipeline, between Brule and Ogallala, Nebr.;

(b) Approximately 9 miles of new 16-inch pipeline, parallel to existing 10-inch pipeline, between Brady and Gothenburg, Nebr.;

(c) Approximately 6.4 miles of new 16-inch pipeline, parallel to existing 10-inch pipeline, from a point approximately 3 miles east of Lexington, Nebr., east to an existing mainline valve;

(d) Approximately 5.2 miles of new 12-inch pipeline, parallel to existing 8-inch pipeline, from an existing 8-inch mainline valve in an easterly direction to Cairo, Nebr.;

(e) Approximately 1.4 miles of new 8-inch pipeline, parallel to existing 8-inch pipeline, from Albion, Nebr., to applicant's Albion compressor station;

(f) Approximately 7.1 miles of new 8-inch pipeline, parallel to existing 6-inch pipeline, from Algin, Nebr., to the junction of applicant's Ainsworth and Laurel pipelines;

(g) Approximately 0.9 mile of 3-inch buried pipeline, to replace a 0.9 mile of existing 2-inch pipeline installed on the surface of the ground, between applicant's existing 3-inch pipeline and Madison, Nebr.;

(h) Approximately 8.4 miles of 4-inch buried pipeline, to replace 8.4 miles of existing 3-inch pipeline installed on the surface of the ground, between applicant's dual 12-inch transmission lines and Collyer, Kans.

Applicant states that the facilities described in items (a), (b), (c), and (d) will enable applicant to take maximum advantage of Huntsman storage field and

gas supplies from the Wyoming sources, thereby increasing applicant's capacity east of Big Springs, Nebr., and enabling applicant to provide for the increase in firm gas requirements by approximately 10,000 Mcf of natural gas per day.

Applicant also states that by further extending the existing dual pipelines as described in items (e) and (f), applicant will be able to provide peak day capacity for the projected additional growth of firm residential and commercial peak day requirements for natural gas in the area north of Grand Island, Nebr.

Applicant further states that the enlargement and replacement of the pipeline facilities connecting applicant's pipeline with Madison, Nebr., as described in item (g) are necessary to maintain adequate pressure at the Madison, Nebr., delivery point under peak operation conditions estimated for the winter of 1973, thereby enabling applicant to meet the increased firm gas requirements of Madison, Nebr., one of applicant's wholesale customers, and to improve the reliability of applicant's service to that community.

Applicant also states that the enlargement and improvement of pipeline described in item (h) will enable applicant to provide the additional firm gas requirements to its increasing number of firm gas customers in the communities of Collyer, Quinter, Park, Grainfield and Grinnel, Kans., as well as rural customers along applicant's Grinnel pipeline.

It is stated that the proposed facilities will cost approximately \$1,586,800 to be financed out of current working capital and interim bank loans.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 19, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to

intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2046 Filed 2-1-73; 8:45 am]

[Dockets Nos. CP70-313, CP64-268]

#### LONE STAR GAS CO.

##### Further Extension of Time

JANUARY 29, 1973.

On January 26, 1973, Lone Star Gas Co. filed a request for a further extension of the procedural dates fixed by the order issued December 18, 1972, as modified by the notice issued January 4, 1973, in the above-designated matter (37 FR 28552; 38 FR 1412).

Upon consideration, notice is hereby given that the procedural dates in this matter are further modified as follows:

Direct Testimony of Applicant and Intervenor ..... March 2, 1973  
Hearing ..... March 20, 1973

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2057 Filed 2-1-73; 8:45 am]

[Docket No. CP73-187]

#### MID LOUISIANA GAS CO. AND UNITED GAS PIPE LINE CO.

##### Notice of Application

JANUARY 29, 1973.

Take notice that on January 16, 1973, Mid Louisiana Gas Co. (Mid Louisiana), Lykes Center, 300 Poydras Street, New Orleans, LA 70130, and United Gas Pipe Line Co. (United), 1500 Southwest Tower, Houston, Tex. 77001, filed in Docket No. CP73-187 a joint application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas for exchange at an additional point, an increase in the volume of gas exchanged, and the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants state that by a letter agreement dated November 27, 1972, they have further amended their exchange agreement dated March 26, 1968. Applicants propose, in accordance with said agreement of November 27, 1972, to add an additional exchange point in College Point Field, St. James Parish, La., at the intersection of their facilities where Mid Louisiana's College Point Field gathering line crosses United's New Orleans-Baton Rouge line. Applicants state that the proposed exchange point will require construction of a pipeline tap to be provided by United and a minor connection facility which Mid

Louisiana will install, operate and maintain. It is stated that the proposed exchange point will provide Mid Louisiana with greater flexibility in the operation of its St. James Parish transmission line and will permit a more orderly depletion of the reserves producing into Mid Louisiana College Point Field gathering system.

Applicants further propose, in accordance with said letter agreement of November 27, 1972, to increase the maximum amount of natural gas that can be delivered at the Oak Hill exchange point in East Baton Rouge Parish, La., from 1,000 Mcf to 2,500 Mcf of natural gas per day and at the Siegen Lane Area Exchange point in East Baton Rouge Parish, La., from 1,000 Mcf to 2,000 Mcf of natural gas per day. Applicants state that no new facilities are required to implement the increase in exchange volume and that pursuant to the agreement Applicants shall re-deliver an equivalent volume of natural gas through any mutually agreeable designated exchange point or points, in as nearly simultaneous deliveries as possible. Applicants state that operating experience has demonstrated that the existing maximum daily delivery limits of natural gas at the above points are not adequate and that the proposed increase in such limits will assist the local distributor, Gulf States Utilities Co., in serving its market requirements by relieving existing capacity problems on Gulf States' distribution system.

Applicants estimate the cost of facilities for the new exchange point will be \$1,815, which will be financed from cash on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 20, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion

believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2056 Filed 2-1-73;8:45 am]

[Docket No. E-7563]

**MONONGAHELA POWER CO. ET AL.**

**Filing of Offer of Settlement**

JANUARY 26, 1973.

Take notice that Monongahela Power Co., the Potomac Edison Co., and West Penn Power Co. (Allegheny System Companies) on January 22, 1973, tendered for filing an offer of settlement, with supporting cost data, which would resolve all issues in the above-referenced proceeding.

The offer of settlement would reduce the rate of return of 9 percent in effect, subject to refund, to 8 percent for computing fixed charges for capacity reserve equalization and transmission service among the three Allegheny System Companies. The Commission staff agrees to the offer of settlement and The People's Counsel of Maryland, the sole intervenor, has stated no objection thereto.

Any person desiring to comment upon the offer of settlement should file such comments with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, on or before February 8, 1973. Copies of the offer of settlement are on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2051 Filed 2-1-73;8:45 am]

[Docket No. CP73-188]

**MONTANA-DAKOTA UTILITIES CO.**

**Notice of Application**

JANUARY 29, 1973.

Take notice that on January 17, 1973, Montana-Dakota Utilities Co. (Applicant), 400 North Fourth Street, Bismarck, ND 58501, filed in Docket No. CP73-188 an application pursuant to section 7(c) of the Natural Gas Act and §§ 157.7(b) and 157.7(c) of the regulations thereunder for a certificate of public convenience and necessity authorizing the construction, during the 12-month period commencing April 1, 1973, and operation of gas-purchase facilities to enable Applicant to take into its certified main pipeline system such natural gas purchased from producers thereof and gas-sales facilities to enable Applicant to make direct sales of natural gas to consumers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The stated purpose of this budget-type application, with respect to the proposed

gas purchase facilities, is to augment Applicant's ability to act with reasonable dispatch in connecting to its pipeline system additional supplies of natural gas in areas generally coextensive with said system. The application states that the total cost of all such facilities will not exceed \$1,500,000, with no single project to exceed \$375,000, to be financed from internally generated funds.

The stated purpose of this budget type application, with respect to the proposed gas sales facilities, is to enable Applicant to make direct sales of natural gas to consumers, transport and sell volumes of natural gas previously authorized under certificates to existing market areas and to make miscellaneous rearrangements. Applicant states that the maximum facilities to be installed during the period, subdivided by type, are as follows:

	New delivery points for distributors	Direct sales to ultimate consumers	Miscellaneous rearrangements
Maximum number of lateral or loop lines to be installed.	0	6	4
Maximum length.	0	10 miles	5 miles
Maximum diameter.	0	6 inches	12 inches
Maximum number of taps.	2	6	4
Maximum number of meters.	2	6	4

It is further stated that the total cost of all such facilities will be \$200,000 to be financed with internally generated funds.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 20, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2059 Filed 2-1-73;8:45 am]

**NATIONAL GAS SURVEY—DISTRIBUTION—TECHNICAL ADVISORY TASK FORCE—FACILITIES**

**Notice of Public Meeting**

Meeting to be held in Conference Room 2043 of the Federal Power Commission, 441 G Street NW., Washington, DC, February 15 and 16, 1973—9:30 a.m.

Presiding, Mr. Charles A. Gallagher, TF FPC Survey Coordinating Representative and Secretary.

1. Call to order and introductory remarks. Mr. Gallagher.

2. Objectives and purposes of meeting. A. Review, discussion, and comments on preliminary draft of distribution facilities report. Mr. R. E. Miller.

B. Review, discussion, and comments on preliminary draft of storage facilities. Mr. E. B. Hedges or alternate.

C. Discussion of format to be used in consolidating the above draft into a final draft report.

D. Discussion of environmental aspects concerning the work of the distribution-technical advisory task force-facilities.

E. Status of assigned work and estimated date for completion.

F. Other business and next meeting date.

3. Adjournment. Mr. Gallagher.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the task force—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the task force.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2062 Filed 2-1-73;8:45 am]

[Docket No. E-7903]

**NORTHERN INDIANA PUBLIC SERVICE CO.**

**Proposed Changes in Rates and Charges**

JANUARY 26, 1973.

Take notice that Northern Indiana Public Service Co. (Northern Indiana) on August 15, 1972, as supplemented on October 11, 1972, tendered for filing proposed changes in its Supplemental Service Agreement between Commonwealth Edison Co. of Indiana, Inc., and Northern Indiana (Northern Indiana Public Service Co. Rate Schedule FPC No. 8). The tendered filing incorporates several changes in language and terms of service as well as changes to reflect increases in fuel costs and adjustments in production. Northern Indiana requests waiver of the notice requirements of § 35.11 of the Commission's regulations under the Federal Power Act to

permit an effective date of July 1, 1972.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before February 7, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2055 Filed 2-1-73;8:45 am]

[Docket No. CP-73-166]

#### NORTHERN NATURAL GAS CO.

##### Notice of Application

JANUARY 26, 1973.

Take notice that on December 26, 1972, Northern Natural Gas Co. (Applicant), 2233 Dodge Street, Omaha, NE 68102, filed in Docket No. CP73-166 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a 350 horsepower compressor station, 27.4 miles of 12-inch pipeline, 52.6 miles of through 16-inch gathering lines and 30 wellhead measuring stations and appurtenances, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has entered into gas purchase agreements with six producers of natural gas in the Sherard area, located primarily in Blaine and Chouteau Counties, Mont., and that the facilities proposed herein are necessary for the purchase, gathering, and transportation of natural gas to be produced in that area. Applicant states that proven reserves on the dedicated acreage are estimated at 58 million Mcf and that probable reserves are estimated at 8.3 million Mcf.

Applicant states that the additional reserves will be utilized to augment its existing Montana (Tiger Ridge) gas supplies to render service to its customers, and that Applicant does not propose to increase its daily takes from its Montana gas sources but instead will use the Sherard reserves to provide greater operating flexibility within the Montana system and to prolong the productive life of Applicant's Tiger Ridge reserves. Applicant further states that the Sherard reserves will provide initially an average of approximately 20,000 Mcf of gas per day from presently contracted acreage.

It is stated that the estimated cost of the facilities proposed herein is \$3,790,000 which will be financed from cash on hand and from funds generated through operation.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 19, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2049 Filed 2-1-73;8:45 am]

[Docket No. CI73-477]

#### PENNZOIL OFFSHORE GAS OPERATORS, INC.

##### Notice of Application

JANUARY 26, 1973.

Take notice that on January 15, 1973, Pennzoil Offshore Gas Operators, Inc. (Applicant) 900 Southwest Tower, Houston, TX 77002 filed in Docket No. CI73-477 an application pursuant to section 7(c) of the Natural Gas Act and § 2.75 of the Commission's general policy and interpretations (18 CFR 2.75) for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Sea Robin Pipeline Co. from Block 295, Eugene Island Area, offshore Louisiana, all as more fully set forth in the application in this proceeding.

Applicant proposes under the optional gas pricing procedure to sell natural gas to Sea Robin from Block 295 at an initial rate of 35 cents per Mcf at 15.025 p.s.i.a. subject to upward and downward B.t.u. adjustment for a period of 20 years. The basic contract for the subject sale dated April 20, 1972, provides for 2.5 cents per Mcf price escalations every 36 months.

Applicant states that it was granted in Docket No. CI72-693 a temporary certificate for the subject sale on May 17, 1972, and a permanent certificate for the sale on October 17, 1972, conditioned to Commission Opinion Nos. 598 and 598-A; however, deliveries of natural gas have not commenced under these certificates. Applicant further states that at the time it made its original certificate application on April 25, 1972, the optional pricing procedure was not available.

Applicant asserts that recently executed contracts for the sale of gas in the same area as the instant proposal call for much higher prices—in the neighborhood of 45.0 cents per Mcf and that recently negotiated intrastate contracts in Southern Louisiana and other areas contain even higher rates, such as the sales reported at 52.0 cents per Mcf in New Mexico, 73 cents per Mcf in Ohio, and 67 cents per Mcf in Alabama-Florida. Applicant further asserts that the assurance of a long-term supply of natural gas produced domestically and delivered at the instant contract prices is extremely beneficial to consumers faced with the prospect of paying in excess of \$1 (initial price) for gas imported from countries with uncertain political futures or transported over long distances from Alaska.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 20, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2048 Filed 2-1-73;8:45 am]

[Dockets Nos. RP71-130, RP72-58]

## TEXAS EASTERN TRANSMISSION CORP.

## Notice of Rate Filing

JANUARY 29, 1973.

Take notice that on December 29, 1972, Texas Eastern Transmission Corp. (Texas Eastern) filed a First Revised Sheet No. 92N of its FPC Gas Tariff, Third Revised Volume No. 1. The filing is made pursuant to Commission directives in its Order in the above Dockets approving settlement agreement, issued December 1, 1972.

The sheet calls for demand charge adjustment credits with corresponding increase in the commodity charge to reflect the credits on the demand charge. The revision would apply only during periods of curtailments and is directed to Texas Eastern's DCQ and GS rate schedule customers not exempted from curtailment.

Texas Eastern requests waiver of our rules and regulations to allow the sheet to become effective as of September 1, 1972.

Good cause exists to allow a shorter notice period than contemplated in our rules.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 14, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,  
Secretary.

[PR Doc.73-2021 Filed 2-1-73;8:45 am]

[Docket No. RP71-130, etc.]

TEXAS EASTERN TRANSMISSION CORP.  
AND ALGONQUIN GAS TRANSMISSION CO.Order Approving Tariff Sheets and  
Accepting for Filing

JANUARY 26, 1973.

In re: Texas Eastern Transmission Corp. (Dockets Nos. RP71-130, RP72-58); Algonquin Gas Transmission Co. (Dockets Nos. RP71-131, RP72-61).

Texas Eastern Transmission Corp. (Texas Eastern) (Dockets Nos. RP71-130, RP72-58) filed on December 27, 1972, First Revised Sheet No. 92 and Original Sheets No. 92A through 92N to its FPC Gas Tariff, Third Revised Volume No. 1. Those sheets embody the curtailment provisions of the Stipulation and Agreement that we have approved by our order approving settlement agreement issued December 1, 1972.

As the December 27, 1972, filing complies with the settlement and our order, we will accept and approve it as effective September 1, 1972, to September 1, 1973, waiving our rules and regulations to do so.

On December 29, 1972, Texas Eastern filed First Revised Sheet No. 92N to its FPC Gas Tariff, Third Revised Volume No. 1. That filing is in compliance with our directives in ordering paragraph (C) of our December 1, 1972, order. As the provisions in that filing have not been approved by us and as the approval of the settlement was contingent upon a filing and not upon approval of its content, the filing is being noticed under Commission's rules and regulations. This is being done so that we may have before us any comments and positions to use in the determination of its justness and reasonableness.

Furthermore, as the provisions contained in First Revised Sheet No. 92N have not been shown to be lawful and may be unjust, unreasonable, unduly discriminatory, or preferential or otherwise unlawful under the Natural Gas Act, we will suspend that tariff sheet for 1 day.

## The Commission finds:

(1) Good cause exists to waive our rules and regulations and allow Texas Eastern's December 27, 1972, filing to become effective September 1, 1972.

(2) Good cause exists to accept for filing and approve as effective September 1, 1972, to September 1, 1973, those sheets filed by Texas Eastern on December 27, 1972.

(3) Good cause exists to accept for filing Texas Eastern's December 29, 1972, filing; however, it is necessary and appropriate for the purposes of the Natural Gas Act, particularly sections 4, 5, and 15 thereof, that the operation of that sheet be suspended and the use thereof be deferred as hereinafter provided.

## The Commission orders:

(A) First Revised Sheet No. 92 and original Sheets No. 92A through 92N of Texas Eastern Transmission Corporation's FPC Gas Tariff, Third Revised Volume No. 1 filed on December 27, 1972, are accepted for filing and approved as effective from September 1, 1972, to September 1, 1973.

(B) First Revised Sheet No. 92N, filed on December 29, 1972, to Texas Eastern Transmission Corporation's FPC Gas Tariff, Third Revised Volume No. 1 is accepted for filing and that sheet is hereby suspended and the use thereof deferred until January 30, 1973, or until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

By the Commission.<sup>1</sup>[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-2045 Filed 2-1-73;8:45 am]

<sup>1</sup> Commissioner Brooke dissenting in part filed a separate statement which is filed as part of the original document.

[Docket No. RP71-130 etc.]

TEXAS EASTERN TRANSMISSION CORP.  
AND ALGONQUIN GAS TRANSMISSION  
CORP.

## Order To Show Cause

JANUARY 29, 1973.

By telegrams dated January 15, 1973, and January 13, 1973, from the Governor of Rhode Island and Providence Gas Co. respectively,<sup>1</sup> we have been informed that small residential and commercial loads attached to the Providence Gas Co. (Providence) may be endangered by loss of continuing service within the relatively near future. Providence is solely supplied by Algonquin Gas Transmission Co. (Algonquin) (Dockets Nos. RP71-131 and RP72-61), a jurisdictional company. Based on the investigation by staff precipitated by the telegraphic reports we are of the belief that an emergency may well arise on the Providence system.

This notwithstanding, we would be disposed to consider the following provisions in any determination on the curtailment plan filed by Algonquin in these dockets. That plan, based on ratable curtailments, is presently pending before the Commission; however, it contains no emergency provisions for protection of residential and commercial loads.

In our recent opinions<sup>2</sup> and our Order 467-A, Docket No. R-469, issued January 15, 1973, we stated that all jurisdictional pipeline companies should file emergency provisions within criteria set out in those opinions and order.

We are of the opinion, both because of the situation extant on the Providence system and the policy delineated above, that an amendment to Algonquin's tariff provision for curtailments, incorporating the criteria in those orders may be in the public interest.

Furthermore, on January 8, 1973, the Commission issued Order No. 467, Statement of Policy, setting forth certain curtailment categories for use during periods of curtailed deliveries by jurisdictional pipeline companies. We note that Algonquin's curtailment plan, presently pending before this Commission, calls for ratable curtailment of deliveries to its customers during times of deficiencies on its system in accordance with its present tariff provision. This plan does not comport with our Statement of Policy. Algonquin should file tariff sheets that follow the policies set forth in Order No. 467 and 467A. To allow sufficient time for the receipt of comments and other necessary procedures prior to the inception of the 1973-74 winter-heating season, we direct that this filing be made by June 1, 1973.

We invite submissions by Algonquin's customers so that end-use determinations can be made in this proceeding

<sup>1</sup> These telegrams have been filed in the public records in Dockets Nos. RP71-131 and RP72-61.

<sup>2</sup> Arkansas Louisiana Gas Co., — FPC —, Opinion No. 643, issued Jan. 8, 1973; United Gas Pipe Line Co., — FPC —, Opinion No. 647, issued Jan. 12, 1973.

[Docket No. E-7828]

## UTAH POWER &amp; LIGHT CO.

## Proposed Cancellation of Electric Service Contract

JANUARY 26, 1973.

after the revised tariff sheets have been filed. Preferably, the end-use data should be submitted to Algonquin prior to its June 1, 1973, tariff filing, but if this data is not received by Algonquin, we direct it to reconstruct the end-use data for each nonsubmitting customer on the basis of available information, with Algonquin's determination being subject to staff verification.

Furthermore, we are concurrently issuing in these dockets an order denying rehearing and stay on the Texas Eastern Transmission Corp. curtailment proceedings (Dockets Nos. RP71-130 and RP72-58). Thus, we no longer deem it necessary to continue consolidation of the Algonquin and Texas Eastern dockets and we will sever the proceedings.

## The Commission finds:

(1) That good cause exists for, and the public interest in administering the Natural Gas Act demands that Algonquin be directed to show cause why it should not be directed to amend its curtailment tariff provision as hereinafter ordered.

(2) Good cause exists to sever the Texas Eastern and Algonquin curtailment proceedings.

The Commission, acting pursuant to the provisions of the Natural Gas Act, as amended, and particularly sections 4, 5, 7, and 16 thereof, and pursuant to Order 467 and Order 467A, orders:

(A) Algonquin Gas Transmission Co. is herein ordered to appear at a public hearing and to show cause why it should not file an amendment to its curtailment tariff to conform with Order 467A.

(B) A hearing shall be convened at 10 a.m. on February 12, 1973, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC, before a Presiding Administrative Law Judge.

(C) Respondent shall file its testimony and evidence on or before January 31, 1973, and all other parties, including staff, shall file their testimony on or before February 7, 1973.

(D) Petitions to intervene in the show cause proceedings herein ordered should be filed with the Secretary on or before February 7, 1973.

(E) Algonquin Gas Transmission Co., Dockets Nos. RP71-131 and RP72-61 is hereby severed from and no longer consolidated with Texas Eastern Transmission Corp., Dockets Nos. RP71-130 and RP72-58.

On or before June 1, 1973, Algonquin Gas Transmission Co. should file appropriate tariff sheets providing for a curtailment plan effective prior to the onset of the 1973-74 winter heating season, to conform with the policies set forth in Order Nos. 467 and 467A, and subject to approval by the Commission. Algonquin shall include data, including end-use data, available to it that will implement the curtailment plan so filed.

By the Commission.

[SEAL] KENNETH F. PLUMS,  
Secretary.

[FR Doc.73-2058 Filed 2-1-73; 8:45 am]

Take notice that Utah Power & Light Co. (Utah Power) on November 13, 1972, tendered for filing proposed changes in its FPC Electric Tariff, original Volume No. 1 which would incorporate cancellation by Kaysville City Corp.'s (Utah) of its power purchase contract with Utah Power. Utah Power requests waiver of the notice requirements of § 35.11 of the Commission's regulations under the Federal Power Act to permit an effective date of November 25, 1972.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before February 7, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMS,  
Secretary.

[FR Doc.73-2054 Filed 2-1-73; 8:45 am]

## FEDERAL RESERVE SYSTEM

## FIRST FINANCE CO. AND MID-CONTINENT BANCSHARES

## Formation of Bank Holding Companies, Acquisition and Retention of Nonbanking Companies, and Notice of Request for Determination and Order Providing Opportunity for Hearing

First Finance Co.<sup>1</sup> (First Finance) and its wholly owned subsidiary Mid-Continent Bancshares (Bancshares), both of Nevada, Mo., have applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become bank holding companies by indirectly acquiring 97 percent of the outstanding voting shares of Commercial Bank of Leadville, Leadville, Colo. (Bank), through the acquisition of 98 percent or more of the voting shares of Mid-Continent Corp., Nevada, Mo., a bank holding company

<sup>1</sup>First Finance Co. is presently a bank holding company within the meaning of the Act, by virtue of its ownership of 57.1 percent of the outstanding voting shares of First National Bank of Golden City, Golden City, Mo. First Finance Co. would, upon approval of this application, divest its shares of First National Bank of Golden City prior to its acquisition of Commercial Bank of Leadville, and, therefore, cease to be a bank holding company with respect to First National Bank of Golden City.

which presently owns 97 percent of the outstanding voting shares of Bank. The factors that are considered in acting on these applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

At the same time, First Finance and Bancshares have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, to indirectly acquire, through the acquisition of Mid-Continent Corp., voting shares of Hugh E. Smith, Inc., Leadville, Colo. Notice of the respective applications was published on January 26, 1973, in The Herald Democrat, Lake County, Colo., a newspaper circulated in Lake County, Colo.

First Finance and Bancshares state that the proposed subsidiary would engage in the activity of a general insurance agency in a community of less than 5,000 persons. Such activity has been specified by the Board in § 225.4(a)(9) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

First Finance has also applied, pursuant to section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, to retain voting shares of First Finance Co. of Houston, Inc., which acquired assets of Superior Loan Co., Houston, Mo., without Board approval; First Finance Co. of Salem, Inc., Salem, Mo., which acquired assets of Superior Loan Co., Salem, Mo., without Board approval; and the following companies:

First Finance Co. of Eldorado Springs, Inc., Eldorado Springs, Mo.  
First Finance Co. of Denver, Inc., Denver, Colo.  
First Finance Co. of Mt. Vernon, Inc., Mt. Vernon, Mo.  
First Finance Co. of Springfield, Inc., Springfield, Mo.  
First Finance Co. of Osceola, Inc., Osceola, Mo.  
First Finance Co. of Vinita, Inc., Vinita, Okla.  
First Finance Co. of Monett, Inc., Monett, Mo.  
First Finance Co. of Joplin, Inc., Joplin, Mo.  
First Finance Co. of Bolivar, Inc., Bolivar, Mo.  
First Finance Co. of Lamar, Inc., Lamar, Mo.  
First Finance Discount Co., of Joplin, Inc., Joplin, Mo.  
First Finance Discount Co., Nevada, Mo.  
First Finance Co., Inc., Fort Scott, Kans.  
Southwestern Insurance Agency, Inc., Nevada, Mo.

Notice of the above applications was published, respectively, in the following newspapers on the following dates:

Houston Herald	Jan. 25, 1973
The Salem Post	Jan. 22, 1973
El Dorado Springs Sun	Jan. 25, 1973
The Denver Post	Jan. 24, 1973
Lawrence County Record	Jan. 25, 1973
Springfield Leader & Press	Jan. 23, 1973
St. Clair County Courier	Jan. 25, 1973
Vinita Daily Journal	Jan. 23, 1973
Monett Times	Do.
The Joplin Globe	Jan. 24, 1973
Bolivar Herald-Free Press	Do.
Lamar Democrat	Jan. 23, 1973



The Joplin Globe..... Jan. 24, 1973  
 The Daily Mail..... Do.  
 The Fort Scott Tribune..... Jan. 23, 1973  
 The Daily Mail..... Jan. 24, 1973

First Finance states that Southwest Insurance Agency, Inc., engages in the activity of acting as agent or broker with respect to the sale of automobile physical damage insurance and personal property insurance which protects the security interest of loans made by First Finance or any of its consumer finance subsidiaries located in Missouri. First Finance states that the other above-mentioned subsidiary companies engaged in the activities of making and acquiring consumer finance loans and acting as agent or broker in the sale of credit life, credit accident and health insurance and credit fire insurance which protects the security interest of loans made by such companies. Such activities have been specified by the Board in § 225.4(a) (1) and (9) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the questions whether consummation of the proposal under section 4 (c) (8) can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The applications may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views on the applications or requests for hearing on the section 4(c) (8) application should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than February 12, 1973.

In connection with First Finance's section 3(a) (1) application to indirectly acquire Commercial Bank of Leadville, notice is hereby given that it has requested the Board of Governors of the Federal Reserve System, pursuant to the provisions of section 2(g) (3) of the Bank Holding Company Act, to make a determination that upon divestiture of its shares of First National Bank of Golden City, Golden City, Mo., First Finance will not in fact be capable of controlling Hubert L. Fowler, Lee Gilbert, and H. V. Edmiston, all of Nevada, Mo., to whom First Finance will transfer, prior to its acquisition of Commercial Bank of Leadville, more than 57 percent of the outstanding voting shares of the First National Bank of Golden City, Golden City, Mo.

<sup>1</sup> See footnote 1.

Inasmuch as section 2(g) (3) of the Act requires that any determination thereunder be made only after opportunity for hearing:

It is ordered, That pursuant to section 2(g) (3) of the Act, an opportunity be and hereby is provided for filing a request for hearing. Any such request or written comments on the application should be submitted in writing (in duplicate) to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received on or before February 12, 1973. The request for hearing should contain a statement of the nature of the requesting person's interest in the matter, his reasons for wishing to appear at an oral hearing, and a summary of the matters concerning which said person wishes to give testimony at such hearing. The Board will subsequently designate a time and place for any hearing ordered, and will give notice of such hearing to the transferor, the transferees, and all persons who have requested a hearing. In the absence of a request for hearing, the Board will proceed with consideration of the requested determination on the basis of documentary evidence filed in connection with the application.

Board of Governors of the Federal Reserve System, January 26, 1973.

[SEAL] TYNAN SMITH,  
 Secretary of the Board.  
 [FR Doc.73-2072 Filed 2-1-73;8:45 am]

#### NEW ENGLAND MERCHANTS CO., INC.

##### Acquisition of Bank

New England Merchants Co., Inc., Boston, Mass., has applied for the Board's approval under section 3(a) (3) of the Bank Holding Company Act (12 U.S.C. 1842(a) (3)) to acquire 100 percent of the voting shares of Hancock Bank and Trust Co., Quincy, Mass. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Boston. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than February 22, 1973.

Board of Governors of the Federal Reserve System, January 26, 1973.

[SEAL] TYNAN SMITH,  
 Secretary of the Board.  
 [FR Doc.73-2071 Filed 2-1-73;8:45 am]

#### GENERAL SERVICES ADMINISTRATION

[Federal Property Management Reg.,  
 Temporary Reg. F-166]

#### SECRETARY OF DEFENSE

##### Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the

executive agencies of the Federal Government in a telecommunications rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a) (4) and 205(d) (40 U.S.C. 481(a) (4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the Florida Public Service Commission in a proceeding involving the application of Southern Bell Telephone and Telegraph Co., for a telephone rate increase.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls, prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ARTHUR F. SAMPSON,  
 Acting Administrator  
 of General Services.

JANUARY 26, 1973.

[FR Doc.73-2069 Filed 2-1-73;8:45 am]

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 73-0]

#### PHYSICAL SCIENCES COMMITTEE OF THE NASA SPACE PROGRAM ADVISORY COUNCIL

##### Notice of Public Meeting

The Physical Sciences Committee of the NASA Space Program Advisory Council will meet at the Headquarters of the National Aeronautics and Space Administration on February 15 and 16, 1973. The meeting will be held in Room 5026 of Federal Office Building 6, located at 400 Maryland Avenue SW., Washington, DC 20546. The meeting is open to members of the public on a first-come, first-served basis to within the 60-seat capacity of the room. Visitors will be requested to sign a visitors register.

The Physical Sciences Committee serves only in an advisory capacity to NASA. The Committee is concerned with all aspects of the physical sciences which are relevant to the space program, including lunar and planetary exploration, astronomy, and space physics. The Committee has 12 members including the Chairman, Dr. Michael B. McElroy. For further information regarding the meeting, please contact Mr. George H. Duncan: Area code 202-755-3700. The agenda for the meeting is as follows:

FEBRUARY 15, 1973

- | Time              | Topic   |
|-------------------|---|
| 9:30 a.m.---      | Fiscal year 1973 program adjustments and fiscal year 1974 program plan. (Action: The Committee is requested to comment and advise NASA and the Space Program Advisory Council on the effects of adjustments to the fiscal year 1973 operating plan resulting from budgetary changes, and on the planned program schedules for fiscal year 1974 and the future.)   |
| 2:00 p.m.---      | Space science program status: Planetary programs, physics and astronomy programs, and lunar science program. (Action: The Committee is required to consult and advise NASA and the Council on the timeliness and effectiveness of the NASA programs in the physical sciences and the degree to which those programs contribute to the overall agency objectives. To fulfill this responsibility it is necessary that the Committee periodically review the status of those programs.) |
| 4:00 p.m.---      | General discussion and assignments. (Action: To formulate and assign responsibility for drafting the Committee's conclusions and recommendations relative to the above topics.)   |
| FEBRUARY 16, 1973 |   |
| 8:30 a.m.---      | Future of the space program in solar physics. (Action: Dr. Jefferies has suggested that the Committee should be concerned about the future health of the Orbiting Solar Observatory program (OSO) in particular and the Solar Physics program in general.)  |
| 9:30 a.m.---      | High Energy Astronomy Observatory (HEAO). (Action: Effort on HEAO has recently been suspended. NASA is planning to redirect its efforts in high-energy astronomy. The Committee is requested to comment and advise on the planned redirection of effort.)   |
| 11:00 a.m.---     | Shuttle sortie and payload planning. (Action: The Committee is requested to maintain an overview of the efforts of the recently-formed shuttle working groups to plan payloads, especially for the sortie lab, and to advise NASA and the Council on the adequacy of those efforts.)  |
| 1:00 p.m.---      | General discussion and assignments. (Action: To formulate and assign responsibility for drafting the Committee's conclusions and recommendations relative to the topics of the second day of the meeting.)  |

2:00 p.m.--- Adjourn.

