It is further ordered, That a hearing be held in respect to Utah's application-declaration; that the hearing thereon be consolidated with the proceeding ordered herein under section 11(b)(1) of the Act; and that the hearing commence on January 7, 1974, or such later date as may be designated by the hearing officer, at 10:00 A.M. at the office of the Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549 in such room as may be designated by the hearing room clerk.

The Division of Corporate Regulation of the Commission having advised the Commission that it has made a preliminary examination of the application-declaration and of the operations of Utah and Western and that, upon the basis thereof, the following matters and questions are presented for consideration, without prejudice, however, to the presentation of additional matters and questions upon further examination:

1. Whether the facilities of Utah and Western constitute an integrated public-utility system under Section 11(b)(1), and particularly whether their electric properties are physically interconnected or capable of physical interconnection and which under normal conditions may be economically operated as a single interconnected and coordinated system within the meaning of section 2(a)(29)(A) of the Act.

2. Whether the electric facilities of Western may be retained by Utah as an additional system under the provisions of Section 11(b)(1).

3. What conditions, if any, should be imposed if the proposed transactions are approved.

4. Whether, upon consummating the proposed transactions, an unconditional order should issue under section 5(d) declaring Utah to be no longer a holding company and terminating its registration as such under the Act.

5. Generally, whether the proposed transactions are in all other respects compatible with the provisions and standards of the Act and the Rules promulgated thereunder.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That jurisdiction be, and it hereby is, reserved to separate, in whole or in part, either for hearing or for disposition, any issues or questions which may arise in these proceedings and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

It is further ordered, That an Administrative Law Judge, hereinafter to be designated, shall preside at said hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under Section 18(c) of the Act and to a hearing officer under the Commission's Rules of Practice.

It is further ordered, That any person, other than applicant-declarant, desiring to be heard in these consolidated proceedings or proposing to intervene therein shall file with the Secretary of the Commission, on or before January 3, 1974, a written request relative thereto as provided in Rule 9 of the Commission's Rules of Practice. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Persons filing an application to participate or be heard will receive notice of any adjournment of the hearing as well as other actions of the Commission involving the subject matter of these proceedings.

It is further ordered, That the Secretary of the Commission shall give notice of the aforementioned hearing by mailing copies of this Order by certified mail to the Federal Power Commission, the Public Utilities Commission of Colorado and the Public Service Commission of Utah and that notice to all other interested persons shall be given by the general release of the Commission and by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

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

[FR Doc.73-25829 Filed 12-5-73;8:45 am]

[File No. 500-1]

ACME MISSILES & CONSTRUCTION CORP.

Notice of Suspension of Trading

NOVEMBER 27, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Acme Missiles & Construction Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 1:00 p.m. (EST) November 27, 1973 through December 6, 1973.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS, *Senior Recording Secretary.*

[FR Doc.73-25824 Filed 12-5-73;8:45 am]

[File No. 500-1]

A F M HOLDING, INC.

Notice of Suspension of Trading

NOVEMBER 27, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of A F M Holding, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 1:00 p.m. (EST) November 27, 1973 through December 6, 1973.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS, *Senior Recording Secretary.*

[FR Doc.73-25826 Filed 12-5-73;8:45 am]

[File No. 500-1]

DUESENBERG CORP.

Notice of Suspension of Trading

NOVEMBER 27, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Duesenberg Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 1:00 p.m. (EST) November 27, 1973 through December 6, 1973.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS, *Senior Recording Secretary.*

[FR Doc.73-25825 Filed 12-5-73;8:45 am]

[File No. 500-1]

SEABOARD CORP.

Notice of Suspension of Trading

NOVEMBER 26, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, units and warrants of Seaboard Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from November 27, 1973 through December 6, 1973.

By the Commission.