HOMER E. NEWELL,  
Associate Administrator, National  
Aeronautics and Space  
Administration.

JANUARY 29, 1973.

[FR Doc.73-2044 Filed 2-1-73;8:45 am]

**NATIONAL FOUNDATION ON THE  
ARTS AND THE HUMANITIES  
VISUAL ARTS ADVISORY PANEL  
Notice of Closed Meeting**

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), notice is hereby given that a closed meeting of the Visual Arts Advisory Panel to the National Council on the Arts will be held at 12 a.m. on February 2, 1973, in New York City.

This meeting is for the purpose of Council review, discussion, and evaluation of grant applications. It has been determined by the Chairman in accordance with section 10(d) of the Act, that the meeting involves matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b)).

Further information with reference to this meeting can be obtained from Mrs. Eleanor A. Snyder, Advisory Committee Management Officer, National Endowment for the Arts, 806 15th Street NW., Washington, DC 20506, or call area code 202-382-2854.

PAUL BERMAN,  
Director of Administration, National  
Foundation on the Arts  
and the Humanities.

[FR Doc.73-2037 Filed 2-1-73;8:45 am]

**NATIONAL ENDOWMENT FOR THE ARTS,  
NATIONAL COUNCIL ON THE ARTS  
Notice of Closed Meeting**

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), notice is hereby given that a closed meeting of the National Council on the Arts will be held at 9 a.m. on February 9, 1973, 9 a.m. on February 10, 1973, and 9 a.m. on February 11, 1973, in Washington, D.C.

This meeting is for the purpose of Council review, discussion, and evaluation of grant applications. It has been determined by the Chairman in accordance with section 10(d) of the Act, that the meeting involves matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b)).

Further information with reference to this meeting can be obtained from Mrs. Eleanor A. Snyder, Advisory Committee Management Officer, National Endowment for the Arts, 806 15th Street NW.,

Washington, DC 20506, or call area code 202-382-2854.

P. P. BERMAN,  
Director of Administration, National  
Foundation on the Arts  
and the Humanities.

[FR Doc.73-2038 Filed 2-1-73;8:45 am]

**SMALL BUSINESS ADMINISTRATION  
CREATIVE CAPITAL CORP.**

**Filing of Application for Transfer of Control**

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) (1972) for transfer of control of Creative Capital Corp. (Creative), License No. 02/07-0023, 99 Park Avenue, New York, NY 10016, a Federal licensee under the Small Business Investment Act of 1958, as amended (Act).

Creative was licensed on September 25, 1968, with a paid-in capital and surplus of \$7,949,993. As of September 30, 1972, its capital and surplus amounted to \$7,903,628. It has 783,400 outstanding shares of common stock, excluding 6,600 shares held in treasury. Creative is registered under the Investment Act of 1940.

The Bank of the Commonwealth, 719 Griswold Street, Detroit, MI 48231 (BOC), is the owner of 338,178 shares of the \$1 par value common stock (Stock) of the licensee representing 43.2 percent.

The Union Commerce Bank, an Ohio bank, Euclid Avenue at East 9th Street, Cleveland, Ohio 44101 (UCB), a 99-percent-owned subsidiary of Union Commerce Corp., 21 Du Pont Circle NW., Washington, DC 20036 (UCC), is currently the holder of 111,247 shares of the licensee's Stock representing 14.2 percent.

The Provident National Bank, Broad and Chestnut Streets, Philadelphia, Pa. 19101 (PNB), is currently the owner of 104,182 shares of the licensee's Stock representing 13.3 percent.

Pursuant to negotiations among BOC, UCC, and PNB, subject to necessary regulatory approvals, UCC and PNB have agreed in principle to purchase from BOC all of BOC's Stock in the licensee with UCC purchasing 280,452 shares of Stock, and PNB purchasing the remaining 57,726 shares. PNB will, therefore, own an aggregate of 161,908 shares representing 20.7 percent of the licensee's issued and outstanding Stock, and UCC together with its 99-percent-owned subsidiary, UCB, will own an aggregate of 391,699 shares, representing 49.9 percent of the licensee's issued and outstanding Stock.

The purchasers have been and will continue to be represented on the board of directors of the licensee. Each of the purchasers have advised the board of directors of the licensee that they do not intend any changes in their policies with respect to the licensee. The licensee will continue to be independently managed and directed by its board of directors, a

majority of whom are not affiliated with either UCC or PNB.

The names and addresses of the officers and directors of Creative are as follows:

*Name, address, and title*

Milton D. Stewart, 160 Nixon Avenue, Staten Island, NY 10304, President and Chairman of the Board.  
 William C. Ragals, Jr., 6 Sabina Road, Chappaqua, NY 10514, Vice President and Secretary.  
 Robert A. Rabkin, 1310 Princeton Road, Teaneck, NJ 07666, Treasurer.  
 Reuben T. Bergman, 32870 Robinhood Drive, Birmingham, MI 48010, Director.  
 John W. Burkhart, 2684 Beivoir Boulevard, Shaker Heights, OH 44112, Director.  
 James H. Carey, 44 Sleepy Hollow Road, Briarcliff Manor, NY 10510, Director.  
 George D. Kirkham, West Hill Drive, Gates Mills, Ohio 44040, Director.  
 Albert S. Millman, 340 Redmond Road, South Orange, NJ, Director.  
 James B. Seelye, 102 Penlynn Pike, Penlynn, PA 19458, Director.  
 Dr. Jordan L. Spencer, 183 Highwood Avenue, Tenafly, NJ, Director.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed purchasers and the probability of successful operation of the company under their control and management in accordance with the Act and regulations.

Notice is further given that any interested person may submit their comments on the proposed transfer of control to the Associate Administrator for Operations and Investment, Small Business Administration, 1441 L Street NW., Washington, DC 20416, on or before February 12, 1973.

A similar notice shall be published by the proposed purchasers in a newspaper of general circulation in New York, N.Y., and Washington, D.C.

Dated: February 1, 1973.

DAVID A. WOLLARD,

Associate Administrator  
for Operations and Investment.

[FR Doc. 73-2172 Filed 2-1-73; 9:53 am]

## INTERSTATE COMMERCE COMMISSION

[Notice 169]

### ASSIGNMENT OF HEARINGS

JANUARY 30, 1973.

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. No amendments will be entertained after the date of this publication.

MC 124211 Sub 200, Hilt Truck Line, Inc., now assigned February 5, 1973, at Omaha, Neb., will be held in the Kansas Room, Omaha Hilton, 16th and Dodge Street.

MC 124211 Sub 218, Hilt Truck Line, Inc., and MC 135874 Sub 1, LTL Perishables, Inc., now assigned February 7, 1973, at Omaha, Neb., will be held in the Continental Room, Continental Towers Motor Hotel, 2121 Douglas Street.

MC 52587 Sub 11, O. K. Motor Service, Inc., now assigned February 26, 1973, at Madison, Wis., will be held in Room 404, Hill Farms State Office Building, 4802 Sheboygan Avenue.

MC 55697 Sub 47, Theatres Service Co., now assigned March 8, 1973, at Atlanta, Ga., will be held in Room 305, 1252 West Peachtree Street, Northwest.

MC-F-11394, Glosson Motor Lines, Inc.—Control—State Motor Lines, Inc., MC 120280 Sub 2, State Motor Lines, Inc., now assigned February 5, 1973, at Raleigh, N.C., is canceled and transferred to modified procedure.

No. 35720, American Petrofina Company of Texas et al. v. Williams Brothers Pipe Line Co. et al., continued to March 20, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-FC-73782, Beal's Express, Inc., Thurmont, Md.—Transferes—and Western Express, Inc., Baltimore, Md.—Transferor—, now assigned January 31, 1973, at Washington, D.C., postponed to February 13, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-C-7938, Fergus Bus Service, Inc., Investigation and Revocation of Certificate, now assigned February 21, 1973, at St. Paul, Minn., is canceled and reassigned to February 21, 1973, at Fargo, N. Dak., will be held in Room 451, Federal Building and U.S. Post Office.

MC-C-7931, John W. Hoogland and Joanne C. Hoogland, a partnership, doing business as City Express, and Peninsula Shippers Association, Inc.—Investigation of Operations and Revocation of Certificates, now assigned February 28, 1973, at Juneau, Alaska, canceled and reassigned to February 28, 1973, in Room G-03, Federal Building, 607 West Fourth Avenue, Anchorage, AK.

MC 115840 Sub 73, Colonial Fast Freight Lines, Inc., now assigned February 12, 1973, MC 20910 Sub 119, Arkansas-Best Freight System, Inc., now assigned February 15, 1973, MC 116544 Sub 129, Wilson Brothers Truck Line, Inc., now assigned February 16, 1973, will be held at the Sheraton-Charles Hotel, 215 St. Charles Avenue, New Orleans, LA.

MC 78400 Sub 27, Beaufort Transfer Co., continued to February 13, 1973, on the 14th Floor, Jefferson State Office Building, 100 Jefferson Street, Jefferson City, MO.

MC 20783 Sub 85, Tompkins Motor Lines, Inc., now assigned February 5, 1973, at Birmingham, Ala., is canceled and application dismissed.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 73-2077 Filed 2-1-73; 8:45 am]

[Notice 170]

### ASSIGNMENT OF HEARINGS

JANUARY 30, 1973.

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. No amendments will be entertained after the date of this publication.

#### Correction

I&S No. 8773, Transit, Vegetable and Animal Oils, Midwest to West, now assigned February 7; MC 118806 (Sub-No. 26), Arnold Bros. Transport, Ltd., now assigned February 12; and MC 105566 (Sub-No. 30), Sam Tanksley Trucking, Inc., now assigned February 13, at Chicago, Ill., will be held in Room 813, U.S. Customs House, 610 South Canal Street instead of 610 South Clark Street.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 73-2078 Filed 2-1-73; 8:45 am]

### FOURTH SECTION APPLICATION FOR RELIEF

JANUARY 30, 1973.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed on or before February 19, 1973.

FSA No. 42609—*Joint Rail-Water Container Rates—United States Lines, Inc.* Filed by United States Lines, Inc. (No. 4), for itself and interested rail carriers. Rates on general commodities, from ports in Europe and United Kingdom, to rail stations in Oregon, Washington, and California.

Grounds for relief—Water competition. Tariff—United States Lines, Inc., F.T. No. 9, ICC No. 9, F.M.C. No. 51. Rates are published to become effective on February 28, 1973.

FSA No. 42610—*Lumber and Lumber Articles from White Sulphur Springs, Montana.* Filed by Trans-Continental Freight Bureau, agent (No. 477), for interested rail carriers. Rates on lumber and lumber articles, in carloads, as described in the application, from White Sulphur Springs, Mont., to points in western trunkline and Illinois territories.

Grounds for relief—Market and carrier competition.

Tariffs—Supplements 18 and 150 to Trans-Continental Freight Bureau, Agent, tariffs ICC 1847 and 1750, respectively.

Rates are published to become effective on March 1, 1973.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.  
[FR Doc. 73-2073 Filed 2-1-73; 8:45 am]

[Rev. S.O. 994; I.C.C. Order 63, Amdt. 4]

**LOUISVILLE AND NASHVILLE RAILROAD CO. AND BIRMINGHAM SOUTHERN RAILROAD CO.**

**Rerouting or Diversion of Traffic**

Upon further consideration of I.C.C. Order No. 63 and good cause appearing therefor:

*It is ordered, That:*

I.C.C. Order No. 63 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., July 30, 1973, unless otherwise modified, changed, or suspended.

*It is further ordered,* That this amendment shall become effective at 11:59 p.m., January 30, 1973, and that this order 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 it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., January 26, 1973.

[SEAL] INTERSTATE COMMERCE  
COMMISSION,  
LEWIS R. TEEPLE,  
Agent.  
[FR Doc. 73-2076 Filed 2-1-73; 8:45 am]

[Notice 202]

**MOTOR CARRIER BOARD TRANSFER PROCEEDINGS**

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 February 22, 1973. 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-73913. By order of December 29, 1972, the Motor Carrier Board, on reconsideration, approved the transfer to Arapahoe Heavy Haulers, Inc., Indianapolis, Ind., of the operating rights in Certificates Nos. MC-110288, MC-110288 (Sub-No. 1), and MC-110288 (Sub-No. 2), issued December 29, 1949, November 21, 1968, and October 30, 1969, respectively, to Harry Henery, Inc., Littleton, Colo., authorizing the transportation of machinery, contractors' equipment, including locomotives, pile-drivers, steamshovels, derricks, tanks, tools, and tractors, oilfield equipment, structural steel, and roadbuilding materials, between points in Kansas, Colorado, Missouri, Nebraska, and Oklahoma; machinery, radially, between Waterman, Ill., and points in Indiana, Iowa, and Wisconsin; and heavy machinery, radially, between points in Cole County, Mo., and points in Arkansas, Kansas, Iowa, and Illinois. A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215, attorney for transferor, Donald W. Smith, 900 Circle Tower Building, Indianapolis, Ind., attorney for transferee.

No. MC-FC-74005. By order of January 3, 1973, the Motor Carrier Board, on reconsideration, approved the transfer to Direct Service, Inc., Plainview, Tex., of the operating rights in Certificate No. MC-134783, issued November 8, 1971, to W. E. Haynes, doing business as Haynes Transportation Co., Plainview, Tex., authorizing the transportation of meats, meat products, and meat byproducts, and articles distributed by meat packing-houses, from Plainview, Tex., to points in New Mexico, Colorado, Wyoming, California, Kansas, Oklahoma, Missouri, Arkansas, Louisiana, Tennessee, Mississippi, Georgia, New York, Massachusetts, Florida, Alabama, North Carolina, and South Carolina. Charles J. Kimball, 2310 Colorado State Bank Building, Denver, Colo. 80202, attorney for applicants.

[SEAL] ROBERT L. OSWALD,  
Secretary.  
[FR Doc. 73-2079 Filed 2-1-73; 8:45 am]

[Rev. S.O. 994; I.C.C. Order 74, Amdt. 1]

**PENN CENTRAL TRANSPORTATION CO.**

**Rerouting or Diversion of Traffic**

Upon further consideration of I.C.C. Order No. 74 (Penn Central Transportation Co., George P. Baker, Richard C.

Bond, and Jervis Langdon, Jr., trustees) and good cause appearing therefor:

*It is ordered, That:*

I.C.C. Order No. 74 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., April 30, 1973, unless otherwise modified, changed, or suspended.

*It is further ordered,* That this amendment shall become effective at 11:59 p.m., January 31, 1973, and that this order 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 it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., January 26, 1973.

[SEAL] INTERSTATE COMMERCE  
COMMISSION,  
LEWIS R. TEEPLE,  
Agent.  
[FR Doc. 73-2075 Filed 2-1-73; 8:45 am]

[Rev. S.O. 994; I.C.C. Order 75, Amdt. 1]

**WESTERN MARYLAND RAILWAY CO.**

**Rerouting or Diversion of Traffic**

Upon further consideration of I.C.C. Order No. 75 (Western Maryland Railway Co.) and good cause appearing therefor:

*It is ordered, That:*

I.C.C. Order No. 75 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., April 30, 1973, unless otherwise modified, changed, or suspended.

*It is further ordered,* That this amendment shall become effective at 11:59 p.m., January 31, 1973, and that this order 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 it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., January 26, 1973.

[SEAL] INTERSTATE COMMERCE  
COMMISSION,  
LEWIS R. TEEPLE,  
Agent.  
[FR Doc. 73-2074 Filed 2-1-73; 8:45 am]

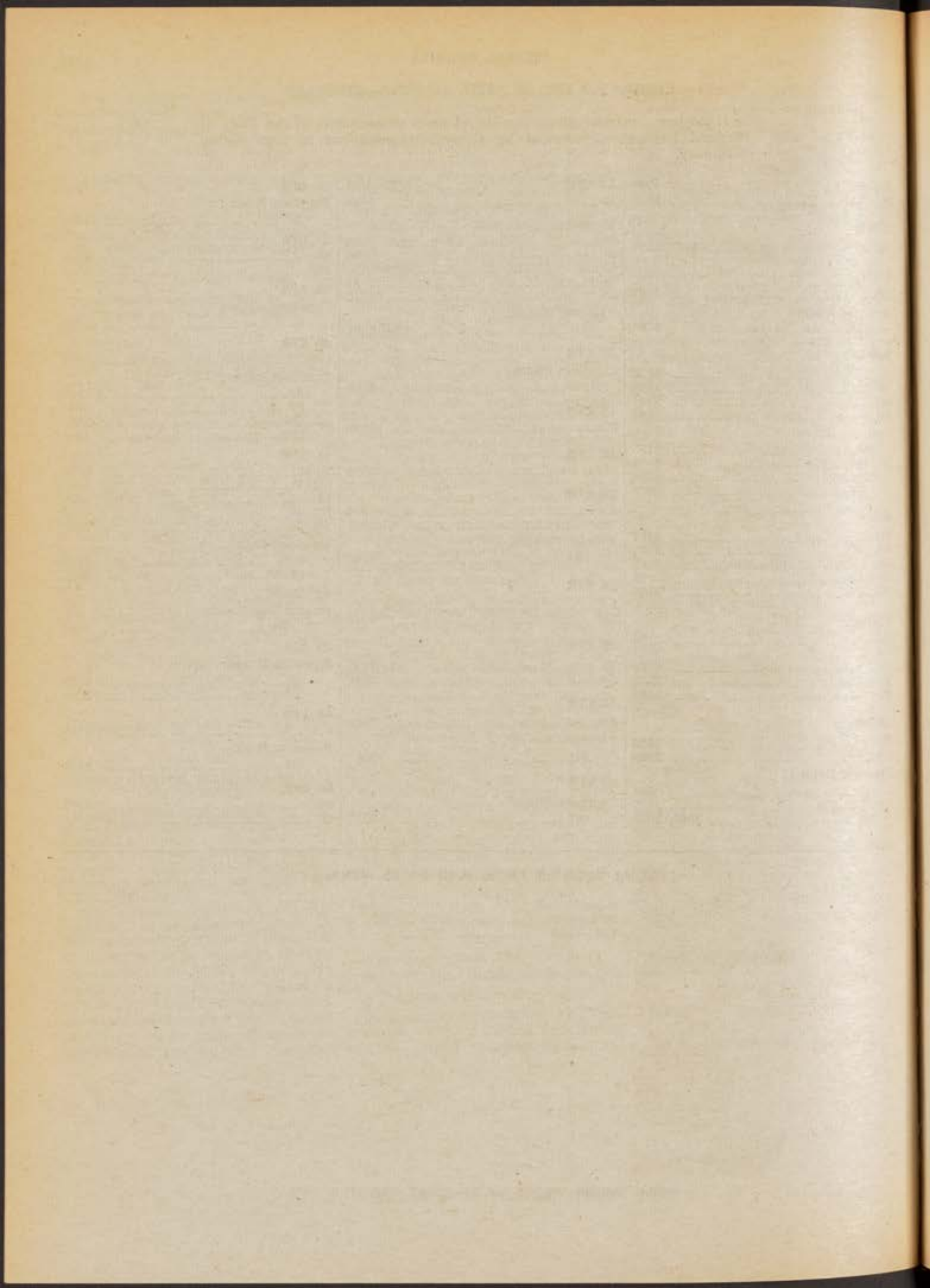
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FRIDAY, FEBRUARY 2, 1973  
WASHINGTON, D.C.

Volume 38 ■ Number 22



PART II

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## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education



BASIC EDUCATIONAL  
OPPORTUNITY GRANTS  
PROGRAM

Family Contribution Schedule

DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE

Office of Education

[ 45 CFR Part 190 ]

BASIC EDUCATIONAL OPPORTUNITY  
GRANTS PROGRAM

Family Contribution Schedule

Pursuant to the authority contained in subpart 1 of part A of title IV of the Higher Education Act of 1965 as amended (20 U.S.C. 1070a) notice is hereby given that the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare proposes to issue the following regulations under Part 190 of Title 45 of the Code of Federal Regulations, covering the basis for determining the expected family contributions toward the education of both dependent and independent students.

1. Subpart C would set forth the methods to be used in determining the expected family contribution for dependent students which is to be used in determining a student's "entitlement" under the Basic Educational Opportunity Grants Program. The section would establish methods of treating a family's income and assets, the student's effective income and the student's assets, and the "offsets" to be taken into account in determining the amount of "expected family contribution" for dependent students.

2. Subpart D would establish the method to be used in the determination of the expected family contribution for independent students. The section would establish the treatment of the students family income and effective income, the student's assets, and the "offsets" to be considered in determining the amount of "expected family contribution" for independent students.

3. The appendix to this notice, which will not be a part of the regulations, covers charts summarizing the calculations to be made in determining expected family contributions and explanations of such calculations for both dependent and independent students.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed rules to the Acting Coordinator, Basic Educational Opportunity Grants, Deputy Commissioner for Higher Education, U.S. Office of Education, Room 4025, Federal Office Building No. 6, 400 Maryland Avenue SW., Washington, DC 20202. Such responses to this notice will be available for public inspection at the above office on Mondays through Fridays between 8 a.m. and 4:30 p.m. All relevant materials received on or before March 5, 1973, will be considered.

Dated: January 30, 1973.

JOHN OTTINA,  
Acting U.S. Commissioner  
of Education.

Approved: January 30, 1973.

FRANK C. CARLUCCI,  
Acting Secretary, Health,  
Education, and Welfare.

Subpart C—Expected Family Contribution for  
Dependent Students

Sec.	
190.31	Indicators of financial strength.
190.32	Special definitions.
190.33	The expected family contribution for dependent students from parents' income.
190.34	Computation of standard expected contribution from parents' assets.
190.35	Computation of expected contribution from the student's effective income.
190.36	Computation for expected contribution from parents' income and assets adjusted for number of family members attending institutions of postsecondary education.
190.37	Computation of expected contribution from students' assets.
190.38	Computation of the total expected family contribution.

AUTHORITY: Subpart 1 of Part A of Title IV of the Higher Education Act of 1965, as amended (20 U.S.C. 1070a).

Subpart C—Expected Family Contribution  
for Dependent Students

§ 190.31 Indicators of financial strength.

"Expected family contribution" with respect to each dependent student means the amount which the family of that student may reasonably be expected to contribute toward the cost of his education for an academic year. Each of the following elements of financial strength will be considered in determining the family contribution for dependent students:

- (a) The amount of the effective income of the student.
- (b) The amount of the effective income of the student's parent(s).
- (c) The number of dependents of the student's parent(s).
- (d) The number of dependents of the student's parent(s) who are in attendance in a program of postsecondary education.
- (e) The amount of assets of the student.
- (f) The amount of assets of the student's parent(s).
- (g) Unusual expenses of the student and the unusual expenses of the student's parent(s). Such unusual expenses shall be limited to medical and dental expenses and expenses arising from catastrophe.
- (h) The additional expenses incurred in providing an income when two parents are employed or when a family is headed by a single parent.

§ 190.32 Special definitions.

For purposes of this subpart:

- (a) "Dependent student" means any student who does not qualify as an independent student as defined in § 190.42(a).
- (b) "Parent" means the mother or father of the student, unless any other person provides more than one-half of the student's support and claims or is eligible to claim the student as an exemption for Federal income tax purposes for the base year, in which case such person shall be considered the parent.
- (c) "Base year" means the tax year for which information is requested by the Commissioner for the purpose of determining family income.

(d) "Effective income of the student" means any amount paid to, or on account of, the student under the Social Security Act which would not be paid if he were not a student, i.e., under section 202(d) of title II of the Social Security Act, 42 U.S.C. 402(d), and one-half of any amount paid the student under chapter 34 of title 38, United States Code (Veterans Educational Assistance—38 U.S.C. 1651 et seq.) and chapter 35 of title 38, United States Code (War Orphans' and Widows' Education Assistance—38 U.S.C. 1700 et seq.). The amount of the effective income of the student is the amount to be received during the academic year for which Basic Grant assistance is requested.

(e) (1) "Annual Adjusted Family Income" for any base year means the sum of the following: Adjusted gross income as defined in section 62 of the Internal Revenue Code of the student's parents, investment income upon which no Federal income tax is required to be paid such as interest on municipal and State bonds, other income of the parents upon which no Federal income tax is required to be paid such as child support payments, income of the parents received under income maintenance programs including welfare benefits, social security benefits except those benefits paid to or on account of the student included in paragraph (d) of this section, and Veteran's benefits except those veteran's benefits paid under chapters 34 and 35 of title 38 of the United States Code.

(2) In the case of the student whose parents are divorced, or are separated and file separate returns for Federal income tax purposes, only the income as described in paragraph (e) (1) of this section of the parent claiming or eligible to claim the student as a dependent for Federal income tax purposes for the base year shall be considered in determining the annual adjusted family income. If no parent claims or is eligible to claim the student for Federal income tax purposes, the income of both parents shall be combined to determine the annual adjusted family income.

(3) In the case of the student whose parents are married and not separated but file separate returns for Federal income tax purposes, the income as described in paragraph (e) (1) of this section of both parents shall be combined to determine the annual adjusted family income for that student.

(f) "Effective Family Income" of a student's parents means the annual adjusted family income received for the base year minus the Federal income tax paid or payable with respect to such income during the base year.

(g) "Assets" means cash on hand including amounts in checking accounts, savings accounts and trusts, the current market value at the time of application of stocks, bonds, any other securities, real estate, home (if owned), income producing property, business equipment and business inventory which are held by the student's parents and by the student.

(h) "Net Assets" means the current market value of the assets minus the



outstanding liabilities (indebtedness) against such assets at the time of application.

(i) "Medical expenses" means those types of medical and dental expenses that may be deducted under section 213 of the Internal Revenue Code which were incurred during the base year by the parents of the student and their dependents.

(j) "Expenses Arising from Catastrophe" means those types of casualty losses which may be deducted under section 165 (e) (3) of the Internal Revenue Code which were incurred during the base year by the parents of the student and their dependents.

(k) "Employment Expenses Offset" means an allowance to meet expenses relating to employment where both parents are employed or where one parent qualifies as a surviving spouse or as head of a household under section 2 of the Internal Revenue Code.

(l) "Family Size Offset" means an allowance to meet subsistence expenses, including food, shelter, clothing, and other basic needs of a family. For purposes of this part the "Weighted Average Threshold at the Low Income Level," as developed by the Social Security Administration shall be used as a basis to determine the amount for the family size offset.

**§ 190.33 The expected family contribution for dependent students from parents' income.**

The expected family contribution for dependent students from parents' income for each grant shall be an amount determined in the following manner:

(a) Add to annual adjusted family income one-half of the effective income of the student attributable to the dependents of the student who is a veteran.

(b) Determine effective family income by subtracting from the annual adjusted family income the amount of Federal income tax paid or payable with respect to such income.

(c) Determine discretionary income by deducting the following from effective family income:

(1) *Family size offset.* A family size offset in the amount specified in the following table. Family size includes the student's parents and the parents' dependents as defined in section 152 of the Internal Revenue Code at the close of the base year. If the parents are divorced or separated, family size shall include any parent whose income is taken into account for the purpose of computing the annual adjusted family income and his or her exemptions.

**FAMILY SIZE OFFSETS**

Family size	Dollar amount
2	2,800
3	3,350
4	4,300
5	5,050
6	5,700
7	6,300
8	7,000
9	7,700
10	8,400
11	9,100
12	9,800

(2) *Unusual expenses.* The amount by which the sum of medical and dental expenses and losses resulting from catastrophe incurred in the base year and not compensated by insurance exceeds 20 percent of effective family income. Unusual expenses may be deducted if they were incurred by any parent (and any persons for whom an exemption was claimed by that parent) whose income is taken into account for the purpose of computing the annual adjusted family income.

(3) *Employment expense offset.* An employment expense offset in an amount equal to 50 percent of the adjusted gross income earned in the base year by the parent earning the lesser income if both parents are employed, or 50 percent of the adjusted gross income of a parent qualifying as surviving spouse or as head of household as defined in section 2 of the Internal Revenue Code, but in no case shall such an offset exceed \$1,500. An employment expense may be claimed for any parent whose income is taken into account for the purposes of computing the adjusted family income.

(4) To determine the expected family contribution from parental income the following rates shall be applied to discretionary income:

\$1 to 4,999	20 percent of Discretionary Income.
\$5,000 or more	\$1,000 plus 30 percent of Discretionary Income in excess of 5,000.

**§ 190.34 Computation of standard expected contribution from parents' assets.**

(a) The expected contribution from parental assets shall be an amount determined in the following manner:

(1) Determine the total amount of net assets owned by the parents and deduct from that amount an asset reserve of \$7,500.

(2) The contribution from parental assets shall be an amount equal to 5 percent of the remainder obtained in subparagraph (1) of this paragraph.

(b) If the student's parents are divorced or separated only the assets of the parent whose income is taken into account for the purpose of computing annual adjusted family income claiming the student as a dependent for Federal income tax purposes in the base year shall be considered.

**§ 190.35 Computation of expected contribution from the student's effective income.**

The expected family contribution shall include 100 percent of the student's effective income for the academic year for which aid is requested except that one-half of the portion of effective income of the student attributable to the dependents of a veteran shall be included as a part of, and treated as, annual adjusted family income.

**§ 190.36 Computation for expected contribution from parents' income and assets adjusted for number of family members attending institutions of postsecondary education.**

(a) For each grant the amount expected from parents' income as deter-

mined in § 190.33 shall be added to the amount expected from parents' assets as determined in § 190.34.

(b) For each grant the combined expectation calculated on the basis of the above formula shall be further adjusted in the following manner to take into consideration the number of family members who will be in attendance in programs of postsecondary education during the academic year for which basic grant assistance is requested:

Number of family members attending institutions of postsecondary education	Expected contribution from combined contribution per student
1	100 percent of contribution from the amount determined above.
2	70 percent of contribution from the amount determined above.
3	50 percent of contribution from the amount determined above.
4 or more	40 percent of contribution from the amount determined above.

Family members include the student's parents and persons for whom the parent may claim an exemption under section 151 of the Internal Revenue Code. When the student's parents are divorced or separated and are filing separate returns for Federal income tax purposes, family members shall include only the parent whose income is taken into account for the purpose of computing annual adjusted family income and who claimed the student for Federal income tax purposes for the base year and the exemptions of such parent as defined in section 152 of the Internal Revenue Code.

**§ 190.37 Computation of expected contribution from student's assets.**

For each grant the contribution from the student's assets shall be an amount equal to 33 percent of his net assets as defined in § 190.32(h).

**§ 190.38 Computation of the total expected family contribution.**

For each grant the total expected family contribution shall be the sum of:

(a) The expected contribution from parents' discretionary income and parents' assets as determined in § 190.36,

(b) The expected contribution from the student's effective income as determined in § 190.35, and

(c) The expected contribution from the student's assets as determined in § 190.37.

**Subpart D—Expected Family Contribution for Independent Students**

Sec.	Section Description
190.41	Indicators of financial strength.
190.42	Special definitions.
190.43	Computation of the expected family contribution from effective income for independent students.
190.44	The expected family contribution for independent students from annual adjusted family income.
190.45	Computation of expected contribution from the assets of the independent student and his or her spouse.

## Sec.

190.46 Computation of the total expected family contribution.

**AUTHORITY:** Subpart 1 of part A of title IV of the Higher Education Act of 1965, as amended (20 U.S.C. 1070a).

**Subpart D—Expected Family Contribution for Independent Students**

**§ 190.41 Indicators of financial strength.**

"Expected Family Contribution" with respect to each independent student means the amount which that student, and his or her spouse, if any, may reasonably be expected to contribute toward the cost of his or her education for an academic year. Each of the following elements of financial strength will be considered in determining the family contribution for independent students:

(a) The amount of effective income of the independent student.

(b) The amount of annual adjusted family income of the independent student and the independent student's spouse.

(c) The number of persons whom the independent student can claim as an exemption.

(d) The number of dependents of the independent student who in addition to the student will be in attendance in a program of postsecondary education.

(e) The amount of the assets of the independent student and his or her spouse.

(f) The unusual expenses of the independent student, and his or her dependents. Such unusual expenses shall be limited to medical and dental expenses and expenses arising from catastrophe.

(g) The additional expenses incurred in providing an income where both the independent student and his spouse are employed or where the independent student qualifies as a surviving spouse or as head of a household under section 2 of the Internal Revenue Code.

**§ 190.42 Special definitions.**

For the purposes of this subpart:

(a) "Independent Student" means a student who:

(1) Has not and will not be claimed as an exemption for Federal income tax purposes by any person except his or her spouse for the calendar year(s) in which aid is received and the calendar year prior to the academic year for which aid is requested.

(2) Has not received and will not receive financial assistance of more than \$600 from his or her parent(s) in the calendar year(s) in which aid is received and the calendar year prior to the academic year for which aid is requested, and

(3) Has not lived or will not live in the home of a parent during the calendar year in which aid is received and the calendar year prior to the academic year for which aid is requested.

Notwithstanding the foregoing, a student will not be considered to have been claimed as an exemption by a parent, or to have received \$600 from a parent, or to have lived with a parent, who has died prior to the student's submission of an application for a grant under this part.

(b) "Base year" means the tax year for which information is requested by the Commissioner for the purpose of determining family income.

(c) "Dependent" means the independent student's spouse and such other persons who are eligible to be claimed as an exemption for Federal income tax purposes by the student during the base year.

(d) The "Effective Income of the Student" means any amount paid to, or on account of, the student under the Social Security Act which would not be paid if he were not a student; i.e., under section 202(d) of title II of the Social Security Act, 42 U.S.C. 402(d), and one-half of any amount paid the student under chapter 34 of title 38, United States Code (Veterans Educational Assistance—38 U.S.C. 1651 et seq.) and chapter 35 of title 38, United States Code (War Orphans' and Widows' Education Assistance—38 U.S.C. 1700 et seq.). The amount of the effective income of the student is the amount to be received during the academic year for which basic grant assistance is requested.

(e) (1) "Annual Adjusted Family Income" for any base year means the sum of the following: Adjusted gross income as defined in section 62 of the Internal Revenue Code of the student and the student's spouse, investment income upon which no Federal income tax is required to be paid such as interest on municipal and State bonds, other income of the student and the student's spouse upon which no Federal income tax is required to be paid such as child support payments, income of the student and the student's spouse received under income maintenance programs including welfare benefits, social security benefits except those benefits paid to or on account of the student included in paragraph (d) of this section, and veteran's benefits except those veteran's benefits paid under chapters 34 and 35 of title 38 of the United States Code.

(2) In the case of the student who is divorced, or is separated and files a separate return for Federal income tax purposes, only the student's own income shall be considered in determining the annual adjusted family income.

(f) "Effective Family Income" means the annual adjusted family income received during the base year minus the Federal income tax paid or payable with respect to such income.

(g) "Assets" means cash on hand including amounts in checking accounts, savings accounts and trusts, the current market value at the time of application of stocks, bonds, and other securities, real estate, home (if owned), income producing property, business equipment and business inventory which are held by the independent student or his spouse.

(h) "Net Assets" means the current market value at the time of application of the assets minus the outstanding liabilities (indebtedness) against such assets.

(i) "Medical Expenses" means those types of medical and dental expenses that may be deducted under section 213 of the

Internal Revenue Code, which were incurred by the independent student and his dependents during the base year.

(j) "Expenses Arising from Catastrophe" means those types of casualty losses which may be deducted under section 165 of the Internal Revenue Code which were incurred by the independent student and his dependents during the base year.

(k) "Employment Expense Offset" means an allowance to meet expenses relating to employment where both the independent student and his or her spouse are employed or where the independent student qualifies as a surviving spouse or as head of a household under section 2 of the Internal Revenue Code.

(l) "Family Size Offset" means an allowance to meet subsistence expenses, including food, shelter, clothing, and other basic needs of the independent student and his dependents. For purposes of this part the "Weighted Average Thresholds at the Low Income Level," as developed by the Social Security Administration, shall be used as a basis to determine the amount for the family size offset except in the case of a single independent student, where an amount estimated to be equal to living expenses during periods of nonenrollment shall be utilized.

**§ 190.43 Computation of the expected family contribution from effective income for independent students.**

The expected family contribution shall include 100 per centum of the student's effective income for the academic year for which aid is requested, except that one-half of the portion of effective income of the student attributable to the dependents of a veteran shall be included as a part of, and treated as, annual adjusted family income.

**§ 190.44 The expected family contribution for independent students from annual adjusted family income.**

The expected family contribution of the independent student shall be an amount determined in the following manner:

(a) Add to annual adjusted family income one-half the effective income of the student attributable to the dependents of the student who is a veteran.

(b) Determine effective family income by subtracting from the annual adjusted family income the amount of Federal income tax paid or payable with respect to such income.

(c) Determine discretionary income by deducting the following from effective family income:

(1) *Family size offset.* A family size offset in the amount specified in the following table. Family size includes the student and his dependents, as defined in section 152 of the Internal Revenue Code, at the close of the base year. If the student is divorced or separated, family size shall include any person whose income is taken into account for the purpose of computing the annual adjusted family income and his or her exemptions.

Family size	Dollar amount
2	\$2,800
3	3,350
4	4,300
5	5,050
6	5,700
7	6,300
8	7,000
9	7,700
10	8,400
11	9,100
12	9,800

An offset of \$700 shall be made for the single self-supporting student.

(2) *Unusual expenses.* The amount by which the sum of medical and dental expenses, and losses resulting from catastrophe not compensated by insurance, exceeds 20 percent of effective family income. Unusual expenses may be deducted if they were incurred by the independent student and his dependents during the base year.

(3) *Employment expense offset.* An employment expense offset in an amount equal to 50 percent of the adjusted gross income earned in the base year by the independent student or the student's spouse, whichever earns the lesser; or 50 percent of the adjusted gross income during the base year of an independent student qualifying as a surviving spouse or as head of household as defined in section 2 of the Internal Revenue Code but in no case shall such an offset exceed \$1,500.

(4) To determine the expected family contribution from the income of the independent student and his or her spouse the following rates shall be applied to discretionary income:

- (i) 75 percent of discretionary income for the single independent student with no dependents;
- (ii) 50 percent of discretionary income for the married independent student with no dependents other than spouse; and
- (iii) 40 percent of discretionary income for the independent student who has dependents other than spouse.

**§ 190.45 Computation of expected contribution from the assets of the independent student and his or her spouse.**

The expected contribution from the assets of the independent student and his or her spouse shall be determined in the following manner:

- (a) Determine the total amount of net assets owned by the student and the student's spouse.
- (b) The net assets of the student and the student's spouse shall be assessed at a rate of 33 percent and the result of such calculation shall be considered the expected contribution from the assets of the student and the student's spouse.

**§ 190.46 Computation of the total expected family contribution.**

The total expected family contribution from the independent student shall be the sum of:

- (a) The expected family contribution from effective income for the independent student as determined in § 190.43.
- (b) The expected family contribution from the independent student's family income as determined in § 190.44.

(c) The expected family contribution from the assets of the independent student as determined in § 190.45.

APPENDIX

EXPECTED FAMILY CONTRIBUTION FOR DEPENDENT STUDENTS, ACADEMIC YEAR 1973-74

*Summary of calculation.*

1. Parent's adjusted gross income in 1972.....	+	
2. Other parental income in 1972.....	+	
3. Parent's adjusted annual income in 1972.....	=	
4. Parent's Federal income tax paid in 1972.....	-	
5. Effective family income in 1972.....	=	
6. Family size offset.....	+	
7. Unusual expenses.....	+	
8. Employment expense offset.....	+	
9. Total offsets against income (lines 6+7+8).....	=	-
10. Discretionary income (line 5 minus line 9).....	=	
11. Multiply discretionary income by applicable rate to obtain standard contribution.....		
12. Determine net assets of parents.....		
13. Subtract asset reserve.....		-\$7,500
14. Available parental assets.....	=	
15. Multiply available assets by 0.05.....	×	.05
16. Parental contribution from assets.....	=	
17. Add lines 11 plus 16 to obtain standard contribution from income and assets.....		
18. Multiply standard contribution by multiple student rate to determine expected family contribution for each family member in postsecondary education.....		
19. Effective income of student.....		
20. Determine net assets of student.....		
21. Multiply student's net assets by 0.33.....	×	.33
22. Student's contribution from assets.....	=	
23. Total family contribution equals sum of lines 18 plus 19 plus 22.....	=	

EXPLANATION OF CALCULATION<sup>1</sup>

1. *Parents' adjusted gross income in 1972 (line 1).* All income which is available to the parents should be considered in the evaluation of parental ability to support the cost of postsecondary education. The most valid reference for parental income subject to Federal income tax is the adjusted gross income item in the family's Federal income tax return. This information is readily available to most families, and the information can be verified by referring to the IRS forms actually filed by the parents.

If it may be assumed that family income will be measured on an annual basis, which

<sup>1</sup> Reference numbers are keyed to the line numbers in preceding summary.

year of family income shall be used? Parents provide from their current income for the education of their children. However, if we attempted to use current year information, a parent would have to estimate the amount of income which he will receive during a year in which a child is a student since application for aid is made before the student enrolls for a particular year of study. A study by Orwig and Jones shows that income received during the tax year prior to the year in which the student is applying for aid is the best practical indicator of the income from which a student's actual expenses will be paid.<sup>2</sup> If estimates of the income received during the actual year of attendance are provided by parents, middle income families systematically underestimate their earnings, and lower income families systematically overestimate their earnings. The amount to be entered here, therefore, is from the previous year's Federal income tax form.

2. *Other parental income in 1972 (line 2).* Information on other family income must also be collected since this income does clearly contribute to family financial strength and may represent a considerable portion of the parental income of many basic grant recipients. Elements of other family income are: Income from tax exempt bonds, that portion of pensions on which no Federal income tax is required, welfare benefits, social security retirement, child support payments, income of families which didn't file income tax returns, that portion of capital gains on which no Federal income tax is required, etc.

3. *Parents' adjusted annual income in 1972 (line 3).* Parents' adjusted annual income is the sum of parents' adjusted gross income (line 1) plus other family income (line 2).

4. *Parents' Federal income tax paid in 1972 (line 4).* The legislation requires that a deduction be made, from adjusted annual income, for the amount of Federal income tax paid during the previous tax year.

5. *Effective family income in 1972 (line 5).* The result of subtracting Federal income tax paid (line 4) from the adjusted annual income (line 3) is effective family income and is the base for calculating expected contribution from parental income.

6. *Family size offset (line 6).* In addition to taxes, a family has basic subsistence expenses which must be met before any contribution from income can be expected. These expenses will vary depending on size of the family involved. For purposes of the basic grant, the "Weighted Average Thresholds At the Low Income Level," developed by the Social Security Administration and published by the Bureau of the Census, have been used as a reasonable approximation of basic family expenses.<sup>3</sup> These expenses are based on the food costs of a family of a given size, and make certain assumptions about the additional expenses of shelter and other family needs.

The data are revised annually, and thus can be used periodically to update the family contribution schedules from year to year. The figures supplied by the Bureau of the Census have been incremented by 4 percent to reflect estimated cost of living increases from the fall of

<sup>2</sup> Orwig and Jones, "Can Financial Need Analysis Be Simplified?" The American College Testing Program, Iowa City, Iowa 1970—p. 11.

<sup>3</sup> From "Weighted Average Thresholds At the Low Income Level" in 1971 by size of family and sex of head, by farm-nonfarm residence; current population reports, consumer income, characteristics of the low-income population; 1971 series p. 60, No. 82, July 1972.

1971 to the present, and then rounded to facilitate calculation. The resulting figures have been called "Family Size Offsets." Their derivation is illustrated below:

## DERIVATION OF FAMILY OFFSETS

Family size	Family size offset
2 Member Family	2800
3 Member Family	3350
4 Member Family	4300
5 Member Family	5050
6 Member Family	5700
7 Member Family	6300
8 Member Family	7000
9 Member Family	7700
10 Member Family	8400
11 Member Family	9100
12 Member Family	9800

\*Census Bureau category "7 or more persons" are for 8 member family. Values for family size 7-12 have been extrapolated.

7. Unusual expenses (line 7). The basic grant program is required by law to take into consideration two kinds of unusual expenses, those arising from a "catastrophe" and "unusual medical expenses." It is proposed to use the Internal Revenue Service definitions of medical and dental expenses and casualty loss in determining "unusual expenses" for the basic grant program. The use of Internal Revenue Service definitions avoids the need for creating a new definition of expenses which would be used only by the basic grants program. However, some distinction must be made between expenses which may be itemized for income tax purposes, and those itemized expenses which are "unusual" as used for the basic grant legislation.

For purposes of the basic grant program, those items which may be included as unusual expenses are:

1. Those medical and dental expenses (not compensated by insurance or otherwise) which may be listed as "medicine and drugs" on line 2 of Schedule A, Form 1040 of the Internal Revenue Service and those expenses which may be listed as "Other Medical and Dental Expenses" on line 6 of Schedule A, Form 1040. The gross amount of all such medical, dental and drug expenses is to be used in the basic grant calculation.

2. Those casualty or theft loss(es) permitted by the Internal Revenue Service (Form 1040, Schedule A, line 30).

The amount of unusual expenses which may be deducted from effective family income (line 5 of this illustration) is that amount of unusual expenses (as defined above) in excess of 20 percent of effective family income. This exclusion is designed to confine claims for such expenses to those which are genuinely unusual.

8. Employment expense offset (line 8). In constructing budgets which recognize expenses for families, due provision must be made for the expenses of the breadwinner which occur as a result of employment itself. Some expenses for clothing, transportation, and other items are attributable to occupational needs. When both parents work, additional employment expenses are incurred. Also, if a household is headed by a single parent, the costs associated with that employment are greater than for a comparable worker who has the economic advantage of a nonemployed spouse. Therefore in the determination of family contribution an "Employment Expense Offset" has been constructed to treat more equitably the income of the two parent family where both parents work, or the single parent household. It is recognized that both of these types of families will occur frequently in the lower in-

come families where basic grant eligibility is greatest. The offset provides that 50 percent of the earnings of that parent with the lesser earnings, or 50 percent of the earnings of the single parent, will be protected from any contribution toward education. The maximum offset is \$1,500 and would thus assure that up to \$30 a week would be available for the additional expenses which these parents face.

9. Total offsets against income (line 9). The sum of line 6 (family size offset) plus line 7 (unusual expenses) plus line 8 (employment expense offset) is the total amount which can be deducted from effective family income (line 5) in order to determine discretionary parental income.

10. Discretionary income (line 10). The income which remains after allowance has been made for family living expenses, Federal income taxes, unusual expenses and the employment expense offset may be identified as discretionary income. This income is available for the purchases of goods and services which enhance the standard of living of the

family including the cost of postsecondary education.

11. Standard income contribution rate (line 11). A contribution of 20 percent is expected from the first \$5,000 of discretionary income. When discretionary income exceeds \$5,000, the expected income contribution is \$1,000 plus 30 percent of the amount in excess of \$5,000. The contribution rates will generally be at the 20 percent level for most of the income range where basic grant eligibility will occur.

These contribution rates appear reasonable in terms of the several demands made on family income especially in light of the fact that the cost of supporting the student for the academic year is included in the cost of education and does not have to be met from the general budget resources.

The illustrative chart below shows the expected family contribution from annual adjusted family income which does not reflect adjustments for Federal income taxes paid, unusual expenses, or employment expense offset.

CONTRIBUTION FROM ANNUAL ADJUSTED FAMILY INCOME FOR DEPENDENT STUDENTS

Annual adjusted* family income	Family Size									
	2	3	4	5	6	7	8	9	10	
\$3,000	\$34	0	0	0	0	0	0	0	0	0
4,000	216	\$117	0	0	0	0	0	0	0	0
5,000	375	289	\$120	0	0	0	0	0	0	0
6,000	543	458	291	\$163	\$64	0	0	0	0	0
7,000	708	625	460	334	236	\$127	0	0	0	0
8,000	870	789	626	502	406	209	\$180	\$60	0	0
9,000	1,022	953	791	669	575	469	353	235	\$136	\$136
10,000	1,203	1,181	999	838	746	642	526	410	292	\$292
11,000	1,555	1,432	1,190	1,008	914	812	698	583	467	\$467
12,000	1,800	1,684	1,442	1,259	1,122	980	808	755	644	\$644
13,000	2,049	1,928	1,693	1,511	1,374	1,221	1,054	925	811	\$811
14,000	2,281	2,166	1,930	1,755	1,620	1,467	1,300	1,133	977	\$977
15,000	2,515	2,400	2,164	1,989	1,856	1,710	1,543	1,376	1,209	\$1,209
16,000	2,745	2,634	2,398	2,223	2,092	1,947	1,786	1,619	1,452	\$1,452
17,000	2,970	2,861	2,632	2,457	2,326	2,181	2,020	1,860	1,695	\$1,695
18,000	3,169	3,086	2,857	2,688	2,550	2,415	2,254	2,094	1,939	\$1,939
19,000	3,420	3,311	3,082	2,913	2,790	2,649	2,488	2,328	2,187	\$2,187
20,000	3,640	3,536	3,307	3,138	3,015	2,876	2,722	2,562	2,408	\$2,408

\*Adjusted gross income plus nontaxable income.

12. Net assets of parents (line 12). For purposes of basic grants, the following types of assets will be considered: Equity in farm, business, home, other real estate, stocks, bonds, other investments, savings accounts, etc. Since equity is being measured, debts against the stated assets will be deducted in evaluating the net worth of these assets.

Consumer durables such as automobiles, furniture, and household appliances are not included for consideration in determining the asset holdings of the parents.

13. Asset reserve (line 13). Families accumulate assets for several purposes including retirement, future consumption, the postsecondary education of their children and the provision of an economic buffer in the event of catastrophe. These considerations indicate that some portion of assets should be reserved from any contribution toward postsecondary education, and that remaining assets be assessed at some rate less than 100 percent. After a review of the available data, it was decided that \$7,500 was an adequate asset reserve since it appears that average home equity for the basic grant target group may be in approximately this amount, if data from the Department of the Census is read in conjunction with the Survey of Economic Opportunity. In addition, the \$7,500 amount would allow for emergencies and retirement needs.

14. Available parental assets (line 14). In order to determine the amount of parental assets which can be assessed for contribution for educational purposes, the asset reserve (line 13) is subtracted from the net assets of parents (line 12).

15. Asset assessment rate (line 15). Once the available parental assets have been deter-

mined, a contribution rate of 5 percent will be assessed on the parents' net worth in excess of \$7,500. Because the value of assets grow, this rate of asset assessment will generally leave the family's asset position largely unimpaired.

16. Parental contribution from assets (line 16). The result of multiplying the available parental assets (line 14) by the assets assessment rate (line 15) is the expected parental contribution from assets.

17. Standard parental contribution from income and assets (line 17). The standard parental contribution (contribution before multiple student adjustment) from income and assets is determined by adding the contribution from income (line 11) and the contribution from assets (line 16).

18. Multiple student adjustment (line 18). Adding the Parental Income Contribution to the parental asset contribution results in the expected contribution from parents with one family member in postsecondary education. Some adjustment must then be made for those families in which more than one family member will be enrolled in postsecondary education for the academic year 1973-74.

Since each student has an allowance for costs of attendance, the family's discretionary income is effectively increased when there is more than one family member in postsecondary education. In order to determine the appropriate percentages, the contributions expected from different family sizes were compared. These investigations indicated that 140 percent of the contribution for one child would be a reasonable assessment against the family with two students. Thus, each student would receive 70

percent of the contribution which the family would make if there were only one student in the family. Similarly, 150 percent of the single student contribution seemed adequate for the family with three children in postsecondary education; each student could expect 50 percent of the single student contribution. For families with four or more students, each family will be assessed 40 percent of the single student contribution for each child in postsecondary education.

The following table summarizes the treatment of families with different numbers of family members in postsecondary education:

Number of students	Contribution per student as a percent of standard contribution	Family contribution for all students as a percent of standard contribution
	Percent	Percent
1.....	100	100
2.....	70	140
3.....	50	150
4 or more.....	40	160+

19. *Effective income of the student (line 19).* For purposes of the basic grants program effective income of the student is: That amount of social security benefits paid to or on behalf of a student because he is a student; and one-half of that amount of veteran's readjustment benefits and/or war orphan's benefits (exclusive of dependency allowances) paid to or on behalf of a student because he is a student. In both cases the amount is the total to be received during the academic year for which basic grant assistance is requested.

20. *Net assets of the student (line 20).* The applicant's net assets would be defined in the same fashion as the assets of the parents. That is, all assets except for consumer durables would be included and debts against these assets would be deducted. Trust funds in the student's name would be included.

21. *Student asset assessment rate (line 21).* In determining a fair treatment of student assets the theory of the major need analysis systems has been followed; i.e., that because the student himself is the direct beneficiary of postsecondary education, he should be expected to invest a greater portion of his resources in meeting his educational costs than should be expected from his parents.

Usual financial aid procedures divide a student's assets by the number of years remaining for a 4-year program of postsecondary education. The result of this division is considered to be the student's asset contribution.

For the basic grants program, a different treatment of student assets is employed. One-third of the student's assets (recalculated each year) would be expected. This method is simple, provides a modest reserve for the student, and avoids the assumption that all students are enrolled in a traditional 4-year program.

22. *Student's contribution from assets (line 22).* The result of multiplying the student's net assets (line 20) by the student asset assessment rate (line 21) is that amount expected from student assets for educational purposes.

23. *Total family contribution (line 23).* The total expected family contribution for a dependent student is determined by adding line 18 plus line 19 plus line 22.

EXPECTED FAMILY CONTRIBUTION FOR INDEPENDENT STUDENTS, ACADEMIC YEAR 1973-1974

Summary of calculations.

1. Effective income of student.....	=====
2. Adjusted gross income of applicant (and spouse).....	+
3. Other family income.....	+
4. Adjusted annual income of applicant (and spouse) (line 2 + line 3).....	=====

5. Federal income tax paid.....	-
6. Effective family income.....	=
7. Family size offset.....	+
8. Unusual expenses.....	+
9. Employment expense offset.....	+
10. Total offsets against income (lines 7+8+9).....	==
11. Discretionary income (line 6 minus line 10).....	==
12. Multiply discretionary income by applicable rate to obtain contribution from income.....	=====
13. Determine net assets of applicant (and spouse).....	=====
14. Multiply assets of applicant (and spouse) by 0.33.....	× .33
15. Contribution from assets (line 13 × line 14).....	=====
16. Total expected family contribution (lines 1+12+15).....	=====

EXPECTED FAMILY CONTRIBUTION FOR INDEPENDENT STUDENTS ACADEMIC YEAR 1973-1974

*Explanation of calculations:* For the purposes of the basic grants program, independent (self-supporting) student status may be claimed if the applicant:

(1) Has not been and will not be claimed as an exemption for Federal income tax purposes by any person except his or her spouse for the calendar year(s) in which aid is received and the calendar year prior to the academic year for which aid is requested, and

(2) Has not received and will not receive financial assistance of more than \$600 from his or her parent(s) in the calendar year(s) in which aid is received and the calendar year prior to the academic year for which aid is requested, and

(3) Has not lived or will not live in the home of a parent during the calendar year(s) in which aid is received and the calendar year prior to the academic year for which aid is requested.

Once a student has been determined to meet these criteria and is defined as an independent student, his expected family contribution is calculated according to the process outlined below.

1. *Effective income of student (line 1).* For purposes of the basic grants program, effective income of the student is: That amount of social security benefits paid to or on behalf of the student because he is a student; and, one-half of the amount of veteran's readjustment benefits and/or war orphan's benefits (exclusive of dependency allowances) paid to or on behalf of a student because he is a student. In both cases, the amount is the total to be received during the academic year for which basic grant assistance is requested.

2. *Adjusted gross income of applicant (and spouse) (line 2).* All income which is available to the applicant (and spouse) should be considered in the evaluation of ability to support the cost of postsecondary education. The most valid reference for taxable income is the adjusted gross income item in the Federal income tax return. This information is readily available and can be verified by referring to the IRS forms actually filed.

The decision as to which year's income is to be considered is a difficult one for independent students. Traditionally, a student's income may vary considerably from year to year. While it may be preferable to ask the student to estimate his earnings for the cur-

<sup>1</sup>Reference numbers are keyed to line items of preceding summary.

rent year, obtaining realistic projections of earnings would not be possible without establishing counseling centers where students could be assisted in preparing this information.

Because this is not feasible at this time, it has been determined that the adjusted gross income to be considered is that amount entered on the previous year's Federal income tax form.

This also has the advantage of being consistent with the data collected for dependent students and assures that the family contribution of all students is determined from the same base.

3. *Other income of the independent student (line 3).* Information on other income of the independent student must also be collected since this income does clearly contribute to financial strength and may represent a considerable portion of the income of many basic grant recipients. Elements of other income are: Income from tax exempt bonds, that portion of pensions on which no Federal income tax is required, that portion of capital gains on which no Federal income tax is required, welfare benefits, social security retirement, child support payments, veteran's disability, income of persons who did not file income tax returns, etc.

4. *Adjusted annual income of applicant (and spouse) (line 4).* Adjusted annual income is the sum of adjusted gross income (line 2), and other family income (line 3).

5. *Federal income tax paid by applicant (and spouse) (line 5).* The legislation requires that a deduction be made, from adjusted annual income, for the amount of Federal income tax paid during the previous tax year.

6. *Effective family income (line 6).* The result of subtracting Federal income tax paid (line 5) from the adjusted annual income (line 4) is effective family income.

7. *Family size offset (line 7).* In addition to taxes, there are basic subsistence expenses which must be met before any contribution from income can be expected. These expenses will vary depending on the size of the family involved. For the single independent student, this offset is \$700 which covers the student's summer living expenses. Using the same base for deriving family size offsets as is used for multiple member families (weighted average thresholds at the low-income level) and adjusting for an estimated 4 percent inflation, the family size offset for a single member family is \$2,114 per year. Generally, a student is in school for approximately 65 percent of the year (two 16-week semesters plus a 2-week break between semesters). Since his expenses during this 34-week academic year are covered in his cost of attendance, the \$700 offset provides for his expenses during that period of time when he is not in school.

For married independent students and those with additional dependents, the family size offset is the same as that for the parent's of dependent students:

Family size	Family size offset
2.....	\$2,800
3.....	3,350
4.....	4,300
5.....	5,050
6.....	5,700
7.....	6,300
8.....	7,000
9.....	7,700
10.....	8,400

8. *Unusual expenses (line 8).* The basic grants program is required by law to take into consideration at least two kinds of unusual expenses, those arising from a "catastrophe" and "unusual medical expenses." It is proposed to use the Internal Revenue Service definitions for medical and dental expenses and casualty loss(es) to constitute "unusual expenses" for the basic grants program. The use of Internal Revenue Service definitions avoids the need for creating a

new definition of expenses which would be used only by the basic grants program. However, some distinction must be made between expenses which may be itemized for income tax purposes, and those itemized expenses which are "unusual" for basic grants.

For purposes of the basic grants program those items which may be included as unusual expenses are:

1. Those medical and dental expenses incurred during the base year (not compensated by insurance or otherwise) which may be listed as "medicine and drugs" on line 2 of Schedule A, Form 1040 of the Internal Revenue Service and those expenses which may be listed as "Other Medical and Dental Expenses" on line 6 of Schedule A, Form 1040. The gross amount of all medical, dental and drug expenses may be listed.

2. In addition, those casualty or theft loss(es) incurred during the base year permitted by the Internal Revenue Service (Form 1040, Schedule A, line 30).

The amount of unusual expenses which may be deducted is that amount of unusual expenses (as defined above) in excess of 20 percent of the effective family income. This exclusion is designed to confine claims for such expenses to those which are genuinely unusual.

9. *Employment expense offset (line 9).* In constructing budgets which recognize minimum expenses for families, provision must be made for the expenses of the breadwinner which occur as a result of employment itself. Some expenses for clothing, transportation, food, and other items are attributable to occupational needs. When two persons work, additional employment expenses are incurred. Also, if a household is headed by a single person, the costs associated with that employment are greater than for a comparable worker who has the economic advantage of a nonemployed spouse. Therefore, in the determination of family contribution an "Employment Expense Offset" has been constructed to treat more equitably the income of the two-person family where both persons work during the base year, or the single person who heads a household during the base year. It is recognized that both of these types of families will occur frequently in the lower income families where basic grant eligibility is greatest. The offset provides that 50 percent of the earnings of that person with the lesser earnings, or 50 percent the earnings of the single head of household, will be protected from any contribution toward education. The maximum offset would be \$1,500 and would thus assure that up to \$30 a week would be available for the additional expenses which these persons face.

10. *Total offsets from income (line 10).* The sum of line 7 (family size offset) plus line 8 (unusual expenses) plus line 9 (employment expense offset) is the total amount which can be deducted from effective family income (line 6) in order to determine discretionary income.

11. *Discretionary income (line 11).* The income which remains after adjustment has been made for family living expenses, Federal income taxes, unusual expenses and the employment expense offset may be identified as discretionary income. This income is available for the purchase of goods and services which enhance the standard of living of the family, including postsecondary education.

12. *Standard income contribution rate (line 12).* Because of the direct benefits of postsecondary education received by the independent student, the expected contribution rate for such students from income has traditionally been much greater than the rate applied to the discretionary income of the parents of dependent students. In fact, the independent student has usually been expected to use all of his discretionary income for educational purposes.

In developing a system for the basic grants program, it was felt that a 100 percent contribution rate was excessive, especially for independent students with family responsibilities.

The following income contribution schedule was developed to accommodate these responsibilities:

(a) 75 percent of discretionary income for the single independent student with no dependents.

(b) 50 percent of discretionary income for the married independent student with no dependents other than spouse.

(c) 40 percent of discretionary income for independent students who have dependents other than spouse.

The amount of expected contribution from annual adjusted family income is shown in the illustrative charts at the end of this paper. Annual adjusted family income does not reflect the adjustments for Federal income taxes paid, unusual expenses, or employment expense offset.

13. *Net assets of applicant (and spouse) (line 13).* For purposes of basic grants, the following types of assets will be considered: Equity in farm, business, home, other real estate, stocks, bonds, other investments, savings accounts, etc. Since equity is being measured, debts against the stated assets will be deducted in evaluating the net worth of these assets.

Consumer durables such as automobiles, furniture, and household appliances are not included for consideration in determining these asset holdings.

14. *Asset contribution rate (line 14).* In determining a fair treatment of student assets, it has been assumed that since a student is the direct beneficiary of postsecondary education, he should be expected to invest a greater portion of his resources in meeting his educational costs than would be expected from his parents.

Existing financial aid procedures divide a student's assets by the number of years remaining in a 4-year program of postsecondary education. The result of this division is considered to be the student asset contribution.

For the basic grants program, a different treatment of student assets is employed. One-third of the student's assets (recalculated each year) would be expected. This method is simple, provides a modest reserve for the student, and avoids the assumption that a student is enrolled in a traditional 4-year program.

15. *Contribution from assets (line 15).* The result of multiplying the student's net assets (line 13) by the student asset assessment

rate (line 14) is that amount expected from student assets for educational purposes.

16. *Total family contribution (line 16).* The total expected family contribution for an independent student is determined by adding line 1 plus line 12 plus line 15.

#### CONTRIBUTION FROM ANNUAL ADJUSTED INCOME FOR INDEPENDENT STUDENTS—NO DEPENDENTS

Annual adjusted family income <sup>1</sup>	
\$1,000	220
\$2,000	573
\$3,000	1,025
\$4,000	1,477
\$5,000	1,929
\$6,000	2,381
\$7,000	2,833
\$8,000	3,285
\$9,000	3,737
\$10,000	4,189
\$11,000	4,641
\$12,000	5,093
\$13,000	5,545
\$14,000	5,997
\$15,000	6,449
\$16,000	6,901
\$17,000	7,353
\$18,000	7,805
\$19,000	8,257
\$20,000	8,709

<sup>1</sup> Adjusted gross income plus nontaxable income.