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

[FR Doc.73-25827 Filed 12-5-73;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 98]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

NOVEMBER 30, 1973.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by Special Rule 1100.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the Federal Register issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the Federal Register. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the Federal Register of a notice that the proceeding has been assigned for oral hearing.*

No. MC 409 (Sub-No. 47) (AMENDMENT), filed September 10, 1973, published in the FEDERAL REGISTER issue of November 8, 1973, and republished as amended this issue. Applicant: SCHROETLIN TANK LINES, INC., P.O. Box 511, Sutton, Nebr. 68979. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in tank trucks, (1) from Doniphan, Nebr. and Kansas City, Mo., to points in Kansas; (2) from Kansas City, Mo.-Kans., to points in Nebraska; and (3) from Fairfield, Nebr., to points in Kansas on and east of U.S. Highway 183, on and north of Interstate Highway 70, and on and west of U.S. Highway 75.

NOTE.—The purpose of this republication is to indicate the request for authority in (2) above, which was inadvertently omitted from the previous publication. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Lincoln or Omaha, Nebr.

No. MC 409 (Sub-No. 48), filed October 17, 1973. Applicant: SCHROETLIN TANK LINE, INC., P.O. Box 511, Sutton, Nebr. 68979. Applicant's representative: Gailyn L. Larsen, P.O. Box 81849, 521 S. 14th St., Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed and liquid feed supplements*, in bulk in tank vehicles, from Lincoln, Nebr., to points in Colorado, Iowa, Kansas, Missouri, South Dakota, and Wyoming.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 730 (Sub-No. 356), filed October 5, 1973. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a Corporation, 1417 Clay Street, P.O. Box 958, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Waste solvent*, in bulk, in tank vehicles, from Phoenix, Ariz., to Reedley, Calif.; (2) *petroleum and petroleum products*, in bulk, in tank vehicles, from points in Duchesne County, Wash., to points in Nevada and Idaho; and (3) *petroleum and petroleum products, and lubricating oil additives*, in bulk, in tank vehicles, from Good Hope and Oak Point, La., to points in California, Oregon, and Washington.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco or Los Angeles, Calif.

No. MC 2228 (Sub-No. 64), filed October 15, 1973. Applicant: MERCHANTS FAST MOTOR LINES, INC., East Highway 80, P.O. Drawer 591, Abilene, Tex. 79604. Applicant's representative: Jerry Prestridge, P.O. Box 1148, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Between Dallas and Houston, Tex., serving no intermediate points, as an alternate route for operating convenience only in connection with carrier's presently authorized regular-route operations: From Dallas over Interstate Highway 45 to Houston, and return over the same route.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas or Houston, Tex.

No. MC 2860 (Sub-No. 134), filed October 15, 1973. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: W. Randall Tye, 1500 Candler Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibrous glass products and materials, building wall and insulating board and materials, plastic products and materials, mineral wool and mineral wool products, insulating materials and insulated air duct, and such materials, supplies and equipment* used in the production, distribution and installation of such commodities (other than commodities in bulk) between the plantsites, storage and warehouse facilities of Certain-Teed Products Corporation in Clarke County, Ga., and Fulton County, Ga., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Indiana, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 2860 (Sub-No. 135), filed October 17, 1973. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: Alvin Altman, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers, container ends, metal and accessories and materials, equipment and supplies* used in the manufacture, sales and distribution of containers (except commodities in

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

bulk), from Albany, N.Y., and Paterson and Passaic, N.J., to Merrimack, N.H.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 4687 (Sub-No. 14) (CORRECTION), filed September 17, 1973, published in the FR issue of November 15, 1973, and republished as corrected this issue. Applicant: BURGESS & COOK, INC., P.O. Box 458, Fernandina Beach, Fla. 32304. Applicant's representative: Sol H. Proctor, 2501 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Waste products* intended for reuse or recycling and *used pallets*, from points in Alabama, Florida, Georgia, and South Carolina, to Jacksonville and Fernandina Beach, Fla.