#### MARRIED INDEPENDENT STUDENTS WITH NO OTHER DEPENDENTS (OTHER THAN SPOUSE)—CONTRIBUTION FROM INCOME

Annual adjusted family income <sup>1</sup>	
Less than:	0
\$ 1,000	0
\$ 2,000	86
\$ 3,000	339
\$ 4,000	592
\$ 5,000	845
\$ 6,000	1,098
\$ 7,000	1,351
\$ 8,000	1,604
\$ 9,000	1,857
\$10,000	2,110
\$11,000	2,363
\$12,000	2,616
\$13,000	2,869
\$14,000	3,122
\$15,000	3,375
\$16,000	3,628
\$17,000	3,881
\$18,000	4,134
\$19,000	4,387
\$20,000	4,640

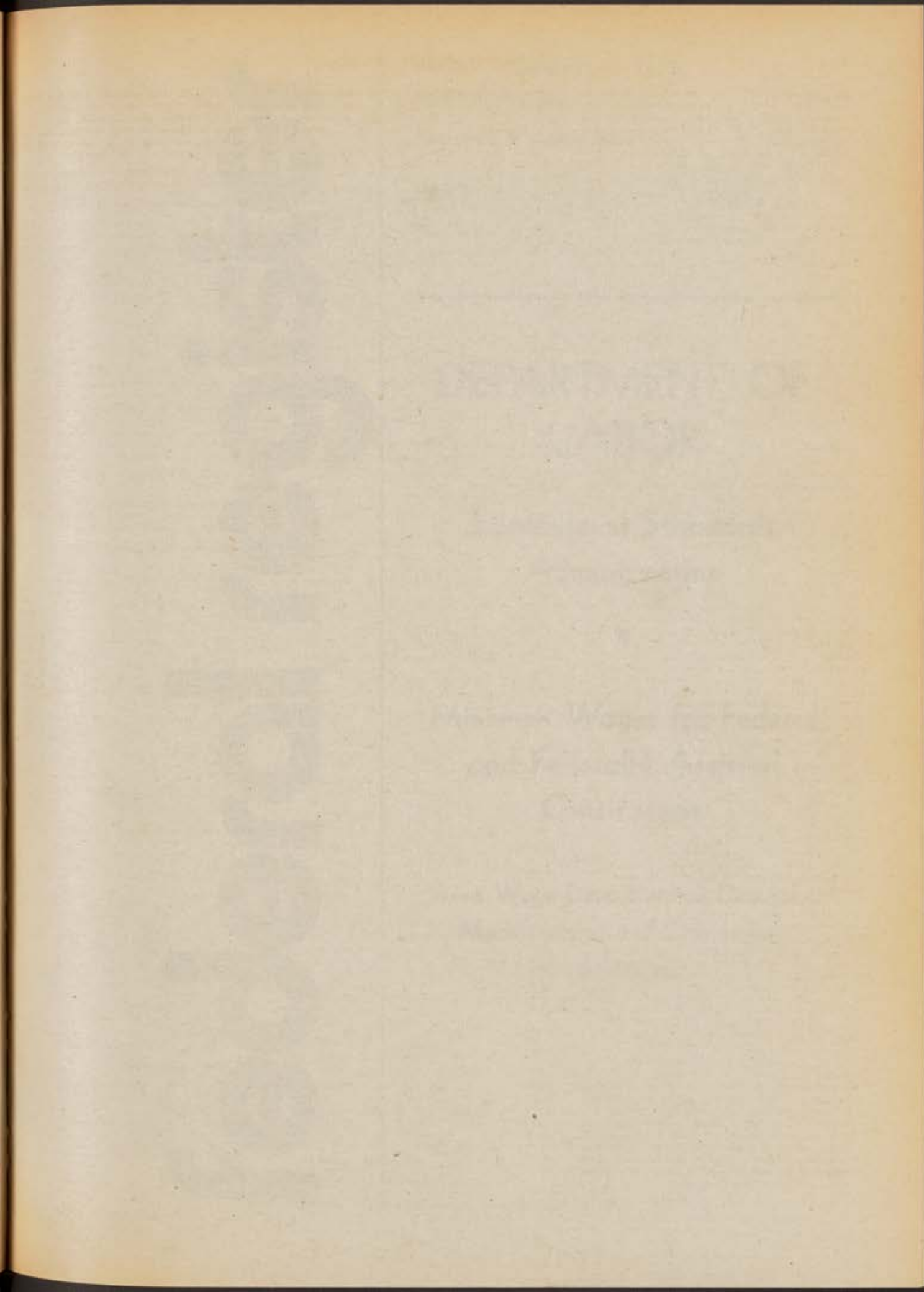
<sup>1</sup> Adjusted gross income plus non-taxable income.

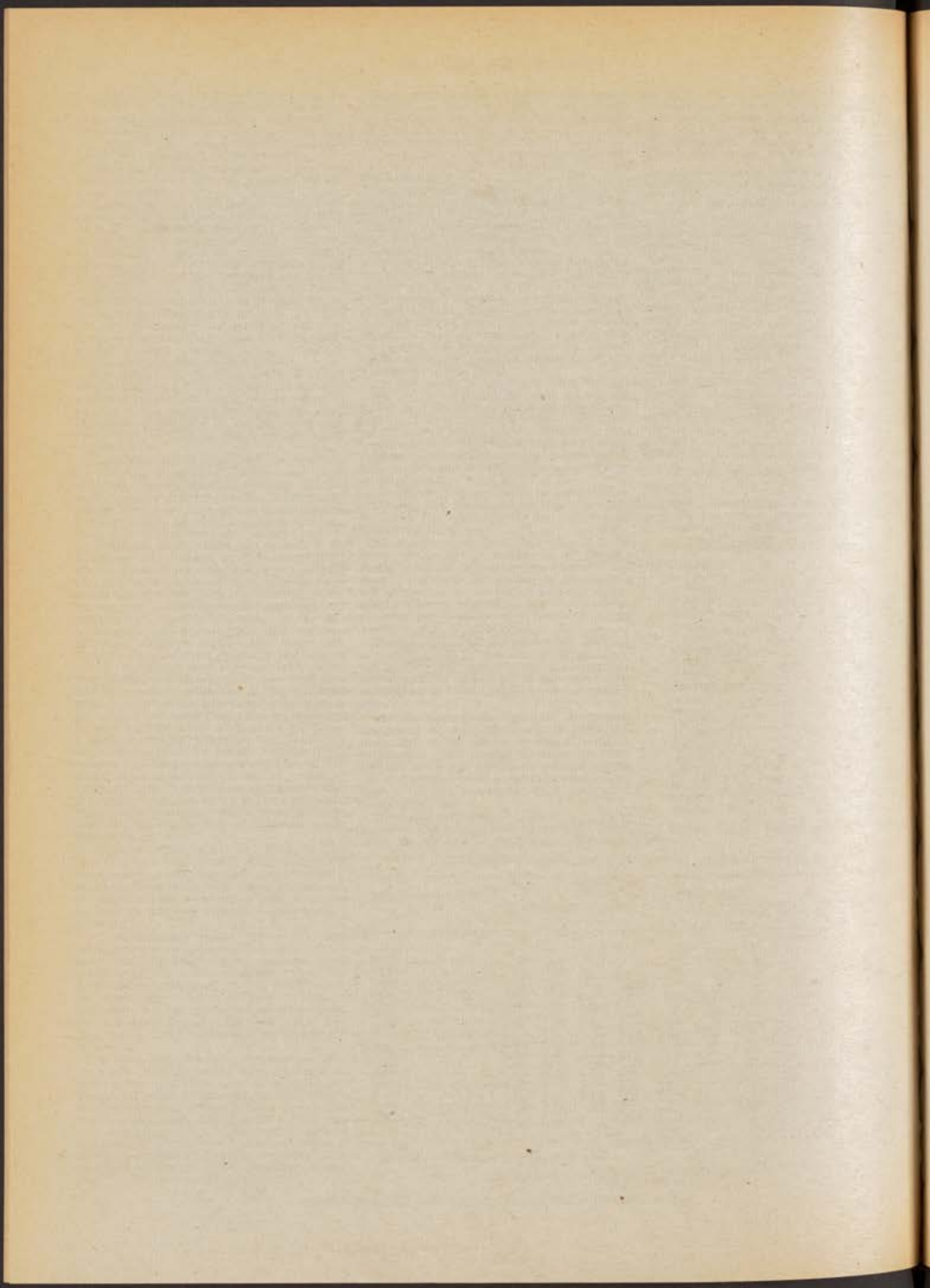
#### INDEPENDENT STUDENTS WITH DEPENDENTS INCOME CONTRIBUTION TABLE

Annual adjusted family income <sup>1</sup>	Family size										
	2	3	4	5	6	7	8	9	10	11	12
Less than:											
\$3,000	\$69	0	0	0	0	0	0	0	0	0	0
4,000	412	\$235	0	0	0	0	0	0	0	0	0
5,000	751	577	\$241	0	0	0	0	0	0	0	0
6,000	1,090	915	582	\$327	\$129	0	0	0	0	0	0
7,000	1,417	1,249	919	667	472	\$255	0	0	0	0	0
8,000	1,741	1,578	1,252	1,003	811	697	\$361	\$120	0	0	0
9,000	2,069	1,906	1,583	1,339	1,150	938	706	470	\$232	\$80	\$80
10,000	2,404	2,241	1,918	1,675	1,492	1,283	1,052	819	584	\$346	\$346
11,000	2,739	2,576	2,253	2,010	1,827	1,624	1,396	1,166	933	698	460
12,000	3,066	2,912	2,589	2,346	2,163	1,960	1,737	1,509	1,279	1,047	815
13,000	3,392	3,238	2,924	2,681	2,498	2,295	2,072	1,849	1,623	1,393	1,161
14,000	3,708	3,554	3,240	3,006	2,826	2,623	2,400	2,177	1,954	1,729	1,503
15,000	4,020	3,867	3,552	3,318	3,144	2,947	2,724	2,501	2,278	2,055	1,832
16,000	4,326	4,178	3,864	3,630	3,456	3,262	3,048	2,825	2,602	2,379	2,156
17,000	4,626	4,481	4,170	3,942	3,768	3,574	3,360	3,146	2,923	2,700	2,477
18,000	4,926	4,781	4,470	4,241	4,068	3,886	3,672	3,458	3,244	3,027	2,804
19,000	5,226	5,081	4,770	4,541	4,368	4,186	3,984	3,770	3,556	3,342	3,128
20,000	5,520	5,381	5,070	4,841	4,668	4,501	4,299	4,082	3,868	3,654	3,440

<sup>1</sup> Adjusted gross income plus nontaxable income.

[FR Doc.73-2086 Filed 2-1-73;8:45 am]







# federall register

FRIDAY, FEBRUARY 2, 1973  
WASHINGTON, D.C.

Volume 38 ■ Number 22

PART III



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## DEPARTMENT OF LABOR

Employment Standards  
Administration



Minimum Wages for Federal  
and Federally Assisted  
Construction

Area Wage Determination Decisions,  
Modifications, and Supersedeas  
Decisions

## DEPARTMENT OF LABOR

Employment Standards Administration  
**MINIMUM WAGES FOR FEDERAL AND  
 FEDERALLY ASSISTED CONSTRUCTION**  
 Area Wage Determination Decisions

Area 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 determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

Area 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 area wage determination decisions.* Modifications and Supersedeas Decisions to Area 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 Area 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 infor-

mation 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 Area Wage Determination Decision.

Set forth below in this document are the following:

New Area Wage Determination Decisions numbers AP-620 and AP-622 for Illinois.

Modifications to Area Wage Determination Decisions for the following States (the numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State):

Delaware.....	AP-444, Nov. 17, 1972.
Florida.....	AP-123; AP-124; AP-127, Nov. 17, 1972. AP-121, Nov. 25, 1972. AP-129, Dec. 8, 1972. AP-130; AP-131, Dec. 22, 1972.
Idaho.....	AP-227, Aug. 25, 1972.
New Jersey.....	AM-1, 713, Aug. 11, 1971.
New Mexico.....	AP-322; AP-323, Sept. 15, 1972.
Ohio.....	AP-37; AP-38; AP-39; AP-42; AP-44; AP-47; AP-48, Nov. 17, 1972.
Tennessee.....	AM-8, 621, June 9, 1972. AP-139, Dec. 1, 1972.
Virginia.....	AP-440; AP-441, Nov. 3, 1972.

Supersedeas Decisions to Area Wage Determination Decisions for the following States (the numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State; the Supersedeas Decision numbers are in parentheses following the numbers of the decisions being superseded):

Georgia.....	AM-477 (AP-150), Aug. 20, 1971.
Illinois.....	AP-6 (AP-619), Aug. 4, 1972.
Texas.....	AP-361 (AP-399), Nov. 17, 1972.
Washington.....	AM-6, 704 (AP-261); AM-6, 705 (AP-261); AM-6, 706 (AP-261); AM-6, 707 (AP-261), Mar. 10, 1972.

Signed at Washington, D.C., this 26th day of January 1973.

BEN P. ROBERTSON,  
 Acting Administrator,  
 Wage and Hour Division.

STATE: ILLINOIS  
DECISION NUMBER: AP-620  
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

COUNTY: ST. CLAIR  
DATE OF PUBLICATION

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Basic Hourly Rates	Fringe Benefits Payments				App. Tc.	Other
	H & W	Pensions	Vacation	App. Tc.		
\$8.53	.20	.17		.01		
8.35	.40	.65		.01		
8.10	.40	.65				
6.30		.30	.60			
8.46		.30	.60			
8.385	.40	.25				
8.525	.25	.25				
8.46	.35	18+.25	.51	.25%		
5.56	.105	.125	35+abb	.005		
70LR	.105	.125	35+abb	.005		
50LR	c	.40	6%+d	.01		
7.46		.40				
8.50	.40	.45				
8.50	.40	.45				
7.25	.25	.35		.035		
7.50	.25	.35		.035		
7.50	.25	.35		.035		
7.50	.25	.35		.035		
8.775	.25	.35		.035		
7.25	.25	.35		.035		
7.95	.20	.20				
7.50	.25	.35		.035		
7.50	.25	.35		.035		
7.65		.20				
7.65		.20				

Asbestos workers  
Boilermakers  
Boilermakers' helpers  
Bricklayers & Stonemasons:  
(Belleville, O'Fallon, Shiloh, Le-Bannon Mascoutah, Scott AFB, Free-Burg & Area Approx. 3 mi. SE of Belleville)  
(E. St. Louis & Vicinity)  
Carpenters  
Cement masons:  
Percent masons  
Electricians  
Elevator Constructors  
Elevator Constructors' helpers  
Elevator Constructors' helpers (Prob.)  
Glaziers  
Ironworkers, structural & ornamental  
Ironworkers, reinforcing  
Laborers:  
Vicinity of E. St. Louis, Washington Park, Brooklyn, Fairmont City, French Village, Dupo, Pearl District, Alton, Altonco, Caseyville, Winona, Hannibal, Chokila, National City, North Dupo, Canton, & Centerville)  
Laborers, Common  
Asphalt makers, creosote workers  
Bottom men on sewer work  
Mastic cookers  
Dynamite men  
Hod carriers (Plastering)  
Hod carriers (masonry)  
Work in Cess Pools, Dry Wells or Septic tanks  
Motor buggy operator  
(Vicinity of Belleville)  
Laborers  
Men putting out & taking in lights or tend fires & salamanders for drying  
All work performed in Septic Tanks  
Cess pools or dry wells; all feeders, mixers or men on gennite or sandblasting work; raking or luting asphalt; handling

NOTICES

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Basic Hourly Rates	Fringe Benefits Payments			App. Tc.	Other
	H & W	Pensions	Vacation		
\$7.90		.20		.035	
8.15		.20			
8.15		.20		.035	
9.15		.20			
7.65		.20		.035	
7.90		.20		.035	
7.90		.20		.035	
7.90		.20		.035	
7.90		.20		.035	
7.90		.20		.035	
8.30		.20		.035	
8.15		.20		.035	
8.15		.20		.035	
8.15		.20		.035	
7.50		.20		.035	
7.75		.20		.035	
7.75		.20		.035	
8.00		.20		.035	
8.00		.20		.035	
9.10		.20		.035	
7.00		.20		.035	
7.15		.20		.035	
7.25		.20		.035	

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	Basic Hourly Rates	Fringe Benefits Payments					Others
		W & W	Emotions	Vacation	Acc. Tr.	Others	
Masons & plaster tender	\$7.40		.20			.035	
Dynamite man	8.35		.20			.035	
Lime Construction:							
Linemen	8.42	3½	1%			.25%	
Crownman equipment operators	7.30	3½	1%			.25%	
Crownman truck drivers: with winch	5.94	3½	1%			.25%	
Crownman truck drivers: without winch	5.84	3½	1%			.25%	
Pick-ups or jeeps	5.54	3½	1%			.25%	
Crownmen	5.50	3½	1%			.25%	
Marble setters	7.19	.17	.45				
Millwrights	8.385	.40	.25	.45			
Lathers	5.175	.15					
Lead burners	6.90	.30				.01	
Piledrivers	8.385	.40	.25			.01	
Plasterers	8.775						
Plumbers & Steamfitters:							
(East St. Louis & Vicinity)	8.00	.32	.40	.40			
(Bellefonte & Vicinity)	9.15		.50				
Roofers:							
Composition	6.65	.27	.30	.40		.03	
Kettlemen	4.65	.27	.30	.40		.03	
Slate and tile	6.45	.27	.30	.40		.03	
Sheet metal workers	7.98	.20	.25	.61		.01	
Sprinkler fitters	8.75	.30	.50			.05	
Terrazzo workers	5.65						
Terrazzo workers' helpers & floor machine operator	4.60						
Terrazzo base machine operator	4.90	.175	.45				
Tile setters	5.91						
Soft floor layers	6.385	.40	.25				

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

## PAID HOLIDAYS: (WHERE APPLICABLE)

A-New Years Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

## FOOTNOTES:

a. 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.

b. Six (6) paid holidays: A through F.

c. Employer contributes \$55.67 per month per employee.

d. Ten (10) paid holidays: A through F plus Washington's Birthday; Columbus Day; Veterans Day; & Friday after Thanksgiving Day.

e. Eight (8) 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.

PAINTERS:

Residential

Brush  
 Rollers, Cut in men, hand taping,  
 sanded dry wall, and work per-  
 formed on stages, boatswain chairs,  
 picks or scaffolds supported by  
 ropes or cable & similar rigs  
 Mechanical tools & devices such as  
 power sanders, buffers, needle gun  
 taping tools, etc.  
 Sandblasting, water blasting, steam  
 cleaning and spraying conventional  
 and air-less with less than 24"  
 fan  
 Spraying air-less with 24" fan or  
 over

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BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			OTHER
	H & V	PENSION	VACATION	
\$7.65	.25	.15		
7.90	.25	.15		
8.40	.25	.15		
8.65	.25	.15		
8.65	.25	.15		

POWER EQUIPMENT OPERATORS:

Cranes, Dragline, shovels, skimmer  
 scoops, clam shells or orange peels,  
 derricks or derricks boats, pile-drivers,  
 crane-type buckets, asphalt plant or  
 concrete plant cars., Bit-cracking mach.  
 or Backfillers (requiring Oilers),  
 Dressing, asphalt spreading machines,  
 all locomotives, cable way or trestle  
 machines Road-2 diron or more (where  
 other or Firman is required)

Hydraulic B. shovels, Digging Machines  
 or backfiller (not requiring oiler),  
 Road-2-diron or more (where other  
 or Firman is not required), cherry-  
 pickers, overhead cranes roller,  
 Steam or gas, concrete breakers, comp.  
 pumps, Milk Cement Plants, Cement  
 pumps, Derrick type fillers, Mixers  
 (over three bags), Boat operators  
 (25 feet and over)

Drills (other than derrick type) one  
 Drum Hoist, Mud Jacks or Ball Drill-  
 ing machines, boring machines, or  
 Track Jacks, Compressor (two), air  
 compressors (two), water pumps regu-  
 less of size (two) holding machines  
 (two), Scales or jets (two), winch  
 heads or apparatus (two), Light  
 Plants (two), Mixers (2 or 3 bags)

Motor Graders or pebbles, scoops or  
 Trussballs, ballastors, Reelstors  
 or Port lifts, power blade or Elevat-  
 ing Graders, winch cable, boom or  
 winch trucks, or boom tractors, pipe  
 wrapping or painting machines

All tractors regardless of size  
 (straight tractor only), Fireman  
 or Stationary Boilers, automatic  
 Elevators, Form grading machines,  
 Finishing machines, power subgrade-  
 or Ribbon machines, longitudinal floods  
 boat operators (over 25 ft.), cen-  
 veyors (one)

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BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			OTHER
	H & V	RETIREMENTS	VACATION	
\$8.10	.30	.85		
7.325	.30	.85		
6.75	.30	.85		
6.65	.30	.85		
6.40	.30	.85		
6.10	.30	.85		
10.25	.30	.85		
8.50	.30	.85		
10.55	.30	.85		
9.00	.30	.85		

distributor operators on trucks, Sippers or jets (ens), winch heads or apparatus (ens), light plants (ens), mixers (under two bags)  
 Air compressor (ens), Water pumps - regardless of size (ens), Welding machine (ens)  
 Fireman, asphalt spreader oiler  
 Heavy equipment oiler (truck cranes, dredges, monitions, large cranes, etc.)  
 Oiler or apprentice  
 Heavy duty mechanics  
 Hard Rock mining .25 per hour premium pay above existing rate  
 Engineers operating under air pressure  
 Apprentices operating under air pressure  
 Engineers operating in air over 10 lbs. pressure  
 Apprentices operating in air over 10 lbs. pressure

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FRINGE BENEFITS PAYMENTS

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			OTHER
	H & V	RETIREMENTS	VACATION	
\$6.45	.30	.85		
6.65	.30	.85		
6.85	.30	.85		

**TRUCK DRIVERS:**  
 Drivers on 4-wheel trucks, dump-cretes, scoopmobile 5 cu. yds. & under or less than 7-1/2 tons, mixer trucks 3 cu. yds. & under, air compressors and welding machines, including those pulled by separate units, batch trucks, wet or dry, 2 - 34-E batches or less, truck drivers' helpers, warehouses, mechanics' helpers, greasers, tiremen, drivers on dumpsters or similar dumpsters, mounted on 4-wheel trucks, rated 2 cu. yds. or less, and small pallet type fork lift opt., & drivers on pilot trucks  
 Drivers on 4-wheel trucks, over 5 cu. yds. or more than 7-1/2 tons, 6-wheel trucks, Koehring or similar dumpsters, track trucks, Euclid's, tourmopalls, hog-bottom dumps, tourmatrailer, tourm-rochers, or similar equipment when used for transportation purposes under 9 cu. yds. or less than 13-1/3 tons, tandems & semi-trailer service trucks, mixer trucks over 3 cu. yds. & including 6-1/2 cu. yds. fork-lift, 4-wheel A-frame trucks when used for transportation purposes, 4-wheel winch trucks, pavement breakers, batch trucks - wet or dry - over 2 up to and including 4 - 34-E batches  
 Drivers on heavy equipment over 9 cu. yds. or 13-1/2 tons and/or up to and including 16 cu. yds. or 24 tons, such as Koehring or similar dumpsters, track trucks, semitrailer water trucks, Euclid's, Hog-bottom dumps, Tourmopalls, Tourmatrailer, Tourmrochers, Tractor-trailers, tandems A-frames tandems winch trucks, hydro-lift trucks or similar equipment when used for transportation purposes, mixer trucks over 6-1/2 cu. yds., batch trucks - wet or dry - over 4 - 34-E batches, single axle low-boy trailers, 6-wheel pole trailers & two-man oil distributors

Attachment - 2 of 2

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				OTHERS
	H & W	PENSIONS	VACATION	AFT. TL.	
\$7.05	.30	a			

Drivers on heavy equipment over 16 cu. yds. or 24 tons, such as: Koenig or similar dumpsters; track trucks, Euclids, bag-bottom dumps, Tournapulls, Tournarockers or similar equipment when used for transportation purposes, and drivers on oil distributors, one man operation, pole trailers over 6-wheels, water pulls, lowboy trailers tandem axles or more; no weight limitation, diesel and/or heavy equipment mechanics

FOOTNOTE:  
 a. Employer contribute \$5.00 per week per each employee.

COUNTIES: PEORIA & TAZEWELL

DATE: DATE OF PUBLICATION

DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

NEW DECISION

STATE: ILLINOIS

DECISION NUMBER: AP-622

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			App. T.	Others
		H & W	Pensions	Vacation		
Asbestos Workers	99.00	.50	.475		.05	
Boilermakers	7.90	.40	.65		.01	
Bricklayers & Stonemasons:	5.20	.225	.30			
Green Valley, Mambo, Pekin, Mackinaw & Tremont (Tazewell County)	7.875	.35	.30		.05	
Peoria County & Remainder of Tazewell County						
Carpenters:						
Chillicothe & Vicinity (Peoria County)	4.90					
Chillicothe & Vicinity (Peoria County)	4.55					
Carpenters & Soft Floor Layers	7.66	.30	.30		.02	
East Peoria (Tazewell County) and Remainder of Peoria County	7.42	.33	.25		.02	
Remainder of Tazewell County	7.96	.30	.30		.02	
Millwrights & Millwrights	7.67	.33	.25		.02	
East Peoria (Tazewell County) and Remainder of Peoria County	7.545	.35	.30		.05	
Remainder of Tazewell County	7.905	.25	27+.20		1%	
Cement Masons	7.37	.195	.20	27+.55b	.005	
Electricians	5.16	.195	.20	27+.55b	.005	
Elevator Constructors:						
Helpers (Prob.)	507JR					
Glaziers	7.425	.25	.15			
Ironworkers, Structural, Ornamental & Reinforcing	7.70	.40	.375			
Laborers:						
Peoria County & the City of East Peoria (Tazewell Co.)	6.75	.30	.35		.035	
Common Laborer, Bricklayer, Carpenter & Cement Mason Tenders	6.875	.30	.35		.035	
Jackhammer & Plasterers' Tenders						
Remainder of Tazewell County						
Common Laborer, Plasterers', Cement Mason & Bricklayer Tenders	6.72	.30	.25		.035	
Mortar Mixer	6.72	.30	.25		.035	
Vibrator Opr., & Gunite Pump Men	6.97	.30	.25		.035	
Jackhammer & Drill Operator	6.845	.30	.25		.035	
Lathers	7.77	.25	.20		.01	
Leadburners	6.90	.30		c	.01	

Life Construction:

	Basic Hourly Rates	H & W	Pensions	Vacation	App. T.	Others
Lining	97.95	.25		12		.25%
Groundmen Equipment Opr. Class 1	7.13	.25		12		.25%
Groundmen Truck Driver W/2inch	5.53	.25		12		.25%
Groundmen Truck Driver 10/16inch	5.28	.25		12		.25%
Groundmen Class "A"	5.03	.25		12		.25%
Marble Setters, Terrazzo Workers & Tile Setters	7.65	.35	.30			.02
Marble Setters, Terrazzo Workers & Tile Setters' Helpers	6.975	.225				
Painters:						
Brush	7.20	.25	.30			
Structural Steel & Spray	7.60	.25	.30			
Plasterers	7.625	.35	.30			
Fiberglass & Steamfitters:						
Peoria County & North of Hwy. #98 (Tazewell County)	7.925	.24	.60			.09
Remainder of Tazewell County	7.855	.24	.60			.06
Roofers	7.495	.20	.25			
Sheet Metal Workers	7.50	.38	.35			.04
Sprinkler Fitters	8.75	.30	.50			.05

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. Six paid 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. Eight paid holidays, A through F plus Washington's Birthday and 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.



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POWER EQUIPMENT OPERATORS:

GROUP I	Basic Hourly Rates			Fringe Benefits Payments			Oth
	H & W	Vacation	App. T.	H & W	Vacation	App. T.	
<p>Cranes, calculated rate on crane, derricks booms, \$.01 per hr., per foot, after 80-foot of boom including jib, overhead cranes, grapple, cherry pickers (and similar types, over 15 ton lifting capacity (require oiler), mechanics, central concrete mixing plant operator, road pavers (278 dual drum-tri batchers), blacktop plant operators &amp; plant engineers, 3 drum hoist, derricks, hydro cranes, shovels skimmer scoops, koehring scooper, draglines, backhoe, hoptoes-crane-type that require oilers, derrick booms, pile drivers &amp; skid rigs, clamshells, locomotive cranes, dredge (all types), motor patrol, power blades demore-elevating &amp; similar types tower cranes (crawler mobile) &amp; stationary, crane-type backfiller, drott yumbo &amp; similar types considered as cranes, caisson rigs (require oilers)-dozer, tourna-dozers, work boats, ross carrier &amp; ball-copter</p>	\$7.80	.35	.05				
<p>GROUP II</p> <p>Trench machine, pumpcrete-belt create-squeeze create-screw-type pumps &amp; sump bulker &amp; pump, diskkeys, power launchers, tournapulls (all), multiple unit, earth movers, \$.25 per hour for each scoop over one, scoops (all sizes), push cats, endloaders (all types), side boom, P-8 one pass soil-cement machine (and similar types), wheel tractors (industrial or farm type w/doser-hoe-end-loader or other attachments), pugmill with pump backfillers, asphalt surfacing machine, euclid loader, forklifts, formless finishing machine, jeeps w/ditching machine or other attachments, tumbler, rock crushers, automatic cement &amp; gravel batching plants, mobile drills (soil testing &amp; similar types), (require oiler), flashborty spreader or similar types (require oiler), heavy equipment greaser (top greaser on spread), gurries, &amp; similar type, 1 &amp; 2 drum hoists (back hoists &amp; similar types) freight &amp; passenger elevators Chicago boom, boring machine &amp; pipe jacking machine, hydro boom, starting engineer on pipeline, C.M.I. &amp; similar types (require oiler) straw blower, hydro seeder &amp; F.W.D. &amp; similar types</p>		.35	.05				
<p>GROUP III</p> <p>Tractor (track type) without power unit pulling rollers, rollers on asphalt, brick or macadam, concrete breakers, concrete spreaders, male pulling rollers, center stripper, cement finishing machines, barber greene or similar loaders, vibro tamper (all similar types), self-propelled, winch or boom truck, mechanical bull floats, mixer over 3 bag to 27E, tractor pulling power blade or elevating grader, porter rex rail, clay screed, pug mill (without pump), screed man on laydown machine, firemen &amp; spray machine on paving</p>	\$7.225	.35	.05				
<p>GROUP IV</p> <p>Air compressor, all air &amp; steam valves, power subgrader, oil distributor, straight tractor, trac-air without attachments, curb machines, truck crane oilers, &amp; truck type hoptoe oilers</p>	7.05	.35	.05				
<p>GROUP V</p> <p>Herman Nelson heater, Dravo, Warner, silent glo, &amp; similar types, one engineer will operate 1-5 &amp; after 5, two operators will be required, self-propelled concrete saws, assistant heavy equipment greaser on spread, roller, 5 tons &amp; under on earth or gravel, form grader, pump 1 or 2, generator (3) or (2), welding machine (1) or (2)-300 amp or over, mixer (3) bag &amp; under (standard capacity), bulk cement plant, crawler crane &amp; skid rig oilers</p>	6.94	.35	.05				

AP-522 P. 5

ILLINOIS-2-TD-1-3-3 5 1 of 2

PROBIA COUNTY & THE CITY OF EAST  
PROBIA (TAZEWELL COUNTY)

**TRUCK DRIVERS: (MIDG., HEAVY)**

Drivers on 4-wheel trucks, dumptrucks, scoopmobile 5 cu. yds. 6 under or less than 7 1/2 tons, mixer trucks 3 cu. yds. 6 under, air compressors & welding machines, including those pulled by separate units, batch trucks, wet or dry, 2 - 345 batches or less, truck drivers' helpers, warehousemen, mechanics' helpers, pressors, tiremen, drivers on dumpsters or similar dumpsters, mounted on 4-wheel trucks, rated 2 cu. yds. or less, and small pallet type fork lift opr., & driver on pilot trucks

Drivers on 4-wheel trucks, over 5 cu. yds. or more than 7 1/2 tons, 6 wheel trucks, hoehring or similar dumpsters, track trucks, Euclid, Tournepolls, lug-bottom dumps, Tournepolls, Tournepolls, or similar trailers, Tournepolls, or similar equipment when used for transportation purpose under 9 cu. yds. or less than 1 1/2 tons, tandems & similar service trucks, mixer trucks over 3 cu. yds. & including 6 1/2 cu. yds. fork-lift, 4-wheel A-Fraco trucks when used for transportation purposes, 4-wheel winch trucks, pavement breakers, batch trucks-wet or dry - over 2 up to & including 4 - 345 batches

Drivers on heavy equipment 9 cu. yds. or 1 1/2 tons and/or truck licensed for 50,000 lbs. gross up to & including 16 yds. or 24 ton, such as hoehring or similar dumpsters, track trucks, semitrailer water trucks Euclid, lug-bottom dumps, Tournepolls, Tournepolls, Tournepolls, tractor-trailers, tandems A-Fraco, tandem winch trucks, gyro-lift trucks

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			APP. TR.	OTIE
	S & P	PENSIONS	VACATION		
\$6.45	.30	a			
6.65	.30	a			

AP-522 P. 6

ILLINOIS-2-TD-1-2-3

2 of 2

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			APP. TR.	OTIE
	S & P	PENSIONS	VACATION		
\$6.85	.30	a			
7.05	.30	a			

or similar equipment when used for transportation purposes, mixers over 6 1/2 cu. yds., batch trucks - wet or dry - over 4 - 345 batches, single axle loadboy trailers, 6-wheel pole trailers & two-man oil distributors Drivers on heavy equipment over 16 cu. yds. or 2 1/2 tons, such as hoehring or similar dumpsters; track trucks, Euclid, lug dumps, Tournepolls, Tournepolls or similar equipment when used for transportation purposes and drivers on oil distributors, 1 man operation, pole trailers over 6-wheels, water pulls, loadboy trailers tandem axles or more no weight limitation, diesel and/or heavy equipment mechanics

**FOOTNOTES:**

a. Employer contributes \$9.00 per week per each employee.

AP-622 P. 7		III. 6 -TD E			AP-522 P. 3		
BASIC HOURLY RATES		H & B	FRINGE BENEFITS PAYMENTS	FRINGE BENEFITS PAYMENTS	APP. TR.	OTHER	
<p>Truck Drivers:</p> <p>Drivers on 4-wheel trucks, dumpsters, scooperbills 5 cu. yds. &amp; under or less than 7½ tons, mixer trucks 3 cu. yds. &amp; under, air compressors and welding machines, including those pulled by separate units, batch trucks, wet or dry, 2 - 3½ batches or less, truck drivers' helpers, warehousemen, mechanics' helpers, grassers, tiremen, pick-up trucks, drivers on dumpsters or similar dumpsters, mounted on 4-wheel trucks, rated 2 cu. yds. or less, &amp; small pellet type fork-lift op.</p>	\$4.63	.20	a	5.03	.20	a	
<p>Drivers on 4-wheel trucks, over 5 cu. yds. or more than 7½ tons, 6-wheel trucks, hoeing or similar dumpsters, track trucks, Euclids, bag-bottom dumps, Tournepolls, Tournepolls, or similar equipment when used for transportation purposes under 9 cu. yds. or less than 1½ tons, tanks &amp; semitrailer service trucks, 6-wheel pole-trailers, mixer trucks over 3 cu. yds. &amp; including 6½ cu. yds., fork-lifts, 4-wheel 2-frame trucks when used for transportation purposes, 4-wheel vitch trucks, permasat breakers, batch trucks - wet or dry - over 2 up to &amp; including 4 - 3½ batches, mechanics, drivers on oil distributors 2 man operation</p>	4.63	.20	a				
<p>Drivers on heavy equipment over 9 cu. yds. or more than 1½ tons up to and including 16 cu. yds. or 2½ tons, such as hoeing or similar dumpsters, track trucks, semitrailer water trucks Euclids, bag-bottom dumps, Tournepolls Tournepolls, Tournepolls, tractor-trailers, tandem 4-frames, tandem vitch trucks, hydro-lift trucks or similar equipment when used for transportation purposes, mixer trucks over 6½ cu. yds., batch trucks - wet or dry - over 4 - 3½ batches, pole-trailers, 8-wheel combination or over, towboy</p>	4.63	.20	a				



NOTICES

DECISION #AP-227 - Mod. # 4  
(57 Pz. 17342 - August 25, 1972)

Beaver, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone Counties, Idaho

Change:

Elevator Constructors (Remainder of counties and that portion of Idaho County north of the 46th parallel)  
 Elevator Constructors  
 Elevator Constructors' Helpers  
 Elevator Constructors' Helpers (Ind. 50%)  
 Laborers (See Modifications P. 4 & 5)  
 Truck Drivers (See Modifications P. 6 & 7)  
 Power Equipment Operators (See Modifications P. 8-11)

Basic Hourly Rates	Fringe Benefits Payments			Others
	H & W	Families	Vacation	
7.66	.345	.23	28 / a	
70¢/hr	.345	.23	28 / a	

Basic Hourly Rates	Fringe Benefits Payments			Others
	H & W	Families	Vacation	
\$ 5.30	.35	.50	.02	
5.45	.35	.50	.02	
5.55	.35	.50	.02	
5.60	.35	.50	.02	
5.65	.35	.50	.02	

Remainder of Counties and that portion of Idaho County north of the 46th parallel

LABORERS:

Group I  
 Carpenters tender; Concrete crewman; Concrete signalman; Cribber feeder; Demolition; Driller helper, bumpman; Fence stretcher; General laborer; Grount machine header tender; Ripper; Riprap man; Scaleman; Stake jumper; Structural mover; Tailbossman (water nozzle); Track laborer (TR); Truck loader; Timber hooker and feller; Window cleaner; Brush Hog Feeder

Group II  
 Cement finisher tender; Cement handlers; Demolition torch; Hoop pot fixman; non-mechanical; Form cleaning machines, feeder, stacker; Form setter, paving; Grade checker using level, optional; Kozleman, water & air or steam; Pipe layer, corrugated metal culvert; Pipe wrapper; Pot tender; Powderman helper; Power tool op.; Gas, electric, pneumatic Railroad equipment, power drives; Rodder & spreader; Sandblast tailbossman; Scaffold stretcher, wood or steel; Vibrator up to 4"; Wall-point man; Wheelbarrow, power driven

Group III  
 Asphalt taker; Asphalt roller, walking; Chain saw op., w/attachments; Concrete saw, walking; Creosote material; High scaler; Jackhammer op.; Multi-section pipelayer; Nonfixman; Pavement breaker; Tamper; Trencher; shoveler; Vibrator, 4" & over; Wagon drills; Water pipe liner

Group IV  
 Chain Saw (faller); Pipelayer (Caulker, collarman, joiner, mortarmen, rigger, jacker, shorer & lagger and inner beam but not incl. laying corrugated metal culvert pipe)

Group V  
 Concrete stack, Rod carriers; Mortar mixer; Vibrator, 4 inches and over

MODIFICATIONS P. 5

DECISION #AP-227 (Cont'd)

2-IDA-NINA-LAB 1-2-3 (2-2)

	Basic Hourly Rates	Fringe Benefits Payments			App. T.	Other
		H & W	Pensions	Vacation		
LABORERS (Cont'd):						
Group VI Culston worker, free air; High Scaler	\$ 5.70	.35	.50	.02	.02	
Group VII Brush machine; Drills, Gummite; Monitor op.; Air Track or similar mounting; Sozzleman	5.75	.35	.50	.02	.02	
Group VIII Air track drills with dual masts and drills; Powderman	5.95	.35	.50	.02	.02	
TUNNEL & SHAFT, FREE AIR						
Group IX Class A: Bull gang, pumpcrete crewman incl. distributing pipe, assembling & dismantle and nipper	5.35	.35	.50	.02	.02	
Class B: Brakeman, dumpman	5.40	.35	.50	.02	.02	
Class C: Minor & moutleman for concrete and laser beam op. on tunnels	5.60	.35	.50	.02	.02	
Class D: Raise & shaft miner and laser beam op. on raises and shafts	5.85	.35	.50	.02	.02	
Group X Sand Hogs (Under compressed air conditions):						
1 lb thru 14 lbs - 6 hrs. work	54.60	.35	.50	.02	.02	
Over 14 lbs thru 18 lbs - 6 hrs. work	57.50	.35	.50	.02	.02	
Over 18 lbs thru 22 lbs - 6 hrs. work	57.50	.35	.50	.02	.02	
Over 22 lbs thru 26 lbs - 6 hrs. work	77.75	.35	.50	.02	.02	
Over 26 lbs thru 30 lbs - 4 hrs. work	61.70	.35	.50	.02	.02	
Over 30 lbs thru 32 lbs - 4 hrs. work	64.10	.35	.50	.02	.02	
Over 32 lbs thru 38 lbs - 3 hrs. work	66.80	.35	.50	.02	.02	
Over 38 lbs thru 44 lbs - 2 hrs. work	68.10	.35	.50	.02	.02	
Outside lock & gauge tender (per shift)	45.20	.35	.50	.02	.02	

MODIFICATIONS P. 6

DECISION #AP-227 (Cont'd)

2-IDA-NINA-TP-1-2-3-d (1-2)

	Basic Hourly Rates	Fringe Benefits Payments			App. T.	Other
		H & W	Pensions	Vacation		
TRUCK DRIVERS						
Group I FLAT BED TRUCK, single rear axle; Escort Driver; Fish Truck; Fork Lift, 3,000 lbs. & under; Fuel Truck Driver (steam cleaner & washer); Helper & Swapper; Leverman Loading Trucks at Stations; Pickup Hauling Material; Stationary Fuel Op.; Team Driver; Tractor (small rubber tired pulling trailer or sim. equip.); Water Tank Truck 1,800 gallons	\$6.50	.57	.50			
Group II BUS DRIVER OR MASHAL DRIVER; Flat Bed Truck, dual rear axle; Tireman No. 1; Warehouseman	6.55	.57	.50			
Group III BUGGY MOBILE & SIM.; Bulk Cement Tanker; Oil Tank Driver; Power Operated Swapper; Semi-Trailer, low bed, truck & Trailer; Straddle Carrier (Boss, Hyster & sim.); Transit Mixers & Trucks Hauling Concrete (3 yds. & under); Trucks, side end and bottom dump (under 6 yds.); Water Tank Truck (1,801 - 4,000 gallons)	6.60	.57	.50			
Group IV AUTO CRANE - 2000 lbs. capacity; Bulk Cement Spreader; Dumper (6 yds. & under); Fishery Spreader, box driver; Flat Bed Truck (using power take off); Fork Lift (over 3,000 lbs.); Oil Distributor Driver (road, boom); Leverman, helper; Rubber tired Tunnel Jumbo; Scissors truck; Slurry Truck Driver; Transit Mixers & Trucks Hauling Concrete (over 3 yds. to 6 yds.); Trucks, side, end and bottom dump (over 6 yds. to 12 yds.); Water Tank Truck (4,001 - 6,000 Gals.); Wrecker & Tow Trucks	6.70	.57	.50			

NOTICES

REGISTRATION #AP-227 (Cont'd)

2-IDA-RTDA-TP-1-2-3-6 (2-2)

2-IDA-RTDA-PEO-1-2 3-1 (1-4)

(Remainder of Counties and that portion of Idaho County north of the 46th parallel)

POWER EQUIPMENT OPERATORS

GROUP I

Bit Crinders; Belt Threading Machine; Brakeman; Compressors, under 1000 cu. ft. per minute gas, diesel or electric power; Crusher Feeder (mechanical); Deck Hand; Drillers' Helper; Fireman & Heater Tender; Grada Checker; Helper (Mechanic or Welder, E. D.); Oiler; 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; Welding Machines.

GROUP II

A-Frame Truck (single-drum); Assistant Refrigeration Plant (under 1000 tons); Assistant Plant Operator. Fireman or Pugmiller (asphalt); Bag-ley or Stationary Scraper; Batch Plant & Wet Mix Operator, single unit (concrete); Belt Finishing Machine; Bending Machine (pipeline); Blower Operator (cement); Cement Hog; Compressor (1000 cu. ft. or over, 2 or more - gas, diesel or electric power); Concrete Saw (multiple cut); Distributor Leverman; Dope Pots (power agitated); Equipment Serviceman, Greaser & Oiler; Fork Lift or Lumber Stacker, Hyers Lift & similar; Gin trucks (pipeline); Hoist, single drum; Loaders (bucket elevators and conveyors); Longitudinal Float; Mixer (portable - concrete); Pavement Breaker, Hydrator, Hammer & similar; Posthold Auger or Punch; Power Broom; Railroad Ballast Regulation Operator, (self-propelled); Railroad Power Tamper Operator, (self-propelled); Railroad Power Tamper Jack Operator, (self-propelled); Spray Curing Machine (concrete); Spreader Box (self-propelled); Straddle Buggy (Boss &

REGISTRATION #AP-227 (Cont'd)

2-IDA-RTDA-TP-1-2-3-6 (2-2)

	Fringe Benefits Payments				Others
	H & W	Vacation	App. Tr.	App. Tr.	
Group V TRUCK DRIVERS (CONT'D) LOW BOT (under 50 tons); Service Greaser; Tiresman No. 2	.57	.50			
Group VI A-FRAME (Swedish Crane, Iowa 3,000, hydraulic); Water Tank Truck (over 6,001 - 8,000 gals.)	.57	.50			
Group VII DREDGER (over 6 yds.); Transit Mixers & Trucks Hauling Concrete (6 yds. to 10 yds.) Trucks, side, end & bottom dump (over 12 yds. incl. 20 yds.)	.57	.50			
Group VIII LOW BOT (over 50 tons); Water Tank Truck (6,001 - 10,000 gals); 10c for each add. 2,000 gals.	.57	.50			
Group IX TRANSIT MIXERS & TRUCKS Hauling Concrete (10 yds. to 15 yds.); Trucks, side, end & bottom dump (over 20 yds. incl. 30 yds.)	.57	.50			
Group X TOWERLOADER, 1 1/2's & sim. w/2 or 4 wheel power tractor w/irrislar or yardage scale whichever is greater	.57	.50			
Group XI TRANSIT MIXERS & TRUCKS Hauling Concrete (15 yds. to 20 yds.); Trucks, side, end & bottom dump (over 30 yds. to 40 yds.)	.57	.50			
Group XII TRANSIT MIXERS & TRUCKS Hauling Concrete (over 20 yds.); Trucks, side, end & bottom dump (over 40 yds. to 50 yds.)	.57	.50			
Group XIII TRUCKS, side, end and bottom dumps, (over 50 yds. to 100 yds.)	.57	.50			
Group XIV TRUCKS, side, end and bottom dump (over 100 yds.)	.57	.50			

	Fringe Benefits Payments				Basic Monthly Rates
	H & W	Vacation	App. Tr.	App. Tr.	
					\$ 6.45
					.50
					.025

2-IDA-NIDA-PEO-1-2-3-1 (2-4)

DECISION #AF-227 (Cont'd)

POWER EQUIPMENT OPERATORS (CONT'D)

GROUP II (CONT'D)

similar on construction job site); Tractor (farm type R/T with attachments except backhoe); Tugger Operator.

GROUP III

A-Frame Truck (2 or more drums); Assistant Refrigeration Plant & Chiller Operator (over 1000 tons); Backfillers (Cleveland & similar); Belt-Crete Conveyors with Power Pack or similar; Belt Loader (Kycal or similar); Blade Operator (Motor Patrol and attachments); Boat Operators; Boom Cuts (side); Boring Machine (earth); Boring Machine (rock under 8" bit) (Quarry Master, Joy or similar); Bump Cutter (Wayne, Saginaw or similar); Canal Lining Machine (concrete); Cleaning & Doping Machine (pipeline); Concrete Pumps (squeeze-crete, flow-crete, pump-crete, Whitman & similar); Drills (Brills (churn, core, calyx or diamond); Elevating Belt-type Loader (Euclid, Barber Green or similar); Elevating Grader-type Loader (Dunor, Adams, or similar); Generator Plant Engineers (Diesel electric); Granite Combination Mixer & Compressor; Hoist, (2 or more drums or Tower Hoist); Loaders, (overhead & front-end, under 4 yds., R/T); Locomotive Engineer; Mixer-Mobile; Oiler & Cable Tender, Mucking Machine, Paver (asphalt and concrete); Pump (Groot or Jet); Refrigeration Plant Engineer (1000 tons); Roller (finishing pavement); Rubber-tired Scrapers (one motor with one scraper, under 40 yds.); Spread Operator; Soil Stabilizer (P & H or similar); Spreader Machine; Tractor (crawler, incl. Dozer, Scraper, Drills, Booms, Rollers, etc.); Traverse Finishing

Basic Hourly Rates	Fringe Benefits Payments			App. Tc.	Other
	M & W	Retirement	Vacation		
6.75	.50	.55	.025		

2-IDA-NIDA-PEO-1-2-3-1 (3-4)

DECISION #AF-227 (Cont'd)

POWER EQUIPMENT OPERATORS (CONT'D)

GROUP III (CONT'D)

Machine; Trenching Machines (under 7 ft. depth capacity); Turnhead Operator

GROUP IV

H. D. Mechanic; H. D. Welder; Refrigeration Plant Engineer (1000 tons & over) Semi-automatic Welding Machine.

GROUP V

Asphalt Plant Operator; Crusher & Screening Plant Operator; Rubber-tired Scrapers Multi-Engine Power with one Scraper (Euclid, TS-24 & similar); Rubber-tired Scraper, One Motor with One Scraper (40 yds. & over); Single Engine with two Scrapers (Letourneau, Tandem B & similar); Surface Heater & Planer Machine.

GROUP VI

Automatic Subgrader (ditches & trimmers) (H.A. Hansen & similar); Backhoes (under 3 yds.); Batch & Wet Mix Operator-Multiple Units (2 and incl. 4); Clamshell Operator (under 3 yds.); Concrete Slip Form Paver; Cranes (under 65 tons); Derricks & Stifflegs (under 65 tons); Draglines (under 3 yds.); Drilling Equipment (8" bit and over) (Robbins & similar); Hydra-Crems (Austin, Western Hyda-Roc and similar with attachments); Loader Operator (Front End & Overhead 4 yds. to 8 yds.); Mucking Machines; Pile-driving Engineers; Paver (dual drum); Quad-track or similar Equipment; Railroad Track Liner Operator (self-propelled); Rubber-tired Scrapers, Multiple

Basic Hourly Rates	Fringe Benefits Payments			App. Tc.	D/G
	M & W	Retirement	Vacation		
\$ 7.00	.50	.55	.025		
7.10	.50	.55	.025		
7.15	.50	.55	.025		



2-TIM-BTDM-FED-1-1-3-1 (4-4)

DECISION #AP-227 (Cont'd)

POWER EQUIPMENT OPERATORS (CONT'D)

GROUP VI (CONT'D)

Engines with two scrapers; Shovels (under 3 yds.); Signalmen (Whirleys, Highline Hammerheads or similar); Trenching Machines (7 ft. depth and over).

GROUP VII

Backhoes (3 yds. and over); Batch Plant (over 4 units); Cab-Over-Engine; Trolley-Dispatcher; Cableway Operators; Clamshell Operator (3 yds. and over); Cranes (65 tons and over); Derricks & Stifflegs (65 tons and over); Draglines (3 yds. and over); Loader - (360 degrees revolving); Loading Scooper or similar; Loaders (overhead and front end over 8 yds.); Rubber-tired Scrapers (single engine with three or more scrapers); Shovels (3 yds. and over); Tower Crane; Whirleys and Hammerheads (all).

Underground Work - Add 10% to the Classification.

(Not to include open pits, cuts, ditches, trenches and such work as paving, etc.)

All Crane Booms: 130' to 200' - \$.15/hr. Additional to Classification; Over 200' - \$.30/hr. Additional to Classification;

Yo-Yo Doser: 10% Additional

DECISION #AP-322 - Mod. #5  
(37 FR 15076 - September 15, 1972)  
Los Alamos County, New Mexico

Change:  
General Building and Heavy Engineering Construction;  
Elevator constructors  
Elevator constructors helper  
Electricians  
Cable splicers

DECISION #AP-323 - Mod. #3  
(37 FR 16079 - September 15, 1972)  
Bernalillo County, New Mexico

Change:  
ELECTRICIANS:

Electricians  
Zone 1  
Zone 2  
Zone 3  
Zone 4  
Cable splicers  
Zone 1  
Zone 2  
Zone 3  
Zone 4

ADD:  
Lathers

DECISION #AM-1,713 - Mod. #7  
(36 FR 14848 - August 11, 1971)  
Mercer County, New Jersey

Change:  
Bricklayers, cement masons, marble masons, plasterers, terrazzo workers, tile workers and stonemasons;  
Remainder of County  
Carpenters and Insulators;  
Lawrenceville, Clarksville, Dutch Neck, Grover's Mill, Princeton Jct., Ferns Neck, Princeton & Port Mercer  
Electricians  
Roofers composition, waterproofing & slate & asphalt shingle  
Plumbers and steamfitters;  
Trenton Area  
Princeton Area

Basic Monthly Rates	Fringe Benefits Payments				App. To	Offset
	M & V	Pensions	Vacation	Apr. To		
\$7.20	.35	.23	25+wb	.015		
7.00-28	.385	.23	24+wb	.015		
8.38	.25	15+.30		1/78		
9.23	.25	18+.30		1/78		
7.50	.25	18+.30		1/78		
8.03	.25	18+.30		1/78		
8.38	.25	18+.30		1/78		
9.00	.25	18+.30		1/78		
8.25	.25	18+.30		1/78		
8.78	.25	18+.30		1/78		
9.23	.25	18+.30		1/78		
9.75	.25	18+.30		1/78		
5.575	.26	.34		.02		
\$8.25	.50	.65	.50	.62		
8.88	6%	6%		.06		
10.35	.20+4d	12+.30				
8.65	.30	.50				
9.34	.57	.80		.05		
8.10	.64	.77		.09		

Basic Hourly Rates	Fringe Benefits Payments					App. Tr.	Othrs
	M & W	Pensions	Vacation	App. Tr.	Othrs		
DECISION #AP-44 - Mod. #3 (37 FR 24608 - November 17, 1972) Portage County, Ohio							
Change: Power Equipment Operators Heavy & Highway Construction							
\$8.12	.38	.65				.09	
8.02	.38	.65				.09	
7.55	.38	.65				.09	
7.15	.38	.65				.09	
6.73	.38	.65				.09	
DECISION #AP-47 - Mod. #2 (37 FR 24623 - November 17, 1972) Trumbull County, Ohio							
Change: Carpenters Millwrights Piledrivers Cement masons (Liberty & Hubbard Townships) Cement masons (Heavy & Highway) Soft floor layers							
\$7.81	.30	.50				.02	
8.51	.30	.50				.02	
8.51	.30	.50				.02	
7.85	.40					.03	
7.22	.42					.02	
7.53	.30	.50				.02	
DECISION #AP-48 - Mod. #2 (37 FR 24503 - November 17, 1972) Cuyahoga County, Ohio							
Change: Lathers Lead Burners							
\$10.41	.30					.01	
8.25						.01	

Basic Hourly Rates	Fringe Benefits Payments					App. Tr.	Othrs
	M & W	Pensions	Vacation	App. Tr.	Othrs		
DECISION #AP-37 - Mod. #4 (37 FR 24376 - November 17, 1972) Franklin & Pickaway Counties, Ohio							
Change: Marble setters Terrazzo Workers Tile Setters							
\$8.05	.40	.50				.02	
8.05	.40	.50				.02	
8.05	.40	.50				.02	
DECISION #AP-38 - Mod. #4 (37 FR 24599 - November 17, 1972) Greene & Montgomery Counties, Ohio							
Change: Bricklayers Stonemasons							
\$8.70	.40	.50				.02	
8.70	.40	.50				.02	
DECISION #AP-39 - Mod. #2 (37 FR 24585 - November 17, 1972) Hamilton County, Ohio							
Change: Marble setters							
\$9.135	.45					.02	
9.135	.45					.02	
DECISION #AP-42 - Mod. #4 (37 FR 24599 - November 17, 1972) Mahoning County, Ohio							
Change: Carpenters Millwrights Piledrivers Cement masons (Building) Landscape Laborers Plasterers Soft floor layers							
\$7.81	.30	.50				.02	
8.51	.30	.50				.02	
8.51	.30	.50				.02	
7.85	.40					.03	
3.05	.07	.10				.005	
8.16	.40					.01	
7.53	.30	.50				.02	

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Vacation	App. T.	Others		H & W	Vacation	App. T.	Others
<p><u>DECISION #AP-5624 - Mod. #1</u> (37-FC 11629 - June 9, 1972) Knox County, Tennessee</p> <p><u>Change:</u> Carpenters Electricians and Line Construction: Electricians and Linemen Cable splicers</p>									
\$6.18	.20		.02		\$6.21				
7.20	.20	.26	.02		6.96	.23		.04	
7.60	.20	.36	.02			.25		.04	
<p>Ironworkers: Structural and Ornamental Reinforcing Pence erector</p>									
6.525	.185	.10	.02		6.21	.25		.04	
6.115	.185	.10	.02						
6.585	.185	.10	.02						
6.63	.20		.02						
<p>Millwrights</p>									
<p><u>Boofers:</u> Compositions Slate and tile Helpers</p>									
5.55	.15								
5.60	.15								
4.37	.15								
<p><u>DECISION #AP-129 - Mod. #1</u> (37-FC 25610 - December 1, 1972) Hamilton County, Tennessee</p> <p><u>Change:</u> Carpenters: Carpenter and soft floor layers Millwrights Piledrivers</p>									
6.13	.25	.15	.03		\$6.40	.25			
6.88	.25	.15	.03		5.85	.20		.01	
6.555	.25	.15	.03		8.41	.23		.015	
<p>Ironworkers: Structural and ornamental Reinforcing</p>									
6.60	.15	.25			4.49	.23	25+abb	.015	
6.35	.15	.25			3.205	.23	25+abb	.015	
<p>Painters: Commercial Industrial Sandblasting</p>									
5.85	.20	.20	.03		3.60	.10		.03	
6.10	.20	.20	.03		3.60	.10		.03	
6.35	.20	.20	.03		6.80	.20		.005	
<p>Power Equipment Operators: Group A Group B Group C Group D</p>									
5.95	.20	.20	.03		7.00	.20		.005	
7.15	.20	.20	.03						
4.55	.20	.20	.03						
4.25	.20	.20	.03						

SUPPLEMENTAL DECISION

STATE: Georgia COUNTY: Fulton, Cobb, DeKalb, Coweta, Clayton and Walton  
 DECISION NUMBER: AP-150 DATE: Date of Publication  
 Supersedees Decision No. AM-177 dated August 20, 1971 in 35 FR 16426  
 DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartment up to and including 4 stories.

60-B-04-3

RESIDENTIAL CONSTRUCTION

- Air condition mechanic
- Bricklayers
- Carpenters
- Carpet installer
- Concrete masons
- Electricians
- Ironworkers, ornamental
- Laborsers:
- Laborers
- Air tool op. (jackhammer, vib.)
- Mason tenders
- Mortar mixers
- Pipelayers
- Plasterers' tenders
- Leathers, drywall
- Painters, brush
- Plumbers
- Power Equipment Operators:
- Backhoe
- Bulldozers
- Loaders
- Mechanics
- Psa operators
- Roofers
- Sheet metal workers
- Soft floor layers
- Steamfitters
- Terrazzo workers
- Truck drivers
- Welders - rate for craft.

Basic Monthly Rate	Fringe Benefits Payments				
	H & V	Pensions	Vacation	App. Tl.	Others
\$3.25					
6.00					
3.79					
3.50					
4.14					
4.08					
3.66					
2.54					
3.00					
3.00					
3.00					
2.87					
3.50					
6.00					
4.00					
4.60					
5.00					
3.47					
3.40					
5.25					
3.50					
3.50					
3.90					
3.50					
3.84					
5.00					
2.61					

STATE: ILLINOIS COUNTY: ST. CHAR  
 DESTRUCTION NUMBER: AP-619 DATE: DATE OF PUBLICATION  
 Superintending Division No. AP-6 dated August 4, 1972, of 7A, 13009  
 Description of Work: Building Construction (excluding single family homes  
 and garden type apartments up to and including 4 stories), and Heavy  
 Construction.

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	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.	/ Ghs
		M & W	Pensions	Vacation		
Asbestos workers	\$8.53	.20	.17		.01	
Boilermakers	8.30	.40	.65		.01	
Boilermakers' helpers	8.10	.40	.65			
Bricklayers & Steamfitters (Belleville, O'Fallon, Shiloh, Le- banon, Macomb, Scott AFB, Free- born, Belleville)	6.30	.30		.60		
(E. St. Louis & Vicinity)	8.46	.30		.60		
Carpenters (Building, Heavy)	8.385	.40	.25			
Cement Masons: Building	8.525	.25	.25			
Heavy	8.525	.25	.25			
Electricians	8.46	.30	.25	.51	.25%	
Elevator Constructors	5.56	.105	.125	34+abb	.005	
Elevator Constructors' helpers	7.028	.105	.125	34+abb	.005	
Elevator Constructors' helpers (Prob.)	5.018					
Glaziers	7.46		.60	80+d	.01	
Ironworkers, structural & ornamental	8.50	.40	.45			
Ironworkers, reinforcing	8.50	.40	.45			
Laborers (Building & Heavy Construc- tion): Vicinity of E. St. Louis, Washington Park, Brooklyn, Fairmont City, Frank Village, Dept. Pearl Harbor, Alton, Alorton, Centerville, Midway, Mehlwood, Genoa, National City, North Dubuq, Gunters, Guntersville)	7.25	.25	.35		.005	
Laborers, Common	7.50	.25	.35		.005	
Asphalt rakers, crossote workers	7.50	.25	.35		.005	
Bottom men on sewer work	7.50	.25	.35		.005	
Mastic coaters	7.50	.25	.35		.005	
Dynamite men	8.775	.25	.35		.005	
Hoof carriers (Plastering)	7.75	.25	.35		.005	
Hoof carriers (masonry)	7.95	.20	.20			
Work in Cess Pools, Dry Wells or Septic tanks	7.50	.25	.35		.005	
Motor buggy operator (Vicinity of Belleville) (Building & Heavy Construction)	7.50	.25	.35		.005	
Laborers	7.65	.20			.005	
Men putting out & taking in lights or tend fires & salanders for drying	7.65	.20			.005	

All work performed in Septic Tanks  
 feeders, mixers or nozzlemen on  
 gunnite or sandblasting work;

crossed materials; burning  
 or cutting with a torch; all types  
 or cased wells; cooking & mixing &  
 applying of mastic; men working on  
 the bottom of sewer trenches on the  
 final grading, laying or caulking  
 of performed sectional sewer pipe  
 (Vicinity of Belleville) (Building &  
 Heavy Construction)

Roof carriers  
 Dynamite men & powder men  
 Plasterers' tenders  
 (Vicinity of O'Fallon, Macomb, Le-  
 banon, Scott AFB, Shiloh & Lebanon) Bldg.  
 & HW.

Laborers, unskilled, semi-skilled  
 Working on bottom doing caulking,  
 laying or final grading on sewer  
 pipe

Burning or cutting torches  
 Cooking & handling crossotated  
 material

Chain saws  
 High work 25 feet or more  
 Dynamite men  
 Brickmason tenders  
 Mortar mixers  
 Plasterers' tenders  
 (Freeborn & Vicinity) Building & Heavy  
 Construction

Laborers  
 All sewer work  
 Workmen cutting & burning w/a torch  
 Mason tenders  
 Plasterers' tender  
 Dynamite men  
 (New Alton & Vicinity) - Building Con-  
 struction

Laborers  
 Asphalt rakers  
 Plumber helpers, workmen while cut-  
 ting & burning with a torch & men  
 working on the bottom of sewer tren-  
 ches on the final grading laying or  
 caulking or performed sectional  
 sewer pipe

Basic Hourly Rates	Fringe Benefits Payments				Deductions
	H & W	Pensions	Vacation	App. Tc.	
\$7.40		.20		.035	
8.55		.20		.035	
8.42	3 1/2%	1%		.25%	
7.30	3 1/2%	1%		.25%	
5.94	3 1/2%	1%		.25%	
5.94	3 1/2%	1%		.25%	
5.54	3 1/2%	1%		.25%	
5.50	3 1/2%	1%		.25%	
7.19	.17	.45			
8.385	.40	.25	.45		
5.175	.15				
6.90	.30	.25		.01	
8.385	.40			.01	
8.775					
8.00	.32	.40	.40		
9.15		.50			
6.45	.27	.30	.40	.03	
4.65	.27	.30	.40	.03	
6.45	.27	.30	.40	.03	
7.98	.20	.25	6%	.01	
8.75	.30	.50		.05	
5.65					
4.60					
4.90					
5.91	.175	.45			
8.385	.40	.25			

**PAID HOLIDAYS: (WHERE APPLICABLE)**  
 A-New Years Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

**FOOTNOTES:**

- a. 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.
- b. Six (6) paid holidays: A through F.
- c. Employer contributes \$41.67 per month per employee.
- d. Ten (10) paid holidays: A through F plus Washington's Birthday; Columbus Day; Veterans Day; & Friday after Thanksgiving Day.
- e. Eight (8) 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.