NOTE.—The purpose of this republication is to clarify the requested commodity description. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 19227 (Sub-No. 194), filed October 9, 1973. Applicant: LEONARD BROS. TRUCKING CO., INC., 2515 N. W. 20th Street, P.O. Box 602, Miami, Fla. 33152. Applicant's representative: J. Fred Dewhurst (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Therapy pools, parts, materials, equipment and supplies* used in the construction and installation thereof, between the plant site of Riviera Industries, Inc., at Sun Valley, Calif., on the one hand, and, on the other, points in Maryland, Pennsylvania, Delaware, Rhode Island, New York, New Jersey, Connecticut, Massachusetts, New Hampshire, Vermont, Maine, and the District of Columbia.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 19227 (Sub-No. 195), filed October 9, 1973. Applicant: LEONARD BROS. TRUCKING CO., INC., 2515 N. W. 20th Street, P.O. Box 602, Miami, Fla. 33152. Applicant's representative: J. Fred Dewhurst (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Therapy pools, parts, materials, equipment and supplies* used in the construction and installation thereof, between the plant site of Riviera Industries, Inc., at Sun Valley, Calif., on the one hand, and, on the other, points in Kentucky, Missouri, Illinois, Indiana, Ohio, Wisconsin, Minnesota, Iowa, and Michigan.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 19227 (Sub-No. 196), filed October 9, 1973. Applicant: LEONARD BROS. TRUCKING CO., INC., 2515 N. W. 20th Street, P.O. Box 602, Miami, Fla. 33152. Applicant's representative: J. Fred Dewhurst (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Therapy pools, parts, materials, equipment, and supplies* used in the construction and installation thereof, between the plant site of Riviera Industries, Inc., at Sun Valley, Calif., on the one hand, and, on the other, points in Arizona, New Mexico, Texas, Nebraska, Kansas, Oklahoma, Colorado, Nevada, Oregon, Washington, Utah, Montana, Idaho, Wyoming, North Dakota, and South Dakota.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 19227 (Sub-No. 197), filed October 17, 1973. Applicant: LEONARD BROS. TRUCKING CO., INC., 2515 NW. 20th Street, P.O. Box 602, Miami, Fla. 33152. Applicant's representative: J. Fred Dewhurst (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* as described in Appendix V, *Description in Motor Carrier Certificates*, 61 M.C.C. 209, (1) between points in Florida, on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; (2) between points in Florida, on the one hand, and on the other, points in Texas; (3) between points in Kansas, Missouri, Nebraska, New Mexico, and Oklahoma; (4) between points in Kansas, Missouri, Nebraska, New Mexico, and Oklahoma, on the one hand, and, on the other, points in Texas; (5) between points in Florida, on the one hand, and, on the other, points in Alabama, Georgia, and South Carolina; (6) between points in Texas; (7) between points in Texas, on the one hand, and, on the other, points in Arkansas, and Louisiana; and (8) between points in Texas, New Mexico, and Arizona.

NOTE.—Common control may be involved Applicant states that the requested authority can be tacked with Sub 127 to provide a through service from California through Yuma, Ariz., Gateway. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., and Dallas, Tex.

No. MC 19227 (Sub-No. 198), filed October 9, 1973. Applicant: LEONARD BROS. TRUCKING CO., INC., 2515 N.W. 20th Street, P.O. Box 602, Miami, Fla. 33152. Applicant's representative: J. Fred Dewhurst (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Therapy pools, parts, materials, equipment and supplies* used in the construction and installation thereof, between the plant site of Riviera Industries, Inc., at Sun Valley, Calif., on the one hand, and, on the other, points in Arkansas, Louisiana, Mississippi, Alabama, Georgia, Tennessee, North Carolina, South Carolina, Florida, Virginia, and West Virginia.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not state a location.