Masons & plaster tender  
 Dynamite men  
 Line Construction:  
 Linemen  
 Groundmen equipment operators  
 Groundmen truck drivers: with winch  
 Groundmen truck drivers: without winch  
 Pick-ups or jeeps  
 Groundmen  
 Marble setters  
 Millwrights  
 Lathers  
 Lead burners  
 Piledrivers  
 Plasterers  
 Plumbers & Steamfitters:  
 (East St. Louis & Vicinity)  
 Plumbers & Steamfitters:  
 (Sellewille & Vicinity & Scott AFB)  
 Roofers:  
 Composition  
 Kettlemen  
 Slate and tile  
 Sheet metal workers  
 Sprinkler fitters  
 Terrazzo workers  
 Terrazzo workers: helpers & floor machine operator  
 Terrazzo base machine operator  
 Tile setters  
 Soft floor layers

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

NOTICES

PAINTERS:	1111111111-24-24A-2 E			1111111111-24-24A-2 B		
	BASIC HOURLY RATES	H & P	FRINGE BENEFITS PAYMENTS	BASIC HOURLY RATES	H & P	FRINGE BENEFITS PAYMENTS
			VACATION			VACATION
			APP. TR.			APP. TR.
			OTHER			OTHER
<b>LABORERS HEAVY CONSTRUCTION:</b>						
Clinton Co.; Trenton & vic.; Jersey Co.; Vincennes Co.; Carlisleville, Girard & Palmyra & vic.	\$7.20		.035	\$9.65	.25	.15
Common laborers	7.70		.035	7.90	.25	.15
All brick & plaster masons tenders	7.45		.035	8.40	.25	.15
Workmen cutting & burning w/s torch						
Men working on the bottom of sewer trenches on the final grading, laying or caulking or preformed sectional sanitary or storm sewer pipe (including reinforced concrete tile, but not including box culverts, tin whistles or triple culverts)	7.45		.035	8.65	.25	.15
Dynamite men	8.80		.035	8.65	.25	.15
<b>PAINTERS:</b>						
Band Co.; Callison Co.; Clifton Co.; New Madison & vic.; Greeng Co.; Encovon Co.; Gillespie, W. Olive, Shipman & Stanton & vicinities; Washburn Co.; Highland, Livingston, Barlow & St. Jacobs & vicinities; Randolph Co.; St. Clair Co.; Lemberg & vic. & Washington Co.	7.00	.20	.035	8.15	.25	.15
Common laborers	7.50	.20	.035	8.65	.25	.15
All brick & plaster masons tenders	7.25	.20	.035	8.90	.25	.15
Workmen cutting & burning w/s torch				9.30	.25	.15
Men working on the bottom of sewer trenches on the final grading, laying or caulking or preformed sectional sanitary or storm sewer pipe (including reinforced concrete tile, but not including box culverts, tin whistles or multiple culverts).	7.25	.20	.035	8.40	.25	.15
Dynamite men	8.60	.20	.035	8.90	.25	.15
<b>Commercial</b>						
Brush						
Rollers, cut in men, hand taping, sanding dry wall, and webt perforated on stages, boatwain chairs, picks or scaffolds supported by ropes or cable & similar rigs						
Mechanical tools & devices such as power sanders, buffers, needle guns, taping tools, etc.						
Sandblasting, water blasting, steam cleaning and spraying conventional and air-less with less than 24" fan						
Spraying air-less with 24" fan or over						
<b>Industrial</b>						
Brush						
Roller & cut in men						
Work performed on stages, boatwain chairs, picks, or scaffolds supported by ropes or cable & similar rigs						
Mechanical tools and devices such as power sanders, buffers, needle guns, taping tools, etc.						
Sandblasting, water blasting, steam cleaning and spraying conventional and air-less with less than 24" fan						
Spraying air-less with fan 24" or over						
<b>Hazardous work (bridges, TV &amp; Radio towers, high line towers, water towers, smoke stacks &amp; grain elevators)</b>						
Brush						
Roller or cut in men						
Work performed on stages, boatwain chairs, picks, or scaffolds supported by ropes or cable & similar rigs						
Mechanical tools and devices such as power sanders, buffers, needle guns, taping tools, etc.						
Sandblasting, water blasting, steam cleaning and spraying conventional and air-less with less than 24" fan						
Spraying air-less with fan 24" or over						





Illinois - 2-20-1973 - 2-20-1973

Illinois - 2-20-1973 - 2-20-1973

Illinois - 2-20-1973 - 2-20-1973

BUILDING & HEAVY	FRINGE BENEFITS PAYMENTS					
	BASIC HOURLY RATES	H & V	PENSIONS	VACATION	APP. TR.	OTHERS
<p><b>TRUCK DRIVERS:</b>                      Drivers on 4-wheel trucks, dump-cretes, scoopmobile 5 cu. yds. &amp; under or less than 3-1/2 tons, mixer trucks 3 cu. yds. &amp; under, air compressors and welding machines, including those pulled by separate units, batch trucks, wet or dry, 2 - 34-E batches or less, truck drivers' helpers, warehousemen, mechanics' helpers, greasers, tiremen, drivers on dumpers or similar dumpsters, mounted on 4-wheel trucks, rated 2 cu. yds. or less, and small pallet type fork lift opt., &amp; drivers on pilot trucks</p> <p>Drivers on 4-wheel trucks, over 5 cu. yds. or more than 3-1/2 tons, 6-wheel trucks, Koehring or similar dumpsters, track trucks, Euclids, tournepulls, bag-bottom dumps, tournepulls, tourne-rockers, or similar equipment when used for transportation purposes under 9 cu. yds. or less than 13-1/2 tons, tandems &amp; semi-trailer service trucks, mixer trucks over 3 cu. yds. &amp; including 6-1/2 cu. yds. fork-lift, 4-wheel A-frame trucks when used for transportation purposes, 4-wheel winch trucks, pavement breakers, batch trucks- wet or dry - over 2 up to and including 4 - 34-E batches</p> <p>Drivers on heavy equipment over 9 cu. yds. or 13-1/2 tons and/or up to and including 16 cu. yds. or 24 tons, such as Koehring or similar dumpsters, track trucks, semitrailer water trucks, Euclids, bag-bottom dumps, Tournepulls, Tournepulls, Tournepulls, Tractor-trailers, tandems A-frames tandem winch trucks, hydro-lift trucks or similar equipment when used for transportation purposes, mixer trucks over 6-1/2 cu. yds., batch trucks - wet or dry - over 4 - 34-E batches, single axle low-boy trailers, 6-wheel pole trailer &amp; two-man oil distributors</p>	\$7.05	.30	a			
	\$6.45	.30	a			
	6.65	.30	a			
	6.35	.30	a			

**FOOTNOTE:**

a. Employer contribute \$9.00 per week per each employee.

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SUPERSEDES DECISION

STATE: Texas

COUNTIES: Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Parker, Rockwall, Tarrant and Wise

DECISION NO.: AP-399  
 Supersedes Decision No. AP-361, dated November 17, 1972, in 37 FR 24629.  
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories) and also excluding Dallas-Fort Worth Regional Airport.

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BUILDING CONSTRUCTION	Fringe Benefits Payments				
	H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	\$7.14	.51		.025	
BOILERMAKERS	6.80	.50		.02	
BRICKLAYERS-STONEMASONS:					
Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	7.385	.40		.03	
Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	7.235	.40		.015	
Grayson County	6.80				
CARPENTERS:					
Carpenters:	6.70			.005	
Grayson County					
Collin, Dallas, Ellis, Hunt, Kaufman, Rockwall, Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	7.02	.30		.02	
Power Saw Operators:					
Grayson County	6.95			.005	
Collin, Dallas, Ellis, Hunt, Kaufman, Rockwall, Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	7.145	.30		.02	
Millwrights:					
Grayson County	7.10			.005	
Collin, Dallas, Ellis, Hunt, Kaufman, Rockwall, Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	7.90			.02	
Piledrivers:					
Grayson County	7.20			.005	
CEMENT MASONS:					
Grayson County	6.16				
Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	6.705	.45		.01	
Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	6.895	.25			
ELECTRICIANS:					
Electricians:	7.145	1%		.03	
Grayson County					
Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	7.60	1%		7/10%	

BUILDING CONSTRUCTION

ELECTRICIANS (Cont'd):  
 Electricians (Cont'd):  
 Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties:  
 Zone A - Dallas County  
 Zone B - All work outside Dallas up to a 40 mile radius from Dallas City Hall  
 Zone C - All work outside Zones A & B

Cable splicers:  
 Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties  
 Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties:  
 Zone A - Dallas County  
 Zone B - All work outside Dallas up to a 40 mile radius from Dallas City Hall  
 Zone C - All work outside Zones A & B

ELEVATOR CONSTRUCTORS:  
 ELEVATOR CONSTRUCTORS' HELPER (PROG.)

GLAZIERS  
 LABORERS

LABORERS:  
 Grayson County:  
 Unskilled laborers

Air tool operator (jackhammer, vibrator), mason tenders & mortar mixers, pipelayers  
 Collin, Dallas, Ellis, Hunt, Kaufman, Rockwall, Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties:

General laborer, excavation, concrete work, carpenter tender, reinforcing-shoring, digging, loading, unloading, slip form jack operator, wrecking buildings, scaffold builder, asphalt iceover, asphalt raker, waterproofing tender, tool room tender, dumper, spotter, concrete pumpcrete pipe (handling & laying)

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	H & W	Pensions	Vacation	App. Tr.		
\$7.50	4%	1%	1%	7/10%		
7.85	4%	1%	1%	7/10%		
8.10	4%	1%	1%	7/10%		
7.85	4%	1%	1%	7/10%		
8.34	4%	1%	1%	7/10%		
8.615	4%	1%	1%	7/10%		
8.89	4%	1%	1%	7/10%		
6.20	.175	.20	2 1/4%			
7.01	.175	.20	2 1/4%			
5.01	.15	.15				.025
6.73	.15	.15				.03
6.635	.40	.40				
4.78	.25	.20				
5.03	.225	.20				
4.78	.225	.20				.02

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BUILDING CONSTRUCTION

LABORERS (CONT'D):

Collin, Dallas, Ellis, Hunt, Kaufman, Rockwall, Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties (Cont'd):  
 Power tool operator, vibrator, cutting torch man, concrete grader, power buggy operator, wagon drill operator, well driller, well driller tender, drilling rig tender, cement finisher tender, metal pan & steel form man  
 Concrete pipe (handling & laying) tile & marble, terrazzo helper, mason handlar, scaffold builder, mason tenders, bed carrier, mortar mixer, isher tender, plaster tender, pier hole and ditch man  
 Sand blaster, blaster, powderman, granite mazzelman and terrazzo grinder worker

LATHERS:

Grayson, Collin, Dallas, Denton, Ellis, Hunt, Kaufman & Rockwall Counties  
 Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties

MAFEE SETTERS:

Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties

PAINTERS:

Grayson, Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties:  
 Brush  
 All wall covering work; paper, fabric, sheeting, flexwood, etc.  
 Ames tools operator  
 Structural steel, Stage work, bosun chair, spray gun, sandblasting and window jacks, fire escapes  
 Denton County:  
 Brush, hand roller  
 All wall covering work  
 Structural steel; stage & bosun chair work, window jack, spraying, sandblasting & power tool work

Basic Hourly Rates	Fringe Benefits Payments			Others
	H & W	Pensions	Vacation	
\$4.93	.225	.20	.02	
5.03	.225	.20	.02	
5.18	.225	.20	.02	
7.19	.20	.50	.04	
7.72	.20	.01	.01	
6.50				
6.735	.30	.20	.04	
6.86	.30	.20	.04	
6.86	.30	.20	.04	
7.11	.30	.20	.04	
6.00				
6.125				
6.25				

BUILDING CONSTRUCTION

PAINTERS (CONT'D):

Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties:  
 Brush  
 Spray work, pressure rollers, sandblasting, structural steel, bosun chair, any window painted on window sill or window jack, stage work, painting of fire escapes, or steel storage tanks, paperhanging or vinyl work, taping and bedding  
 Steeple jack work (classified as: radio and TV towers, smoke stacks, and water towers and similar facilities and chimneys located closer to the edge of the building than the height of the pole) and work performed with materials such as crocote, coal tar products or similar materials containing ingredients inimical injurious to the skin

PLASTERERS:

Grayson County  
 Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties  
 Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties

PLUMBERS-STEAMFITTERS:

Grayson, Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties:  
 Slate & Tile  
 Composition and built-up roofing, damp proofing & bituminous waterproofing

Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties:  
 Slate, tile, asbestos, roofing & siding  
 Composition, built-up, damp & waterproofing, kettlemen

SHEET METAL WORKERS:

Grayson, Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties  
 Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties  
 SOFT FLOOR LAYERS  
 SPRINKLER FITTERS

Basic Hourly Rates	Fringe Benefits Payments			Others
	H & W	Pensions	Vacation	
\$7.055	.20		.02	
7.305	.20		.02	
8.305	.20		.02	
6.05				
7.045	.35	.50	.03	
7.915			.01	
7.45	.38	.73	.06	
6.725				
6.575				
6.695			.03	
6.545			.03	
7.245	.35	.25	.01	
7.375	.25	.20	.025	
6.69	.25	.20	.03	
8.35	.30	.50	.05	

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Basic Hourly Rates	Fringe Benefits Payments				Others
	M & W	Passions	Vacation	App. T.	
\$6.20					
4.28					
1.75					
4.25					
4.00					

## BUILDING CONSTRUCTION

**TILE SETTERS:**  
Collin, Dallas, Hunt, Kaufman & Rockwall Counties

**TILE SETTERS' HELPERS:**  
Collin, Dallas, Hunt, Kaufman & Rockwall Counties

**TRUCK DRIVERS:**  
Crewson County  
Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties  
Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties

**WELDERS** - receive rate prescribed for craft performing operation to which welding is incidental.

## FOOTNOTES:

a - 1st 6 mos. - none; 6 mos. to 3 yrs. - 2%; over 5 yrs. - 4% of basic hourly rates.

b - Paid Holidays - A through F.

## PAID HOLIDAYS:

A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

AP-399 P. 6

(6-8)

Basic Hourly Rates	Fringe Benefits Payments				Others
	M & W	Passions	Vacation	App. T.	
\$5.625	.30	.40			
6.41½	.30	.40			

## BUILDING CONSTRUCTION

**POWER EQUIPMENT OPERATORS:**  
Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties:

**Gillers**  
Air compressors; Blade grader, towed; Flex plane; Form grader; Concrete mixer, less than 14 cu. ft.; Water pumps-2½' or over & 2 or more pumps; Pulsometer; Welding machines, gasoline or diesel driven (2 to 6 machines); Wagon drill operator; Conveyor; Hoist, single drum; Scraper, 3 cu. yd. or less; Generator, gasoline or diesel driven (over 1500 watts); Bob cat with loader; All other equipment of similar nature coming under the light equipment class, when power operated

**Heavy duty mechanic (foreman); As-phalt mixer operator on job; Blade grader, self-propelled; Bull clam; Backfiller; Balldozer & all cat type tractors; Backhoe; Concrete mixers, over 14 cu. ft.; Grader operator on job; Concrete batch plant operator; Clam shell; Cranes (all types); truck mounted on crawler requires oiler including groves (hydraulic) or similar type over 12½ ton capacity; Escalated rate on crane and derricks booms; .01¢ per hour, per ft., over 90' including jib; draglines; derricks power operated (all types); DM-10 Caterpillar, S-8 Euclid and similar tractors; Elevating grader, self-propelled; Foundation drilling machine (all); Forklifts, used in handling machinery on construction; Grade all; Hoist, motor driven, 2 drums or more; Locomotive crane; Mixobile; Paving mixers (all types); Pile drivers; Pumpcrete machines; Pneumatic rollers, self-propelled; Shovels, power operated; Scrapers, over 3 cu. yd.; Scoopobiles; Trenching machines, all types; Winch trucks, when pole and winch is used; Water well drilling machines, used on construction; Well point pumps; Welding machines (7 to 13 machines); All other equipment of similar nature coming under heavy equipment class, when power operated**

AP-399 - P. 2

(1-6)

Basic Monthly Rates	Fringe Benefits Payments			App. To	Overtime
	H & W	Vacation	Disability		
\$5.425	.30	.50	.10		
6.21	.30	.50	.10		

BUILDING CONSTRUCTION  
 POWER EQUIPMENT OPERATORS (OUBT'D):  
 Grayson County:  
 Oilers (all types)  
 Air compressors (1); Pump (1); Pulverizer; Conveyor; Throttle valves; Wagon drill; Elevators building; Form graders; Hoist, single drum; Mixers, less than 14 cubic feet; Screening plants; Welding machines gas & diesel (2 or more); Crushing plants; Fork lifts (short, under 25 feet); Concrete pumps (all types); Bobcat type equipment  
 Ford tractor or like with any attachments (except backhoe); Drilling machines (all types); Scoopmobile; Hoist, two drums or more; Forklifts (over 25 feet); Winch truck; Six wheel truck, when used continuously for 5 days; Mixemobile; Locomotives; Mixers, 14 cubic feet or over; Blade graders, self-propelled; Cableways; Cranes - power operated to 100 feet; Fordson type backhoe; Derricks, power operated (all types); Gradall; Hoop-To; Paving mixers (all types); Pile drivers; Mobile concrete mixers over 14 cubic feet; Ballometers, loaders, tractors; Scrapers and pullis; ten tons or over; Air compressors, three; Air compressors & 1 pump; Pump, three or more; Air Compressor & air tigger; Boilers, two or more fired by one man; Heavy duty mechanic

AP-399 - P. 2

(1-6)

Basic Monthly Rates	Fringe Benefits Payments			App. To	Overtime
	H & W	Vacation	Disability		
\$5.425	.30	.50	.10		
6.21	.30	.50	.10		

BUILDING CONSTRUCTION  
 POWER EQUIPMENT OPERATORS (OUBT'D):  
 Denton, Hood, Johnson, Palo, Placco  
 Parker, Tarrant & Wise Counties:  
 Oilers (all types)  
 Air compressor (1); Pump (1); Pulverizer; Conveyor; Throttle valves; Wagon drill; Elevators building; Form graders; Hoist, single drum; Mixers, less than 14 cu. ft.; Screening plants; Welding machine gas & diesel (2 or more); Crushing plants; Fork lifts (short, under 25 feet); Concrete pumps (all types); Bobcat type equipment  
 Ford tractor or like with any attachments (except backhoe); Drilling machines (all types); Scoopmobile; Hoist, two drums or more; Forklifts (over 25 feet); Winch trucks; Six wheel truck, when used continuously for 5 days; Mixemobile; Locomotives; Mixer, 14 cu. ft. or over; Blade graders, self-propelled; Cableways; Cranes - power operated to 100 feet; Fordson type backhoe; Derricks, power operated (all types); Gradall; Hoop-To; Paving mixers (all types); Pile drivers; Mobile concrete mixers, over 14 cu. ft.; Ballometers, loaders, tractors; Scrapers and pullis; Welders; Trenching machines; Roller, ten tons or over; Air compressors, three; Air compressors & 1 pump; Pump, three or more; Air Compressor & air tigger; Boilers, two or more fired by one man; Heavy duty mechanic

AP-399 P. 10

(2-2)

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.	Others
	H & W	Pensions	Vacation		
\$3.50					
3.50					
3.65					
3.50					
4.45					
3.00					
3.25					
3.50					
3.65					
3.50					
3.25					
2.50					
2.80					
3.25					
3.50					
2.80					
3.00					
3.25					
3.25					
3.50					
3.00					
2.50					
2.70					
2.50					
3.00					

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.	Others
	H & W	Pensions	Vacation		
\$7.80		1%			1/2%
8.69		1%			1/2%
7.90		1%			1/2%
4.74		1%			1/2%
5.14		1%			1/2%
5.53		1%			1/2%

INCIDENTAL PAVING (TARRANT COUNTY)  
 INCIDENTAL PAVING & UTILITIES  
 (COLLIN, DALLAS, DENTON, ELLIS,  
 GRAYSON, HOOB, HUNT, JOHNSON,  
 KAUFMAN, PALO PINTO, PARKER, ROCK-  
 WALL & WISE COUNTIES)

Power Equipment Operators cont'd:  
 Concrete Paving Saw  
 Crane, Clansbell, Backhoe, Derrick,  
 Dragline, Shovel (less than 1 1/2 CY)  
 Crane, Clansbell, Backhoe, Derrick,  
 Dragline, Shovel (1 1/2 CY and over)  
 Crusher or Screening Plant Operator  
 Foundation Drill Operator (Truck  
 Mounted)  
 Foundation Drill Operator Helper  
 Front End Loader (2 1/2 CY and Less)  
 Front End Loader (Over 2 1/2 CY)  
 Motor Grader Operator, Fine Grade  
 Motor Grader Operator  
 Roller Steel Wheel (Plant-Mix  
 Pavements)  
 Roller, Steel Wheel (Other-Flat  
 Wheel or Tamping)  
 Rollers, Pneumatic (Self-Propelled)  
 Scrapers (17 CY and Less)  
 Scrapers (Over 17 CY)  
 Tractor (Crawler type) 150 hp and  
 less  
 Tractor (Crawler type) over 150 HP  
 Tractor (Pneumatic) over 80 HP  
 Traveling Mixer  
 Trenching Machine, Heavy  
 Wagon Drill, Boring Machine or  
 Post Hole Driller Operator  
 Truck Drivers:  
 Single Axle, Light  
 Single Axle, Heavy  
 Tandem Axle or Semitrailer  
 Welder

LINE CONSTRUCTION:

Lineman  
 Cable splicer  
 Lineman operator  
 Groundman, 1st 6 months  
 Groundman, 2nd 6 months  
 Groundman, 1 year & over

AP-399 P. 9

(1-2)

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.	Others
	H & W	Pensions	Vacation		
\$2.55					
3.25					
2.65					
3.10					
3.50					
2.70					
3.50					
3.00					
2.95					
2.85					
3.65					
2.50					
3.40					
3.10					
2.50					
3.60					
3.25					
2.15					
2.50					
3.50					
3.00					
2.80					
2.85					
2.50					
3.00					
3.00					
2.50					
3.00					
3.35					
2.60					
3.00					
2.50					
3.00					
3.25					
3.50					
3.10					
4.00					

INCIDENTAL PAVING (TARRANT COUNTY)  
 INCIDENTAL PAVING & UTILITIES  
 (COLLIN, DALLAS, DENTON, ELLIS,  
 GRAYSON, HOOB, HUNT, JOHNSON,  
 KAUFMAN, PALO PINTO, PARKER, ROCK-  
 WALL & WISE COUNTIES)

Air Tool Man  
 Asphalt Baker  
 Asphalt Shovel  
 Batching Plant Scaleman  
 Carpenter  
 Carpenter Helper  
 Concrete Finisher (Paving)  
 Concrete Finisher Helper (Paving)  
 Concrete Finisher (Structures)  
 Concrete Finisher Helper (Structures)  
 Concrete Rubber  
 Form Builder (Structures)  
 Form Builder Helper (Structures)  
 Form Liner (Paving and Curb)  
 Form Setter (Paving and Curb)  
 Form Setter (Paving and Gurb)  
 Form Setter (Structures)  
 Form Setter Helper (Structures)  
 Laborer, Common  
 Laborer, Utility Man  
 Mechanic  
 Mechanic Helper  
 Oiler  
 Serviceman  
 Painter (Structures)  
 Piledriverman  
 Pipelayer  
 Pipelayer Helper  
 Powderman  
 Reinforcing Steel Setter (Structures)  
 Reinforcing Steel Setter Helper  
 Spreader Box Man  
 Swamper  
 Power Equipment Operators:  
 Asphalt Distributor  
 Asphalt Paving Machine  
 Bulldozer, 150 HP and Less  
 Bulldozer, over 150 HP  
 Concrete Paving Coring Machine  
 Concrete Paving Finishing Machine

AF-203, P. 2

STATES: Washington  
 DISTRICT: No. AF-203  
 SUPERSEDES: Resolutions Numbers AM-6707, AM-6706; 37 FR 5184 and 37 FR 5134  
 IN: 37 FR 5195; 37 FR 5191; 37 FR 5184 and 37 FR 5134  
 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				App. T.	Others
	H & W	Fissions	Vacation	App. T.		
8.27	.25	.30				
7.85	.35	.60	.06			
8.15	.25	.37				
6.95	.60	1.00	.50	.02		
7.05	.35					
6.75	.25	.25				
7.70	.35	.25		.02		
6.50	.40	.35		.02		
7.94	.35	.30				
6.70						
7.50	.35	.25				
8.15	.30					
7.85	.30					
7.10	.35	.35		.02		
6.84	.45	.40		.025		
6.99	.45	.40		.025		
7.04	.45	.40		.025		
7.09	.45	.40		.025		
7.24	.45	.40		.025		

Basic Hourly Rates	Fringe Benefits Payments				App. T.	Others
	H & W	Fissions	Vacation	App. T.		
7.00	.50	.50			.01	
7.10	.50	.50			.01	
7.13	.50	.50			.01	
7.15	.50	.50			.01	
7.16	.50	.50			.01	
7.20	.50	.50			.01	
6.78	.55	.40	.35		.03	
6.88	.55	.40	.35		.03	
6.91	.55	.40	.35		.03	
6.98	.55	.40	.35		.03	
7.03	.55	.40	.35		.03	
6.70	.40	.50			.02	
6.79	.55	.50				
6.90	.40	.40			.02	

**CARPENTERS (Cont'd)**  
 All Counties and parts of Counties west of the 120th Meridian except Clark, Cowlitz, Klickitat, Pacific (southern part), Skamania and Wahkiakum Counties  
 Carpenters  
 Carpenters on crosscut material  
 Sawfilers; Stationary Power Saw; Floor Finisher; Floor Layers; Shingles; Floor Sanders; & other Stationary Power Woodworking Tools  
 Millwrights and Machine Erectors; Piledrivers; Bridge, Dock & Wharf Builders  
 Acoustical Workers  
 Boozemans  
 Clark, Cowlitz, Klickitat, Pacific (southern part), Skamania and Wahkiakum Counties  
 Carpenters; Form Stripper; Membrane Builders; Acoustical & Drywall Applicators  
 Piledrivermen, Bridge, Dock & Wharf Builders  
 Floor Layers; Floor Finishers; Stationary Power Saw Operator  
 Boozeman  
 Millwrights; Machine Erectors  
**CEMENT MASONS**  
 Lewis, Pierce, Thurston and the City of Auburn in King County  
 King (except the City of Auburn), portion of Kittitas County lying one mile west of the City of Easton.  
 Galian, Grays Harbor, Island, Jefferson, Kitsap, Mason, Sam Judd, Skagit, Snohomish, Whatcom & Pacific (northern part) Counties  
 Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, Yakima & Kittitas (except for western portion lying one mile west of City of Easton) Counties

AP-261 P. 4

AP-261 P. 3

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tc.		H & W	Pensions	Vacation	App. Tc.
CEMENT MASONS (Cont'd)									
Clark, Coville, Klickitat, Pacific (southern part), Skamania and Wahkiakum Counties									
ELECTRICIANS									
Chelan, Jefferson, King & Kitsap Counties									
Electricians									
Cable Splicers									
Grays Harbor, Lewis, Mason, Pierce, Pacific & Thurston Counties									
Electricians									
Cable Splicers									
Island, San Juan, Skagit, Snohomish & Whatcom Counties									
Electricians									
Cable Splicers									
Chelan, Douglas, Grant & Okanogan Counties									
Electricians									
Cable Splicers									
Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Walla Walla & Yakima Counties									
Electricians									
Cable Splicers									
Clark, Klickitat and Skamania Cos.									
Electricians									
Cable Splicers									
Coville, Pacific and Wahkiakum Counties									
Electricians									
Cable Splicers									
Adams, Ferry, Lincoln, Fend Oreille, Spokane, Stevens & Whitman Counties									
Electricians									
Cable Splicers									
ELEVATOR CONSTRUCTORS									
Chelan, Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Pacific (southern part), Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom and Yakima Counties									
Electricians									
Elevator Constructors									
Elevator Constructors' Helpers									
7.66 70LJR 50LJR	.345	.23	2X + a		7.66	.345	.23	2X + a	
7.12 70LJR 50LJR	.345	.23	2X + a		7.12	.345	.23	2X + a	
7.56	.48	.65		.05	7.56	.48	.65		.05
7.31	.48	.65		.05	7.31	.48	.65		.05
6.61	.22	.35	b		6.61	.22	.35	b	
6.82	.26	.20	4X	.01	6.82	.26	.20	4X	.01
6.375	.18	.15	.35	.02	6.375	.18	.15	.35	.02
7.00					7.00				
7.00	.40				7.00	.40			



AP-263 P. 4

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments								
	H & W	Pensions	Vacation	App. T.		Obsec	H & W	Pensions	Vacation	App. T.				
6.29	.21				6.29	.21	.35			6.29	.21	.35		
6.54	.21				6.54	.21	.35			6.54	.21	.35		
6.64	.21				6.64	.21	.35			6.64	.21	.35		
6.69	.21				6.69	.21	.35			6.69	.21	.35		
5.68					5.68					5.68				
5.78					5.78					5.78				
5.88					5.88					5.88				
6.92	.40	.27			6.92	.40	.27			6.92	.40	.27		
7.17	.40	.27			7.17	.40	.27			7.17	.40	.27		
6.30	.30	.20			6.30	.30	.20	.10		6.30	.30	.20	.10	
6.55	.30	.20			6.55	.30	.20	.10		6.55	.30	.20	.10	
6.80	.30	.20			6.80	.30	.20	.10		6.80	.30	.20	.10	
6.45	.30	.20			6.45	.30	.20	.10		6.45	.30	.20	.10	
6.10	.32	.15			6.10	.32	.15	.50		6.10	.32	.15	.50	

AP-263 P. 5

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments								
	H & W	Pensions	Vacation	App. T.		Obsec	H & W	Pensions	Vacation	App. T.				
6.60	.15			.01	6.60	.15			.01	6.60	.15			.01
8.15	.30				8.15	.30				8.15	.30			
7.85	.30				7.85	.30				7.85	.30			
7.70	.35	.25		.02	7.70	.35	.25		.02	7.70	.35	.25		.02
7.63	.40	.30		.02	7.63	.40	.30		.02	7.63	.40	.30		.02
7.63	.40				7.63	.40				7.63	.40			
7.50	.35	.25			7.50	.35	.25			7.50	.35	.25		
7.40	.35	.35		.02	7.40	.35	.35		.02	7.40	.35	.35		.02
6.20					6.20					6.20				
5.15	.35				5.15	.35				5.15	.35			

**PAINTERS (Cont'd)**  
 Clark, Cowlitz, Klickitat, Pacific, (southern part), Skamania and Wahkiakum Counties

**MARBLE MASONS**  
 Adams (except city of Othello), Astoria, Columbia, Ferry, Garfield, Lincoln, Pend Oreille, Spokane, Stevens and Whitman Counties  
 City of Othello in Adams County, Benton, Franklin, Grant and Walla Walla Counties

**MARBLE MASONS**  
 Clallam, Island, Jefferson, King, Kitsap, Snohomish & Skagit (south of the Cliffs of Burlington, Sedro-Woolley and Concrete) Counties  
 Grays Harbor, Pierce & Pacific (northern part) Counties  
 Lewis, Mason and Thurston Counties  
 San Juan, Skagit (including the Cliffs of Burlington, Sedro-Woolley, Concrete & north thereof) & Whatcom Counties

**Clark, Cowlitz, Klickitat, Pacific** (southern part), Skamania and Wahkiakum Counties

**MARBLE, TILE AND TERRAZZO WORKERS**  
**HELPERS**  
 All Counties east of the Cascade Mountain Range in Washington Remaining Counties west of the Cascade Mountain Range

**PAINTERS**  
 Adams, Asotin, Benton, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla and Whitman Counties

Brush  
 Drywall Taper  
 Steel; Spray; Sandblasters; Steam Cleaning; Roller over 9" or 10" handle  
 Swing Stage Work or High Rate (over 30')  
 Bitumastics; Bridge; Tanks on legs; Tower; Stacks; Steeples

AP-261 P. 8

AP-261 P. 7

	Basic Hourly Rates	Fringe Benefits Payments				App. T.	Others
		H & W	Pensions	Vacation	App. T.		
<b>ROOFERS (Cont'd)</b>							
Collins, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pierce, San Juan, Skagit, Snohomish, Thurston and Whatcom Counties	\$ 6.95	.20	.20				
Roofers; Kettlemen; Waterproofer	6.57	.22	.30			.01	
<b>SHEET METAL WORKERS</b>	6.57	.22	.30			.01	
King County	6.50	.22	.30				
Island and Snohomish Counties	6.50	.22	.30				
Benton, Franklin, Kittitas, Klickitat and Yakima Counties	6.50	.22	.30				
Adams, Asotin, Chelan, Douglas, Grant, Ferry, Lincoln, Pend Oreille, Okanogan, Spokane, Stevens & Whitman Counties	6.50	.22	.30				
Malla Walls, Columbia & Garfield Counties	6.57	.22	.30			.01	
Cowlitz, Grays Harbor, Lewis, Pacific (northern part), Pierce, Thurston & Wahkiakum Counties	6.57	.22	.30			.01	
San Juan, Skagit and Whatcom Counties	6.05	.20	.24			.02	
Clark, Pacific (southern part) & Shamasia Counties	6.57	.22	.30			.01	
Clallam, Jefferson, Kitsap & Mason Counties							
<b>SOFT FLOOR LAYERS</b>							
Adams, Asotin, Benton, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walls and Whitman Counties	6.42	.21	.25				
Gray Harbor, Mason, Pacific (northern part), Pierce and Thurston Counties	7.17	.30	.45			.03	
King, Kitsap & Snohomish Counties	7.23	.30	.45			.03	
Clallam, Island, Jefferson, Lewis, San Juan, Skagit and Whatcom Counties	7.03	.30	.45			.03	
Clark, Cowlitz, Klickitat, Pacific (southern part), Skamasia and Wahkiakum Counties	6.40	.30	.30	c		.05	
Chelan, Douglas, Kittitas, Okanogan and Yakima Counties	6.42	.16	.25	d			
<b>SPRINKLER FITTERS</b>							
Statewide (except Island, King, Kitsap, Pierce, Skagit, Snohomish and Thurston Counties)	7.95	.25	.40			.04	

	Basic Hourly Rates	Fringe Benefits Payments				App. T.	Others
		H & W	Pensions	Vacation	App. T.		
<b>PLASTERERS (Cont'd)</b>							
Adams, Asotin, Benton, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walls and Whitman Counties	7.04	.20					
<b>PLASTERERS' TENDERS</b>							
Adams, Asotin, Benton, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walls and Whitman Counties	5.25	.25	.25		.02		
<b>PLUMBERS</b>							
Statewide (except Clallam, Clark, Jefferson & King Cos., and Chelan, Douglas and Okanogan Cos. west of the 119° 30 Min., and Kittitas County north of the 47° 15 Min. latitude)	7.52	.26	.55	.47	.06		
Clark County	7.36	.55	.66		.07		
Clallam, Jefferson & King Counties	7.59	.47	.85	.60	.06		
Counties west of the 119° 30 min., and Kittitas County north of the 47° 15 min. latitude							
<b>ROOFERS</b>							
Kittitas, Franklin, Columbia, Garfield and Yakima Counties	6.15	.20					
Roofers; Kettlemen	6.80	.20					
Irritable Bituminous Material; Spray (hot)	6.20	.30	.15	.50			
Adams, Chelan, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens & Whitman Counties	6.65						
Asotin and Garfield Counties	6.68	.20	.20				
Cowlitz, Northern part of Pacific, and Wahkiakum Counties	6.93	.20	.20				
Roofers; Kettlemen; Waterproofer	6.65	.45	.35				
Slate and Tile	7.15	.45	.35				
Clark, Southern part of Pacific and Shamasia Counties	7.40	.45	.35				
Roofers							
Handling of irritating material (coal tar or epoxy)							
In confined areas and handling of irritating materials (coal tar or epoxy)							
Klickitat County	6.15	.20					
Roofers; Kettlemen; Waterproofing; Shinglers	6.80	.20					
Roofers with irritable bituminous material							

AP-263 P. 10

AP-263 P. 9

	Basic Monthly Rates	Fringe Benefits Payments			App. T.	Otherr
		M & V	Pensions	Vacation		
<b>SPRINKLER FITTERS (Cont'd)</b> Island, Kings, Kitsap, Pierce, Skagit, Snohomish & Thurston Counties TERRAZZO WORKERS Clallam, Island, Jefferson, Kings, Kitsap, Skagit (south of the cities of Burlington, Sedro-Woolley and Concrete) & Snohomish Counties San Juan, Skagit (including cities of Burlington, Sedro-Woolley, Concrete and north thereof) & Whatcom Counties Lewis, Mason & Thurston Counties Grays Harbor, Pierce & Pacific (northern part) Counties Adams (except city of Othello), Astin, Columbus, Ferry, Garfield, Lincoln, Pend Oreille, Spokane, Stevens, Whitman & Grand Coulee Dam Area City of Othello in Adams County, Benton, Franklin, Grant & Walla Walla Counties Chelan, Douglas, Okanogan (except area of Grand Coulee Dam) Clark, Cowlitz, Klickitat, Pacific (southern part), Skamania and Wahkiakum Counties	\$ 8.75	.30	.50	.06		
	7.35	.35	.25			
	7.50	.35	.25			
	7.63	.40	.30			
	7.18	.35	.30	.02		
	8.31	.30				
	7.18	.30				
	7.05	.35				
	6.55	.25	.24			
<b>TILE SETTERS</b> Clallam, Island, Jefferson, Kings, Kitsap, Skagit (south of the cities of Burlington, Sedro-Woolley and Concrete) & Snohomish Counties San Juan, Skagit (including cities of Burlington, Sedro-Woolley, Concrete and north thereof) & Whatcom Counties Lewis, Mason & Thurston Counties Grays Harbor, Pierce & Pacific (northern part) Counties Adams (except city of Othello), Astin, Columbus, Ferry, Garfield, Lincoln, Pend Oreille, Spokane, Stevens, Whitman & Grand Coulee Dam Area City of Othello in Adams County, Benton, Franklin, Grant & Walla Walla Counties Chelan, Douglas, Okanogan (except area of Grand Coulee Dam) Clark, Cowlitz, Klickitat, Pacific (southern part), Skamania and Wahkiakum Counties	7.25	.35	.25	.04		
	7.50	.35	.25			
	7.63	.40	.30			
	7.18	.35	.30	.02		
	8.21	.30				

**TILE SETTERS (Cont'd)**  
City of Othello in Adams County, Benton, Franklin, Grant & Walla Walla Counties  
Kittitas and Yakima Counties  
Chelan, Douglas, Okanogan (except area of Grand Coulee Dam)  
Clark, Cowlitz, Klickitat, Pacific (southern part), Skamania and Wahkiakum Counties

**WELDERS:** Receive rate prescribed for craft performing operation to which welding is incidental.

**PAID HOLIDAYS:**  
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

**FOOTNOTES:**  
a. 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.  
c. Two weeks' vacation with pay.  
d. All employees who have completed 1800 compensable hours of employment with one employer in a year of employment shall receive one week's vacation with full pay; pro-rata vacation shall accrue in accordance with the ratio of hours worked in one year of employment divided by 1800 hours multiplied by one week's full pay.

AP-261 P. 11  
3-MAS-PEO-(DREDGING)-e (1-1)

AP-261 P. 11

East of the 120th Meridian

DREDGING

LEVEMAN DIPPER:

- (a) 5 yards and under
- (b) Over 5 yards

LEVEMAN, HYDRAULIC

ASSISTANT ENGINEER (Electric)  
Generator Operator for Primary  
Pump, Power Barge or Dredge

ENGINEER WELDER; CRANEWOMAN

ASSISTANT ENGINEER (Electric,  
Diesel, Steam or Booster Pump);  
Mates and Boatmen

FIREMAN; OILER

ASSISTANT MATE (Deckhand)

West of the 120th Meridian and  
Pacific County (Northern Part)

DREDGING

DIPPER LEVERMAN:

- (a) Over 5 yards
- (b) 5 yards and under

HYDRAULIC LEVERMAN

ASSISTANT ENGINEER (Electric,  
Generator Operator for Primary Pump,  
Power Barge or Dredge)

ENGINEER WELDER; CRANEWOMAN

ASSISTANT ENGINEER (Electric, Diesel,  
Steam or Booster Pump); Mates and  
Boatmen

FIREMAN; OILER

ASSISTANT MATE (Deckhand)

Clark, Coolitz, Klickitat, southern  
half of Pacific, Skamania and  
Wahkiakum Counties

DREDGING

DIPPER LEVERMAN:

- (a) 5 yards and under
- (b) Over 5 yards

LEVEMAN, HYDRAULIC

ASSISTANT ENGINEER (Electric)  
Generator Operator for Primary  
Pump; Power Barge or Dredge

ASSISTANT ENGINEER (Electric,  
Diesel, Steam or Booster Pump);  
Mates and Boatmen

ENGINEER WELDER; CRANEWOMAN

FIREMAN; OILER

ASSISTANT MATE (Deckhand)

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr. Others
7.59	.40	.50	.20	
8.14	.40	.50	.20	
7.20	.40	.50	.20	
6.88	.40	.50	.20	
6.83	.40	.50	.20	
6.78	.40	.50	.20	
6.44	.40	.50	.20	
6.34	.40	.50	.20	

LINE CONSTRUCTION - WASHINGTON - e (1-1)

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr. Others
\$8.60	.25	1%		1%
7.76	.25	1%		1%
7.00	.25	1%		1%
6.67	.25	1%		1%
5.82	.25	1%		1%
5.49	.25	1%		1%
5.25	.25	1%		1%

Cable Splicers Leadman Pole Sprayer  
Lineman; Pole Sprayer; Heavy Line  
Equipment Man; Certified Lineman  
Welder

Tree Trimmer

Line Equipment Man

Head Groundman (Chipper); Head  
Groundman; Powderman; Jackhammer Man  
Mole Digger

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
	H & W	PENSIONS	VACATION	APP. TR. OTHERS
\$7.84	.15	.10		
8.39	.15	.10		
7.15	.15	.10		
7.13	.15	.10		
7.08	.15	.10		
7.03	.15	.10		
6.69	.15	.10		
6.59	.15	.10		

FRINGE BENEFITS PAYMENTS

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
	H & W	PENSIONS	VACATION	APP. TR. OTHERS
\$8.39	.35	.50		
7.84	.35	.50		
7.45	.35	.50		
7.13	.35	.50		
7.08	.35	.50		
7.03	.35	.50		
6.69	.35	.50		
6.59	.35	.50		

AP-263 P. 1A

1-MAS-LAB-1-2-3

(2-2)

Basic Hourly Rates	Fringe Benefits Payments			Fringe Benefits Payments		
	H & W	Pensions	Vacation	Pensions	Vacation	App. Tr.
5.70	.35			.50		.02
5.75	.35			.50		.02
5.95	.35			.50		.02
5.35	.35			.50		.02
5.40	.35			.50		.02
5.80	.35			.50		.02
5.85	.35			.50		.02
54.80	.35			.50		.02
57.50	.35			.50		.02
57.50	.35			.50		.02
77.75	.35			.50		.02
61.70	.35			.50		.02
64.10	.35			.50		.02
66.80	.35			.50		.02
68.10	.35			.50		.02
65.20	.35			.50		.02

Laborers (cont'd):

**GROUP VI**  
Crisscross worker, free air; High Scalor  
**GROUP VII**  
Brush machines; Drills, Comfits; Monitor  
op.; Air Track or similar mounting;  
Nozzleman.  
**GROUP VIII**  
Air track drills with dual masts and  
drills; Powderman

TUNNEL & SHAFT, FREE AIR

**GROUP IX**  
Class A:  
Ball gangs, pump crebs, crewman incl.  
distributing pipe, assembling &  
disassemble and nipper

Class B:  
Breakdown, dumpman

Class C:  
Blower & nozzleman for concrete and  
laser beam op. on tunnels

Class D:  
Raise & shaft miner and laser beam  
op. on raises and shafts

**GROUP X**  
Sand Hogs (under compressed air  
conditions):  
1 lb thru 14 lbs - 6 hrs. work

Over 14 lbs thru 18 lbs - 6 hrs. work  
Over 18 lbs thru 22 lbs - 4 hrs. work  
Over 22 lbs thru 26 lbs - 4 hrs. work  
Over 26 lbs thru 32 lbs - 4 hrs. work  
Over 32 lbs thru 38 lbs - 3 hrs. work  
Over 38 lbs thru 44 lbs - 2 hrs. work  
Outside lock & gauge tender (per shift)

AP-263 P. 1B

1-MAS-LAB-1-2-3

(1-2)

Basic Hourly Rates	Fringe Benefits Payments			Fringe Benefits Payments		
	H & W	Pensions	Vacation	Pensions	Vacation	App. Tr.
5.30	.35	.50	.02			
5.45	.35	.50	.02			
5.55	.35	.50	.02			
5.60	.35	.50	.02			
5.65	.35	.50	.02			

**GROUP I**

Carpenters tender; Concrete crewman;  
Concrete signalman; Crusher feeder;  
Demolition; Driller helper, Dumpman;  
Fence erector; General laborer; Grount  
machine header tender; Nipper; Riprap  
man; Scaleman; Stake jumper; Struc-  
tural mover; Tailhoseman (water  
nozzle); Truck laborer (RR); Truck  
loader; Timber buckler and faller;  
Window cleanser; Brush Hog Feeder

**GROUP II**

Cement finisher tender; Cement handler;  
Demolition torch; Dope pot fireman,  
nonmechanical; Form cleaning machine,  
feeder, stacker; Form setter, paving;  
Grade checker using level, optional;  
Nozzleman, water & air or steam; Pipe  
layer, corrugated metal culvert; Pipe-  
wrapper; Pot tender; Powderman helper;  
Power tool op.; gas, electric, pneu-  
matic Railroad equipment, power  
driven; Roller & spreader; Sandblast  
tailhoseman; Scaffold erector, wood  
or steel; Vibrator up to 4"; Wall-  
point man; Wheelbarrow, power driven

**GROUP III**

Asphalt raker; Asphalt roller, walking;  
Chain saw op. w/attachments; Concrete  
saw, walking; Creosote material, High  
scaler; Jackhammer op.; Multi-section  
pipelayer; Nozzleman; Pavement break-  
er; Tamper; Trencher; shawnee; Vibra-  
tor, 4" & over; Wagon drills; Water  
pipe liner

**GROUP IV**

Chain Saw (faller); Pipelayer (Caulker,  
collarman, joiner, mortarmen, rigger,  
jacker, shorer & logger and laser  
beam but not incl. laying corrugated  
metal culvert pipe)

**GROUP V**

Concrete stack, Hod carriers; Mortar  
mixer; Vibrator, 4 inches and over

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4-WAS-LAB 1-2-3 (1-2)

Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				Other
	H & W	Pensions	VACATION	APP. TL.	
\$4.65	.30	.30	.02		
4.75	.30	.30	.02		
4.80	.30	.30	.02		
4.85	.30	.30	.02		
4.90	.30	.30	.02		
4.95	.30	.30	.02		
5.00	.30	.30	.02		
5.05	.30	.30	.02		
4.75	.30	.30	.02		
4.80	.30	.30	.02		
4.90	.30	.30	.02		
5.00	.30	.30	.02		
5.05	.30	.30	.02		
5.15	.30	.30	.02		

Chelan, Douglas, Kittitas, Okanogan and Yakima Cos. West of the 120th Meridian  
LABORERS

General Labor; Carpenter Tender; Form Stripper; Rip Rap Man; Track Laborer; Stake Hopper; Choke Setter; Fence Laborer

Air Track & Wagon Drill Helper; Crusher Feeder; Dump & Stock Pile Man; Powder Man Helper; Slopser; Over 20 feet

Power Buggy; Drill Chipper; Grinder and similar light power tools; Faller and bucket (Hand); Grout Man (Power)

Asphalt, Baker & Spreader; Cement Handler; Sack of Bulk; Dope Pot Tender; House Wreckers; Jackhammer; Pavement Breaker; Tamper Vibrator; Track Spike Puller; Concrete Saw and similar heavy power tools; Nozzleman (Air & Water)

Formsetter; Steel Forms; Grade Checker; Swinging Stage or Boom Chair over water or over 25 feet in height

Air Track & Wagon Drill Operator; Chain Saw Operator; Gullite Man; High Scaler; Pipe Layer & Caulker; Pipe Wrapper; Sand Blaster; Timber Man; Open Ditch; Mortar Man & Rod Carrier

Faller & Buckler (Chain Saw); Powder Man

Cafeson Workers; Free Air

TUNNEL SCAFFS, FREE AIR

Topman & Bull Gang

Chock Tender; Mucker & Laborer; Kippert; Brakeman

Powder Man Helper

Mixer (including Monolithic Worker); Re-Timberman; Maintenance Man; Spader

Miner; Shaft & Raise

Powder Man

Remaining Counties West of the 120th Meridian including northern part of Pacific County.

LABORERS

GROUP I  
General Laborer; Ripper; Truck Spotter; Pitman; Brush Cutter; Choker Sucker; Concrete & Monolithic Laborer; Pot Tender; Asphalt Laborer; Ditch Digger; Driermn; Concrete Form Stripper; Carpenter Helper; Track Laborer; Well-Point and Header Laborer

GROUP II  
Dumper; Faller & Buckler; Hand, Powderman's Helper; Slopser (over 20'); Wagon Driller & Air Trac Helper

GROUP III  
Groutman (pressure); Power Tool, Light Duty Chippers; Grinders; Tamper; and Similar Electric and Air Operated Tools; Swinging Scaffold or Boatstain Chair over water or over 25' in height

GROUP IV  
Concrete Saw Operator; Pipe Pot Tender; Power Wheel Barrow or Buggy; Power Tool Heavy Duty Jackhammer; Pavement Breaker; Vibrators; Tamper (multiple & self-propelled); Rail-road Spike Puller; Sakers - Asphalt

GROUP V  
Form Setter (steel forms); Gradenan and Stake Hopper; Nozzleman (concrete pump, green cutter when using combination of high pressure air and water on concrete & rocks, SAND-BLAST, GUNMITE shot-crete)

GROUP VI  
Faller and buckler; Chain Saw; High Scaler; Mortarman & Rod Carrier; Pipe Layer and Caulker; Pipe Wrapper; Timberman - Sewer; Wagon Driller and Airtrac

GROUP VII  
Cement Dumper - Favings; Powderman

(1-2)

2-WAS-LAB-1-2-3-c

Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				Other
	H & W	Pensions	VACATION	APP. TL.	
\$5.10	.45	.50	.03		
5.20	.45	.50	.03		
5.25	.45	.50	.03		
5.30	.45	.50	.03		
5.35	.45	.50	.03		
5.40	.45	.50	.03		
5.45	.45	.50	.03		

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2-MS-LAB-1-2-3-4

(2-2)

LABORERS: (Cont'd)	Fringe Benefits Payments				Oth
	H & V	Pensions	Vacation	App. Tr.	
<b>GROUP VIII</b> Tunnel Work Topman and Bull Gang	\$5.15	.45	.50	.03	
<b>GROUP IX</b> Chuck Tender; Muck and Laborer; Rippers; Breakman	5.20	.45	.50	.03	
<b>GROUP X</b> Powderman; Helper	5.30	.45	.50	.03	
<b>GROUP XI</b> Miner (including monolithic work); Spader; Re-Timbering; Maintenance Man	5.20	.45	.50	.03	
<b>GROUP XII</b> Miner, Shaft and raise	5.25	.45	.50	.03	
<b>GROUP XIII</b> Powderman	5.35	.45	.50	.03	
<b>GROUP XIV</b> 1 lb. thru 14 lbs. (6 hrs.)	30.40	.45	.50	.03	
Over 14 lbs. thru 18 lbs. (6 hrs.), over 18 lbs. thru 22 lbs. (4 hrs.)	53.10	.45	.50	.03	
Over 18 lbs. thru 22 lbs. (6 hrs.)	73.35	.45	.50	.03	
Over 22 lbs. thru 26 lbs. (4 hrs.)	57.30	.45	.50	.03	
Over 26 lbs. thru 32 lbs. (4 hrs.)	59.70	.45	.50	.03	
Over 32 lbs. thru 38 lbs. (3 hrs.)	62.40	.45	.50	.03	
Over 38 lbs. thru 44 lbs. (2 hrs.)	63.70	.45	.50	.03	
Outside lock and gauge tender (per shift)	46.40	.45	.50	.03	

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2-MS-LAB-1-2-3-4

(1-2)

LABORERS	Fringe Benefits Payments				OTHER
	H & V	Pensions	Vacation	APP. TR.	
<b>GROUP I</b> Asphalt plant laborer; Asphalt spreaders; Batch wagon; Brookers; Brush burners & cutters; Car & truck loaders; Carpenter tender; Change-house man or dry stack man; Choker setters; Clean-up laborers; Concrete laborers; Crusher feeders; Oulvert, hand labor; Curing, concrete; Demolition, wrecking & moving laborers; Miller helpers; Dumpers, Road rolling crew; Dumpers (for grading crew); Elevator feeders; Fence bullock (incl. Guard rail, Median rail, Reference post, Guide post, Right-of-way marker); Pile graders; Form strippers (not swing- ing stages); General laborers; Landscaping or planting laborers; Leverman on aggregate spreader (Flaherty & similar types); Loading spotters; Material yard man (incl. electrical); Pittsburgh shipper operator or similar types; Powderman helper; Railroad track laborers; Ribbon setters (incl. steel forms); Rip Rap man (hand placed); Road pump tender; Sewer labor; Skippers; Signalmen; Slopers, spraymen; Stake chaser-Stake setter-Grade checker; Stockpiler; Timber faller & bucker (hand labor); Toolroom man (at job site); Tunnel ball gang (above ground); Weigh man crusher aggre- gate (when used)	\$5.25	.40	.45	.20	.02
<b>GROUP II</b> Appliator (incl. pot tender for sand), applying protective material by hand or nozzle on utility lines or storage tanks on project; Burners; Choker splicer; Clay power spreader & similar types; Clean-up material- freecutter (concrete rock, etc.); Concrete power bagger; Demolition & wrecking charred materials; Gunita man/eman tender; Gunita or sand blasting pot tender; Handlers or mixer of all materials of an irritating nature (incl. cement & lime); Manhole builder;					

Clack, Cowlin, Klitchak, Southern  
part of Pacific, Skanska and  
Muhilakum Counties

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1-10-1-1-2-1

(2-2)

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				OTHER
	H & W	FESSIONE	VACATION	APP. TR.	
5.40	.40	.45	.20	.02	
<p><b>GROUP III</b>                      Power tool op., incl. but not limited to: Chipping guns, Jackhammer, Paving breakers, Post hole diggers, Air, Gas, or Electric Tampers, Vibrating screeds, Vibrators (less than 4" in diameter); Ribbon setter, hand; Rip Zap man (hand), hand placed; Sand blasting (wet); Sewer timberman; Timber buckers &amp; Fallers, brush cutters (power saw); Tunnel-mechanics, Brakeman, Concrete crew, Ball gang (underground)</p>					
<p><b>GROUP III</b>                      Asphalt makers; Bit Grinders; Concrete saw op.; Drill Doctor; Drill ops.; Air tools, Oct drills, Wagon drills, Rubber-mounted drills, &amp; other similar types; Conite mechanics; High scalars, Strippers &amp; Drillers (covers work in swinging stages, chairs or belts, under extreme conditions usual to normal drilling, blasting, barring-down, or sloping &amp; stripping); Powder-secs; Power saw ops. (brushing &amp; falling merchantable logs); Pumpcrete mechanics; Sand blasting (dry); Sewer pipe layers; Truck liners, Anchor machines, Ballast regulators, Multiple tampers, Power jacks; Tugger ops.; Tunnel -- Chuck tenders, Rippers, &amp; Timberman; Vibrators (4" &amp; larger); Water blaster; Welder</p>					
5.55	.40	.45	.20	.02	
5.70	.40	.45	.20	.02	

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1-10-1-1-2-3-e (1-4)

All Counties & parts of Counties East of the 120th Meridian

POWER EQUIPMENT OPERATORS

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pension	Vacation	App. Tr.	
\$ 6.45	.50	.55		.025	
<p><b>GROUP I</b>                      Bit Grinders; Bolt Threading Machine; Brakeman; Compressors, under 1000 cu. ft. per minute gas, diesel or electric power; Grubber Feeder (mechanical); Deck Hand; Drillers (mechanical); Fireman &amp; Heater Tender; Grade Checker; Helper (Mechanic or Welder, H.D.); Miller; Pumper; Rollers, all types on subgrade (farm type, Case, John Deere and similar - or compacting or vibrator) except when pulled by dozer with operable blade; Walling Machines.</p>					
<p><b>GROUP II</b>                      A-Fram Truck (single-drum); Assistant Refrigeration Plant (under 1000 tons); Assistant Plant Operator, Fireman or Pumper (asphalt); Bagley or Stationary Scraper; Batch Plant &amp; Wet Mix Operator, single unit (concrete); Belt Finishing Machine; Bending Machine (pipelines); Blower Operator (cement); Cement Hog; Compressor (1000 cu. ft. or over, 2 or more - gas, diesel or electric power); Concrete Saw (multiple cut); Distributor Leverman; Dope Pats (power agitated); Equipment Serviceman, Greaser &amp; Oiler; Fork Lift or Lumber Stacker, Hydra Lift &amp; similar; Gin trucks (pipelines); Hoist, single drum; Loaders (bucket elevators and conveyors); Longitudinal Float; Mixer (portable - concrete); Pavement Breaker, Hydraulic Hammer &amp; similar; Posthold Auger or Punch; Power Broom; Railroad Ballast Regulation Operator, (self-propelled); Railroad Power Tamper Operator, (self-propelled); Railroad Power Tamper Jack Operator, (self-propelled); Spray Curing Machine (concrete); Spreader Box (self-propelled); Straddle Buggy (Boos &amp;</p>					



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1-WAS-PRO-1-2-3-a

(2-4)

Basic Hourly Rates	Fringe Benefits Payments			Other
	H & W	Retiremen	App. T.	
6.75	.50	.55	.025	

**POWER EQUIPMENT OPERATORS (CONT'D)**

**GROUP II (CONT'D)**

similar on construction job site); Tractor (farm type B/T with attachments except backhoe); Tugger Operator.

**GROUP III**

A-Frame Truck (2 or more drums); Assistant Refrigeration Plant & Chiller Operator (over 1000 tons); Backfillers (Cleveland & similar); Belt-Crete Conveyors with Power Pack or similar; Belt Loader (Kocal or similar); Blade Operator (Motor Patrol and attachments); Bob Operators; Boom Cuts (side); Soring Machine (earth); Soring Machine (rock under 8" bit) (Quarry Master, Joy or similar); Bump Cutter (Wayne, Saginaw or similar); Canal lining Machine (concrete); Cleaning & Doping Machine (pipelines); Concrete Pump (squeeze-crete, flow-crete, pump-crete, Whitman & similar); Drills (brills (churn, core, calyx or diamond); Elevating Belt-type Loader (Eucif, Barber Green or similar); Elevating Grader-type Loader (Dunor, Adams, or similar); Generator Plant; Engineers (diesel electric); Gomite Combination Mixer & Compressor; Hoist; Loaders, (overhead & front-end, under 4 yds., E/T); Locomotive Engineer; Mixer-Mobile; Oilier & Cable Tender; Mucking Machine, Paver (asphalt and concrete); Pump (Groot or Jet); Refrigeration Plant Engineer (1000 tons); Roller (finishing pavement); Rubber-tired Scrapers (one motor with one scraper, under 40 yds.); Sreed Operator; Soil Stabilizer (F & H or similar); Spreader Machine; Tractor (crawler, incl. dozer, scraper, drills, booms, rollers, etc.); Traverse Finishing

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1-WAS-PRO-1-2-3-a

(3-4)

Basic Hourly Rates	Fringe Benefits Payments			Other
	H & W	Retiremen	App. T.	
\$ 7.00	.50	.55	.025	
7.10	.50	.55	.025	
7.15	.50	.55	.025	

**POWER EQUIPMENT OPERATORS (CONT'D)**

**GROUP III (CONT'D)**

Machines; Trenching Machines (under 7 ft. depth capacity); Turnhead Operator

**GROUP IV**

E.D. Mechanic; E.D. Welder; Refrigeration Plant Engineer (1000 tons & over); Semi-automatic Welding Machine.

**GROUP V**

Asphalt Plant Operator; Crumbler & Screening Plant Operator; Rubber-tired Scrapers Multi-Engine Power with one Scraper (Eoclid, IS-24 & similar); Rubber-tired Scraper, One Motor with One Scraper (40 yds. & over); Single Engine with two Scrapers (Letourneau, Tandem B & similar); Surface Heater & Planer Machine.

**GROUP VI**

Automatic Subgrader (ditches & trimmers) (J.A. Hansen & similar); Backhoes (under 3 yds.); Batch & Wet Mix Operator-Multiple Units (2 and incl. A); Clamshell Operator (under 3 yds.); Concrete Slip Form Paver; Cranes (under 65 tons); Barricks & Stifflegs (under 65 tons); Draglines (under 3 yds.); Drilling Equipment (8" bit and over) (Robbins & similar); Hydras-Cranes (Austin, Western Hydra-Hoe and similar with attachments); Loader Operator (Front End & Overhead 4 yds. to 8 yds.); Mucking Machines; Pile-driving Engineers; Paver (dual drum); Quad-track or similar Equipment; Railroad Track Lamer Operator (self-propelled); Rubber-tired Scrapers, Multiple

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1-945-990-1-2-3-e (4-4)

Basic Hourly Rates	Fringe Benefits Payments			Others
	H & W	Pensions	Vacation	
7.30	.50	.55	.025	
<p><b>GROUP VI (CONT'D)</b>                      Engines with two Scrapers; Shovels (under 3 yds.); Signalmen (Whirlleys, Highline Hammerheads or similar); Trenching Machines (7 ft. depth and over).</p> <p><b>GROUP VII</b>                      Backhoes (3 yds. and over); Batch Plant (over 4 units); Cableway Controller-Dispatcher; Cableway Operators; Climber Operator (3 yds. and over); Cranes (65 tons and over); Derricks &amp; Stifflegs (65 tons and over); Draglines (3 yds. and over); Loader - (360 degrees revolving); Kneeling Scooper or similar; Loaders (overhead and front end over 8 yds.); Rubber-tired Scrapers (multiple engine with three or more scrapers); Shovels (3 yds. and over); Tower Crane; Whirlleys and Hammerheads (all).</p> <p>Underground Work - Add 10% to the Classification.</p> <p>(Not to include open pits, cuts, ditches, trenches and such work as paving, etc.)</p> <p>All Crane Booms: 120' to 200' - \$.15/hr. Additional to Classification;                      Over 200' - \$.30/hr. Additional to Classification;</p> <p>Yo-Yo Bomer: 10% Additional</p>				

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1-945-990-1-2-3-d (1-5)

Basic Hourly Rates	Fringe Benefits Payments			Others
	H & W	Pensions	Vacation	
6.92	.45	.65		.04
7.02	.45	.65		.04
7.13	.45	.65		.04
7.18	.45	.65		.04
7.20	.45	.65		.04
7.25	.45	.65		.04
7.26	.45	.65		.04
7.30	.45	.65		.04
7.32	.45	.65		.04
7.45	.45	.65		.04

All Counties & parts of Counties West of the 120th Meridian except Clark, Cozitt, Alchitret, Southern part of Pacific, Stannum, & Wokkikum Counties

**POWER EQUIPMENT OPERATORS**

- GROUP I**  
Mechanics' Helpers (heavy duty)
- GROUP II**  
Brakemen; Oilier (grader checkers & station)
- GROUP III**  
Fireman; Fireman (drier & hot plant)
- GROUP IV**  
Tractor (farmall type, 60 h.p. & under); Compressor (excavating and general purposes); Rollers, Tampers & Vibrators (other than plant, road mix or multilift materials)
- GROUP V**  
Oilier Driver on Truck Cranes (over 45 tons up to 100)
- GROUP VI**  
Oil Distributors; Blower Distributors and mulch seeding operator
- GROUP VII**  
Locomotives (dinky air, diesel, electric, gas, steam)
- GROUP VIII**  
Equipment Service Oilier; Oilier Driver on truck cranes (100 tons & over)
- GROUP IX**  
Tractors (farmall type, over 60 h.p.)  
Pump (water)
- GROUP X**  
Post Hole Diggers (mechanical)

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POWER EQUIPMENT OPERATORS (cont'd)

GROUP XI

Brooms, power (Wayne, Seginaw & similar); Bulldozers (under 59 or similar); Saws (concrete); Loaders (fork lift or lumber stacker (on construction job site), Drott travel lift); Scrapers (carry-all type, single); Roller, tamper and vibrator, twin engine

GROUP XII

Mixer (asphalt up to 4 tons per batch) Loaders (elevating Abbey, Barber Greene & similar types); Loaders (overhead & front end, under 24 yds.); Mixers (concrete & batch 200 yd.s. per hour & under); Pumps, Peller Kenyon; Pumps, concrete and Pumpcrete; Boiler, Tamper & Vibrator (on plant, road mix or multilife materials); Trenching Machines (under 16 inches); Batch Plant & Mixer (200 yds. per hour & under); Conveyors; Crushers (rock); washing and screening plants; Finishing Machine Operator (concrete paving); Hoists, Air Tuggers, Strato Tower Bucket, Elevators and Deck Washes (power); Power Plant Operators; Screens, Jaeger, Flarraty or similar); Spreaders (Blaw Knox, Cedarapids, Grans (1/2 ton frame truck, single power drum)

GROUP XIII

Locomotive, Mechanical or Welder (heavy duty)

GROUP XIV

Touraspolis, Caterpillar, Euclid Scrapers and similar type equipment (25 yds. and under); Motor Patrol Graders (incl. Model 14 & similar)

GROUP XV

Hoists on Steel Erection, Air Tuggers and Towermobiles; Compressor (steel erection incl. sandblasting, painting or same); Loaders (fork lifts w/tower)

Basic Hourly Rates	H & W	Penalties	Vacation	App. Tr.	Others
\$7.48	.45	.65		.04	
7.51	.45	.65		.04	
7.56	.45	.65		.04	
7.58	.45	.65		.04	
7.60	.45	.65		.04	

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POWER EQUIPMENT OPERATORS (cont'd)

GROUP XVI

Loaders (elevating grader type, Dumas & similar); Cement Hoist; Locomotive (geared or rod engine); Paving; Scraper (carryall type, double)

GROUP XVII

Tractors (farmall type, used as backhoes, rubber tired, Ford, Ferguson, Case & similar types, 50 h.p. & under)

GROUP XVIII

Bulldozer (D-9 or similar)

GROUP XIX

Trenching Machines (16 inches and over)

GROUP XX

Bump Cutter (Concast, Christmasson or similar types)

GROUP XXI

Conveyors (belttrate with power pack & similar types); Loaders (elevating belt type, Euclid & similar); Batch Plant, batch & Mixer (over 200 yds. per hour through 400 yds.); Mixer (concrete & batch, over 200 yds. per hour through 400 yds.); Paving (Gual); Mixer, asphalt (4 tons & over per batch)

GROUP XXII

Motor Patrol Graders (over Model 14 & similar); Derricks all-Drilling Machines (core, cable, rotary & exploration); Linked Pasher, Pay Dorer (quad 9 & similar); Mucking Machines (mole or tunnel drill end/ or shield); Subgrader (Quirles, CMI and similar); Touraspolis, Caterpillar, Euclid Scrapers & similar type equipment (over 25 yds. through 40 yds.); Tractors (farmall type, used as backhoes, rubber tired Ford, Ferguson, Case & similar, over 50 h.p.); Piledriver Engineers (L.B. Foster pulper or similar paving breaker);

Basic Hourly Rates	H & W	Penalties	Vacation	App. Tr.	Others
\$7.63	.45	.65		.04	
7.66	.45	.65		.04	
7.70	.45	.65		.04	
7.77	.45	.65		.04	
7.78	.45	.65		.04	
7.83	.45	.65		.04	

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Basic Hourly Rates	Fringe Benefits Payments				Other
	H & W	Fees/Ins	Vacation	App. Tr.	
\$7.88	.45	.65	.04	.04	
8.10	.45	.65	.04	.04	
8.14	.45	.65	.04	.04	
8.19	.45	.65	.04	.04	
8.27	.45	.65	.04	.04	
8.49	.45	.65	.04	.04	

## POWER EQUIPMENT OPERATORS (cont'd)

GROUP XXII (cont'd)  
Cranes (w/ frame truck, dbl. power drum); Crawler (truck type, floating, locomotive, Whitley, either 3 yds. & under, or 150' of boom, incl. jibs, & under, or 45 tons & under); Hydraulic; Hyster Cat Cranes & attachments; Bulldozers (engaged) in yo operation (while clearing and scaling); Shovels (Crawler and truck type, all attachments, 3 yds. & under); Cranes, Chipper, wood w with boom attachment; Mixers, (mobile type with hoist combination); Cableways (3 yds. & under); Loaders (fork lift with power boom & swing attachment); loaders (overhead & front end, 2 1/2 yds. up to 4 yds.)

## GROUP XXIV

Loaders (overhead & front end, 4 yds. up to 8 yds.)

## GROUP XXV

Mixer (concrete mixers & batch over 400 yds. per hour through 600 yds. per hour)

## GROUP XXVI

Tourmalins, Caterpillar, Euclid Scraper and similar type (over 40 yds. through 55 yds.)

## GROUP XXVII

Slip Form Paver (Zimmerman, OMI, and other similar types); Cableway (over 3 yds.); Crane (Crawler, truck type, floating, locomotive, Whitley, either over 3 yds. or over 150' of boom incl. jibs, or over 45 tons up to 100 tons); crane (Tower Crane, Pecco, Lorraine, Bucyrus & similar types); Remote Control Operator (on rubber tired earth moving equipment); Helicopter Winch Operator; Shovel (Crawler and truck type, all attachments, over 3 yds. up to 6 yds.)

## GROUP XXVIII

Tourmalins, Caterpillar, Euclid Scraper & similar type equipment (over 55 yds. through 70 yds.)

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Basic Hourly Rates	Fringe Benefits Payments				Other
	H & W	Fees/Ins	Vacation	App. Tr.	
\$8.69	.45	.65	.04	.04	
8.80	.45	.65	.04	.04	
8.82	.45	.65	.04	.04	
9.10	.45	.65	.04	.04	

## POWER EQUIPMENT OPERATORS (cont'd)

GROUP XXIX  
Loaders (Overhead & front end, 8 yds. and over)

GROUP XXX  
Tourmalins, Caterpillar, Euclid Scraper & similar type equipment (over 70 yds. through 85 yds.)

GROUP XXXI  
Shovel (Crawler and truck type, all attachments, 6 yds. and over); Cranes (Crawler, truck type, floating, locomotive, Whitley, either 6 yds. & over, 200' of boom incl. jibs & over, or 100 tons and over)

## GROUP XXXII

Tourmalins, Caterpillar, Euclid Scraper & similar type equipment (over 85 yds. through 100 yds.)

Clark, Cowles, Elchibat, Southern  
Pitt of Pacific, Swaminis &  
Subsidiary Counties

POWER EQUIPMENT OPERATORS

GROUP I

ASSISTANT CONVEYOR; Oiler, in-  
cluding plant and crusher; Crusher  
Feederman; Deckhand; Self-pro-  
pelled Scaffolding; Guard Rail  
Funch Oiler; Pump under 4" Brake-  
man Switchman; Parts Man (Tool  
Room)

GROUP II

BLADE, FILLED TYPE; Truck Crane  
Oiler-driver, 25 ton capacity or  
Fireman, all equipment; A-Frame  
Truck, single drum; Tugger or Con-  
fin type Hoist, any power; Drill  
Helper; Auger Oiler; Bossman; Fork-  
lift or Lumber Stacker; Temporary  
Heating Plant; Grade Oiler,  
required to check grade; Grade  
Checker; Tar Pot Fireman; Tar Pot  
Fireman (power agitated); H.D.  
Pepperman Helper; Welder's Helper;  
Fireman Helicopter Radio-man  
(ground); Roller, Rock

GROUP III

PLANT FIREMAN; Pugmill; Truck  
Mounted Asphalt Spreader, with  
screed; Compressor, any power,  
under 1,000 cu. ft. total capacity;  
Mixer Box Concrete Plant; Concrete  
Conveyor; Cement Bog; Concrete Saw,  
self-propelled unit; Wire Mat Mach-  
ine or Booming Machine; Concrete  
Curing Machine, self-propelled;  
Bucket Elevator Loader, Barber  
Greene and similar type; Hydraulic  
Pipe Press; Pump any power, 4" and  
over; Hydrostatic Pump; McCormack;  
Ballast Jack Tamper; Bell Boy,  
phones, etc; Tamping Machine, mech-  
anical self-propelled; Hydro-  
graphic Seeder Machine, straw,  
pump or seed; Broom Operator, self-  
propelled; Air Filtration Equip-  
ment; Welding Machine

NOTICES

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			OTHERS
	H & P	PENSIONS	VACATION	
\$6.50	.40	.50	.20	
6.52	.40	.50	.20	
6.60	.40	.50	.20	

GROUP IV  
SCREED; Compactor, including  
vibratory; Compressor, over 1,000  
cu. ft. total capacity, Concrete  
Mixer, single drum, under 5 bag  
capacity; Concrete Cooling Machine;  
Combination Mixer and Compressor,  
Onsite work; Helicopter Hoist; Fork  
Lift, over 5 tons; Lull Hi-Lift or  
similar type; Pavement Breaker;  
Pump, more than 3, any size; Loco-  
motive, under 40 tons; Roller,  
Otling, CTR

GROUP V  
CURB MACHINE, MECHANICAL BEEM, CURB  
AND/OR CURB AND CUTTIES; Wagner  
Factor or similar type (without  
blade); Batch Plant Material Con-  
trol; Power Jumbo, setting slip  
forms, etc. in tunnels; Slip Form  
pump, power driven hydraulic  
lifting device for concrete forms;  
Hoist, single drum; Elevator,  
Diesel, Gas, Engineer; Chip  
Spreading Machine; Lime Spreading;  
Sweeper (Wayne Type); self-pro-  
pelled; Tractor, rubber-tired 50 H.  
& Flywheel and under; Trenching  
Machine, maximum digging capacity  
3 ft. depth

GROUP VI  
ASPHALT PLANT; Asphalt Paver;  
Maginitis, internal full slab vibra-  
tor; Concrete finishing Machine,  
Clary, Johnson, Bidwell, Burgess,  
bridge deck or similar type; Curb  
Machine, Mechanical Beem, Curb and/  
or Curb and Cutter; Concrete Joint  
Machine; Concrete Finisher; Cast in  
place pipe laying machine; Concrete  
Paving Machine; Concrete Spreader;  
Loaders, Rubber-tired type, 2 1/2 cu.  
yds, and under; Rock Spreader, self-  
propelled

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			OTHERS
	H & P	PENSIONS	VACATION	
\$6.10	.40	.50	.20	
6.24	.40	.50	.20	
6.34	.40	.50	.20	

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3-MAS-FBO 1-2-3 e (3-6)

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			OTHERS
	H & V	PENSIONS	VACATION	
<p><b>GROUP VII</b>            RUBBER, ASPHALT; Concrete Mixer, single drum, 5 bag capacity and over; Bitcrete; Pumpcrete; Cement Pump, Fuller-Kenyon and similar; Greeting Machine; Concrete Pump; Tower Mobile; A-Frame Truck, double drum; Boom Truck; Churn Drill and Earth Boring Machine; Hydraulic Backhoe, wheel type 3/4 cu. yds. &amp; under with or without front end attachments 2 1/2 cu. yds. and under (Ford, John Deere, Case type); Elevating Grader, Tractor and towed requiring operator or grader; Pot Rammer; Ballast Regulator; Ballast Tamper Multi-Purpose; Track Light; Tie Spacer; Shuttle Car; Locomotive, 40 tons and over</p>	.40	.50	.20	
\$8.66				
<p><b>GROUP VIII</b>            DIESEL-ELECTRIC ENGINEER, PLANT OR FLOTTING; Batch Plant and/or wet mix, one and two drums; Generator; Diesel-Electric Engineer; Belt Loaders, Kohman and Ko Cal types</p>	.40	.50	.20	
6.76				
<p><b>GROUP IX</b>            BULLDOZER; Drill Cat; Side-Boom Cat; Compactor, with blade; Chicago Boom and similar types; Lift Slab Machine; Boom type lifting device, 5 tons capacity or less; Cherry picker or similar type crane-boom; 5 ton capacity or less; Grapple; Crusher Plant; Boring Machine; Surface Reamer &amp; Planer; Hydraulic Backhoe, truck type 3/8 cu. yds. loader, front end and overhead 2 1/2 cu. yds. and under 4 cu. yds.; Pipe Cleaning Machine; Pipe Doping Machine; Pipe Bending Machine; Pipe Wrapping Machine; Bolt Treating Machine; Drill Doctor; Including bit grinder; H.D. Mechanic; H.D. Welder; Machine Tool Operator; Stationary Drag Scraper; Tractor Rubber-tired over 50 H.P. Flywheel;</p>				

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3-MAS-FBO 1-2-3 c (4-6)

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			OTHERS
	H & V	PENSIONS	VACATION	
<p>Tractor, Rubber-tired with boom attachment; Trenching Machine maxing digging capacity over 3 ft. depth</p>	.40	.50	.20	
\$6.82				
<p><b>GROUP X</b>            BULLDOZER, TWIN-ENGINE (TC 12 and similar type); Cable-Flow; Compactor, Multi-engine; Driller-Percussion, Diamond, Core, Cable, Rotary and similar types; Jack Operator Elevating Barges; Barge Operator, self-unloading Combination H.D. Mechanic-Welder; Welder-Certified; Rubber-tired Donors and Pushers (Michigan, Cat, Rough, type)</p>	.40	.50	.20	
6.88				
<p><b>GROUP XI</b>            RUBBER MOBILE; Crane, 25 tons and under; Shovel, Dragline; Glamshell, Hoe, etc., under 1 cu. yd.; Grapple, under 1 cu. yd.; Mucking Machine</p>	.40	.50	.20	
6.90				
<p><b>GROUP XII</b>            BLADE; Batch Plant and/or wet mix, 3 units or more; Hoist, 2 drums; Hoist, 3 or more drums; Elevating Loader, Atkey and similar types; Piledriver (not crane type); Rubber-tired Scraper, single engine, single scraper; Scraper-Self-Loading, paddle wheel loader type; Rubber-tired Scraper, twin engine; Rubber-tired Scraper, with push-pull attachment; Blade Mounted Spreaders, Ulrich and similar types; Shield Operator</p>	.40	.50	.20	
6.96				
<p><b>GROUP XIII</b>            BLADE, FINISH (working with either red or blue tops); Blade, Electronically controlled by wire or laser beams; Blade, Multi-engine; Concrete Paving and Road Mixer; Bridge Crane, Locomotive, Gantry Overhead; Derrick, under 100 tons; Hoist Stiffleg, Oxy Derrick or similar type 50 tons and over; Cableway, up to 25 tons; Crane, over 25 tons and including 40 tons; Tower Crane; Piledriver (not crane type); Floating Glamshell, etc., under 3 cu. yds.;</p>				

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3-MIS-REG 1-2-3 c (6-6)

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			OTHERS
	H & W	PENSIONS	VACATION	
\$7.86	.40	.50	.20	
8.00	.40	.50	.20	

hour; Bend Wagons, in conjunction with wheel excavator

**GROUP XIV**  
HELICOPTER; When used in erecting work; Floating Crane 250 tons and over; Remote controlled earth moving equipment (no one operator shall operate more than two pieces of moving equipment at one time); Underwater Equipment, remote or otherwise

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3-MIS-REG 1-2-3 b (5-6)

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			OTHERS
	H & W	PENSIONS	VACATION	
\$7.04	.40	.50	.20	
7.20	.40	.50	.20	
7.36	.40	.50	.20	
7.54	.40	.50	.20	
7.68	.40	.50	.20	

Floating Crane (Derrick Barge); less than 30 tons; Hydraulic Backhoe, truck type over 3/8 cu. yds.; Elevating Grader, operated by track; V-8, Sierra, Euclid or similar types; Back-Filling Machine; Shovel, etc., 1 cu. yd. but less than 3 cu. yds.; Grapple, 1 cu. yd. and over

**GROUP XIV**  
RUBBER-TIRED SCRAPER WITH TANDUM SCRAFFER

**GROUP XV**  
ROCK MOUND; Loader, 4 cu. yds. but less than 6 cu. yds.

**GROUP XVI**  
AUTO GRADER (i.e. CMS) or TRIMMER; Tandem Bulldozer, Quad-cir and similar type; Automatic Concrete Slip Form Paver; Concrete Canal Liner; Cableway, 25 tons and over; Crane, over 40 tons and including 100 tons; Whirley, 80 tons and under; Floating Clamshell, etc., 3 cu. yds. and over; Floating Crane (Derrick Barge), 30 tons but less than 80 tons; Loader, 6 cu. yds. but less than 8 cu. yds.; Loader 8 cu. yds. but less than 12 cu. yds.; Rubber-tired Scraper, with Tandem Scrapot, Multi-engine; Shovel, etc., 3 cu. yds. but less than 5 cu. yds.; Wheel Excavator, under 750 cu. yds. per hour

**GROUP XVII**  
CRANE, Over 100 tons and including 200 tons; Whirley over 80 tons and including 150 tons; Floating Crane (Derrick Barge); 80 tons but less than 150 tons; Loader, 12 cu. yds. and over; Shovel, etc., 5 cu. yds. and over; Canal Trimmer

**GROUP XVIII**  
CRANE, over 200 tons; Whirley, 150 tons and over; Floating Crane 150 tons but less than 250 tons; Wheel Excavator, over 750 cu. yds. per

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1 - WAS - TD -1-2-3- (2-2)

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.	Othrs
	H & W	Pensions	Vacation		
\$ 6.75	.57	.50			
6.80	.57	.50			
6.85	.57	.50			
6.90	.57	.50			
7.00	.57	.50			
7.05	.57	.50			
7.15	.57	.50			
7.30	.57	.50			
7.45	.57	.50			
7.60	.57	.50			

## TRUCK DRIVERS (CONT'D)

Group V  
LOW BOY (under 50 tons); Service  
Greaser; Tireman No. 2

Group VI  
A-FRAME (Swedish Crane, Iowa 3,000,  
hydraulic); Water Tank Truck (over  
6,001 - 8,000 gals.)

Group VII  
DUMPTON (over 6 yds.); Transit Mixers  
& Trucks Hauling Concrete (6 yds. to  
10 yds.); Trucks, side, end & bottom  
dump (over 12 yds. incl. 20 yds.)

Group VIII  
LOW BOY (over 50 tons); Water Tank  
Truck (8,001 - 10,000 gals.); 10¢ for  
each add. 2,000 gals.

Group IX  
TRANSIT MIXERS & TRUCKS Hauling Con-  
crete, (10 yds. to 15 yds.); Trucks,  
side, end & bottom dump (over 20 yds.  
incl. 30 yds.)

Group X  
TOWBAR MOUNTED, 1M'S & sim. w/2 or 4  
wheel power tractor w/trailer or  
yardage scale whichever is greater

Group XI  
TRANSIT MIXERS & TRUCKS Hauling Con-  
crete (15 yds. to 20 yds.); Trucks,  
side, end & bottom dump (over 30 yds.  
to 40 yds.)

Group XII  
TRANSIT MIXERS & TRUCKS Hauling Con-  
crete (over 20 yds.); Trucks, side,  
end & bottom dump (over 40 yds. to 50  
yds.)

Group XIII  
TRUCKS, side, end and bottom dumps,  
(over 50 yds. to 100 yds.)

Group XIV  
TRUCKS, side, end and bottom dump  
(over 100 yds.)

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1 - WAS - TD -1-2-3 (1-2)

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.	Othrs
	H & W	Pensions	Vacation		
\$ 6.50	.57	.50			
6.55	.57	.50			
6.60	.57	.50			
6.70	.57	.50			

All Counties and parts of Counties  
East of the 120th Meridian

## TRUCK DRIVERS

Group I  
FLAT BED TRUCK, single rear axle;  
Escort Driver; Fish Truck; Fork Lift,  
3,000 lbs. 6 under; Fuel Truck Driver  
(steam cleaner & washer); Helper &  
Sweeper; Levee Loading Trucks at  
Bunkers; Pickup Hauling Material;  
Stationary Fuel Op.; Team Driver;  
Tractor (small rubber tired pulling  
trailer or sim. eq'g.); Water Tank  
Truck 1,800 gallons

Group II  
BUS DRIVER OR MANHAUL DRIVER; Flat Bed  
Truck, dual rear axle; Tireman No. 1;  
Warehouseman

Group III  
RUGGY MOBILE & SIM.; Bulk Cement  
Tanker; Oil Tank Driver; Power Oper-  
ated Sweeper; Semi-Trailer, low bed,  
truck & Trailer; Straddle Carrier  
(Boss, Hyster & sim.); Transit Mixers  
& Trucks Hauling Concrete (3 yds. &  
under); Trucks, side end and bottom  
dump (under 6 yds.); Water Tank Truck  
(1,801 - 4,000 gallons)

Group IV  
AUTO CRANE - 2000 lbs. capacity; Bulk  
Cement Spreader; Dumpton (6 yds. &  
under); Fiberty Spreader, box driver;  
Flat Bed Truck (using power take off);  
Fork Lift (over 3,000 lbs.)  
Oil Distributor Driver (road, bootman;  
levee, helper); Rubber tired Tunnel  
Jumbo; Scissors Truck; Slurry Truck  
Driver; Transit Mixers & Trucks Haul-  
ing Concrete (over 3 yds. to 6 yds.)  
Trucks, side, end and bottom dump  
(over 6 yds. to 12 yds.); Water Tank  
Truck (4,001 - 6,000 gals.);  
Wrecker & Tow Trucks



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All Counties and parts of Counties West of the 120th meridian except Clark, Goodrich, Klitchits, Southern part of Pacific, Skamania, and Wahkiakum Counties

TRUCK DRIVERS

Leverman & loaders at bunkers & batch plants; Pickup truck, Escort or Pilot car; Swamper; Warehouseman & Checkers  
 Team driver  
 Roll lifts or similar equipment used in loading or unloading trucks, warehousing; Bus or Mahanal; Dump trucks and similar equipment; Tournecookers; Tournecookers; Turnstrailer, Cat DW Series, Terra Cobbs, Le Tourneau, Vestinghouse, Atkey wagon; Euclid; Two & four wheeled power tractor with trailer & similar top loaded equipment transporting material; Dump trucks, side, and a bottom dump, including semi-trucks & trailers; Dump trucks up to & including 5 yds.; Flatbed, single rear axle; Grease truck, Fuel truck; Sprosser; Battery service man; Tire service man; Scissor truck; Spreader, flaberty; Tractor, small rubber-tired; Vacuum truck; Water wagon & Tank truck, up to 1600 gals.; Winch truck, single rear axle; Wrecker, tow truck & similar equipment  
 Flatbed, dual rear axle  
 Bagymobile; Hyater operators; Saddle carrier (Ross, Hyster) and similar equipment; Water wagon & tank truck, 1600 gals. to 3000 gals.  
 Transit-mix, 0 to and including 4-1/2 yds.  
 Dump trucks, over 5 yds. to and including 12 yds.; Explosive truck (field mix) and similar equipment; Loaded & heavy duty trailer, under 30 tons gross; Road oil distributor driver; Slurry truck; Sno-go & similar equipment; Winch truck, dual rear axle  
 Dump trucks, over 12 yds. to & including 16 yds.  
 Bulk cement tankers; Dump trucks, over 16 yds. to & including 20 yds.; Water wagon & Tank truck, over 3000 gals.  
 Ball lifts or similar equipment used in loading or unloading trucks other than warehousing  
 Transit-mix, over 4-1/2 yds. to & including 6 yds.  
 "A"- Frame or "Hydralift" trucks or similar equipment  
 Dump trucks, over 20 yds. to & including 30 yds.; Loaded & heavy duty trailer, over 50 tons Gross to & including 100 tons Gross

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Rate	Per Cent	Year	Rate
\$6.20	.35		
6.25	.35		
6.30	.35		
6.40	.35		
6.45	.35		
6.49	.35		
6.50	.35		
6.55	.35		
6.60	.35		
6.62	.35		
6.64	.35		
6.74	.35		
6.75	.35		

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2-MAS -TD-1-2-3-a (2-2)

Rate	Per Cent	Year	Rate
\$6.79	.35		
6.90	.35		
6.94	.35		
7.05	.35		
7.09	.35		
7.24	.35		
7.39	.35		
7.54	.35		

TRUCK DRIVERS (CONT'D)

Transit-mix, over 6 yds. to & including 8 yds.  
 Dump trucks, over 30 yds. to & including 40 yds.; Loaded & heavy duty trailer, over 100 tons Gross  
 Transit-mix, over 8 yds. to & including 10 yds.  
 Dump trucks, over 40 yds. to & including 55 yds.  
 Transit-mix, over 10 yds. to & including 12 yds.  
 Transit-mix, over 12 yds. to & including 15 yds.  
 Transit-mix, over 16 yds. to & including 20 yds.  
 Transit-mix over 20 yds.

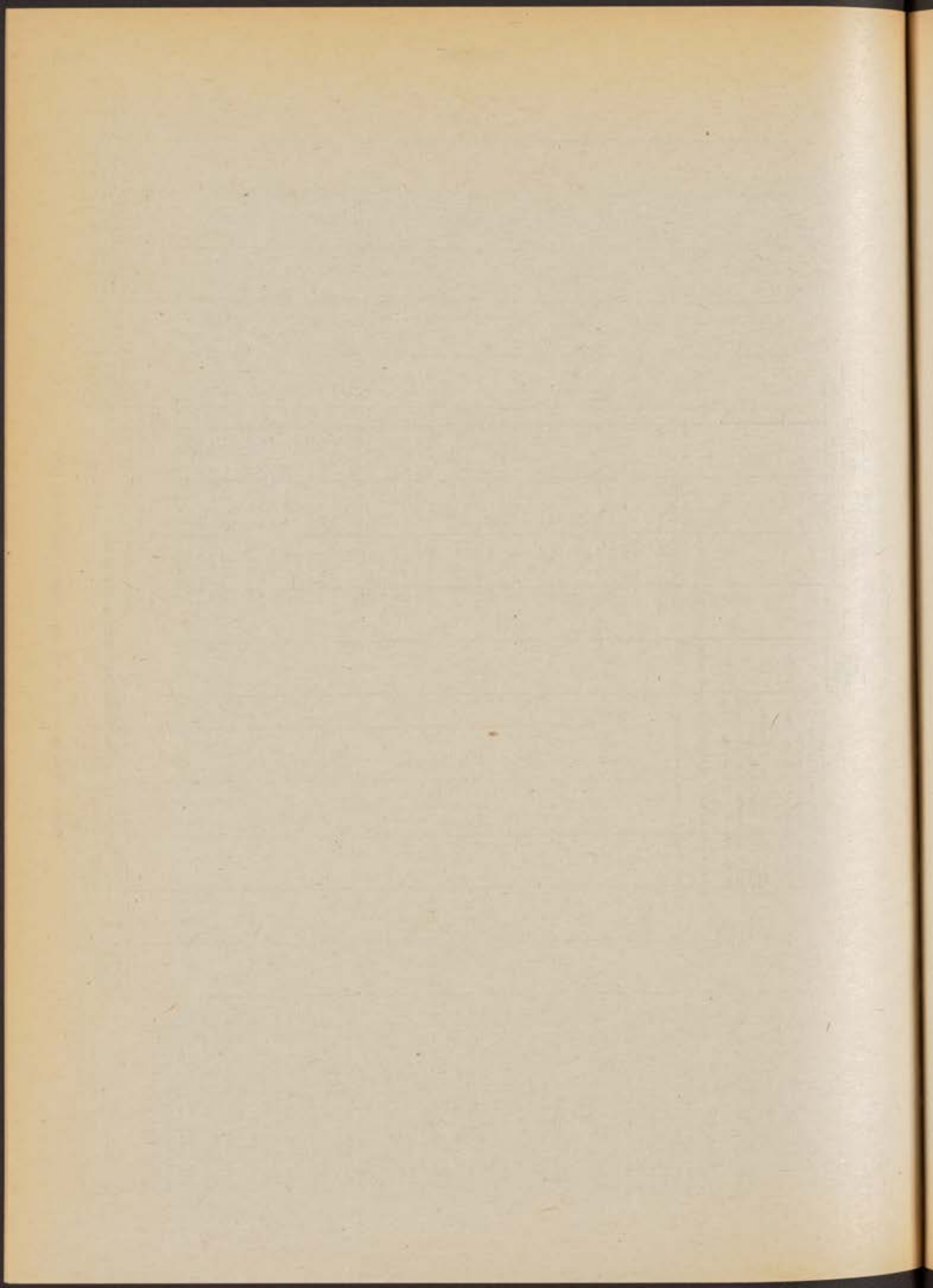


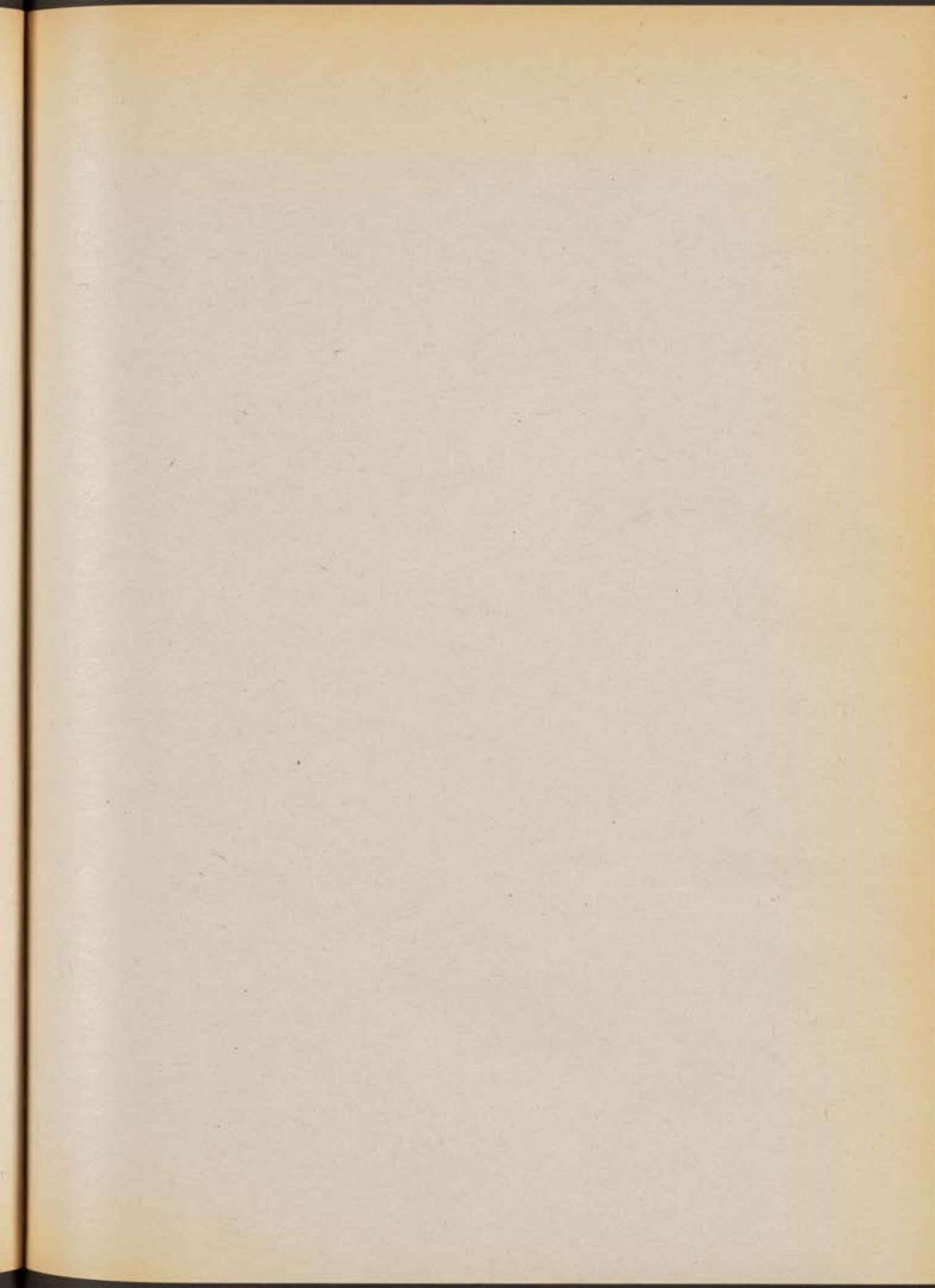
AF-261, P. 11

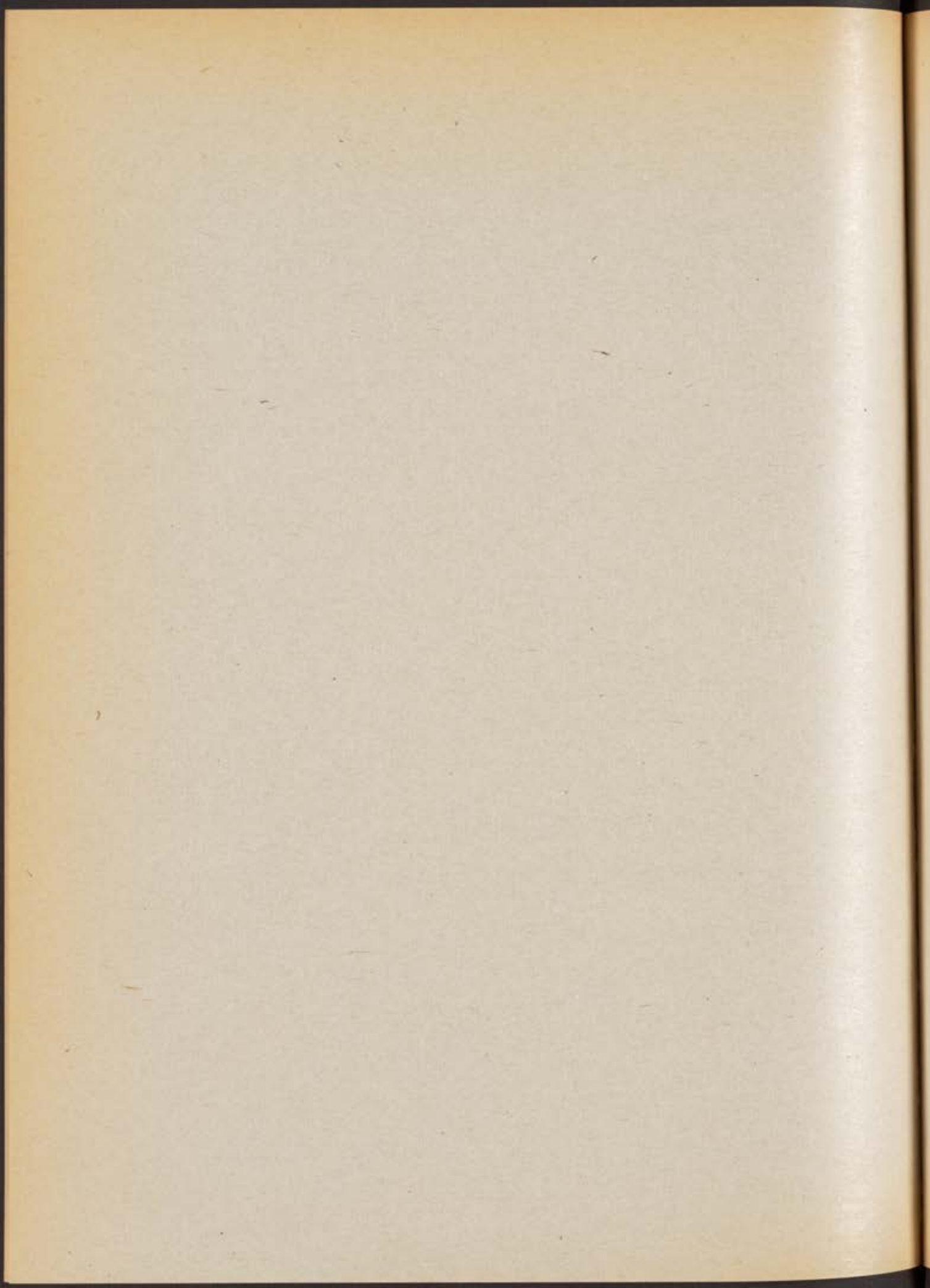
3-MAR-70 o 1-2-3 (3-3)

	BASIC RATES	FRINGE BENEFITS PAYMENTS				
		H & W	FEASONS	VACATION	APP. TR.	OTHERS
Dump trucks, side, end, & bottom dump, including semi trucks & trains or combis. thereof: over 80 cu. yds. & incl. 90 cu. yds.	\$7.00	.35	.40	.15		
Dump trucks, side, end & bottom dump, incl. semi-trucks and trains or combis. thereof: over 90 cu. yds. & incl. 100 cu. yds.	7.10	.35	.40	.15		
Drivers and Helpers (handling eschled cement add \$.15 per hour).						
Winch truck - takes classification of truck on which winch is mounted						

[FBI Doc. 73-1831 Filed 2-1-73; 8:45 am]







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[oo]

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