No. MC 25798 (Sub-No. 249), filed October 12, 1973. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsites and warehouse facilities of Morton Frozen Foods, Div. of Continental Baking Co., located at or near Crozet, Va., to points in Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

NOTE.—Common control was approved in Docket No. MC-F-8953. Applicant states that the requested authority can be tacked with its existing authority; in Sub-No. 26 at points in Michigan to serve Birmingham, Ala.; Jacksonville, Fla.; Atlanta, Ga.; Louisville, Ky.; New Orleans, La.; Baltimore, Md.; Jackson, Miss; Passaic, N.J.; New York, N.Y.; Knoxville and Nashville, Tenn.; and points in North Carolina and Pennsylvania; in Sub-No. 53 at St. Joseph, Marshall, Macon, Carrollton, Milan, and Moberly, Mo., to serve points in Tennessee (except Memphis), West Virginia, Georgia, Alabama, and Florida; in Sub-No. 73 at Minneapolis, Minn., and Eau Claire, Wis., to serve Chattanooga, Knoxville, and Memphis, Tenn.; in Sub-No. 82 at Crookston, Duluth, Minneapolis, and Mankato, Minn., to serve points in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia; in Sub-No. 108 at St. Joseph, Marshall, Macon, Carrollton, Milan, and Moberly, Mo., to serve Memphis, Tenn.; in Sub-No. 109 at Darien, Wis., to serve New Orleans, La., and points in Alabama, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, and the District of Columbia; in Sub-No. 110 at Fort Atkinson, Wis., to serve points in Tennessee, West Virginia, Pennsylvania, New York, Virginia, Florida, and the District of Columbia; in Sub-No. 130 at LaFayette, Ind., to serve Alabama, Georgia, and Tennessee; in Sub-No. 174 at Belvidere, Ill., to serve points in North Carolina, South Carolina, and West Virginia; and Sub-No. 184 at Monroe City, Mo., to serve points in Alabama, Florida, Georgia, and Tennessee (except Memphis). If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Washington, D.C.

No. MC 29079 (Sub-No. 67), filed October 12, 1973. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1210 South Union Street, Kokomo, Ind. 46901. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago,

Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite of Bethlehem Steel Corporation at Lackawanna, N.Y., to points in Illinois, Indiana, the Lower Peninsula of Michigan, Ohio, and the St. Louis, Mo., Commercial Zone.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 29910 (Sub-No. 136), filed October 15, 1973. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th Street, Fort Smith, Ark. 72901. Applicant's representative: Thomas Harper, P.O. Box 43, Kelley Building, Fort Smith, Ark. 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of DLM, Inc., located approximately five miles east of Malvern, Ark., as an off-route point in connection with applicant's regular-route authority to and from Malvern, Ark.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or New Orleans, La.

No. MC 35358 (Sub-No. 33), filed October 19, 1973. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 Macalaster Drive NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Radios, phonographs, televisions, tape players and recorders*, and *parts, accessories, and components* for the above described commodities, (1) from the plantsite and warehouse facilities of Team Central Incorporated, located at or near Minneapolis, Minn., to points in Illinois, Iowa, Nebraska, South Dakota, North Dakota, Wisconsin, and the upper peninsula of Michigan; and (2) from Los Angeles, Calif.; New York and Albany, N.Y.; Chicago, Ill.; Oklahoma City, Okla.; New Hartford, Conn.; Huntington, Ind.; and Seattle, Wash., to the plantsite and warehouse facilities of Team Central Incorporated, located at or near Minneapolis, Minn.

NOTE.—Applicant states that the requested authority can be tacked in parts (1) and (2) above at the plantsite and warehouse facilities of Team Central Incorporated located at or near Minneapolis, Minn., to provide a through service from the origin points named in (2) above to the destination points named in (1) above, and with its existing authority on uncrated appliances, when applicable, in Sub-No. 15 at Minneapolis, Minn., to provide a through service from the origin points named in (2) above to points in Kansas, Missouri, and Montana; in Sub-No. 17 at Superior, Wis., to serve points in the United States (except Alaska and Hawaii); and in Sub-No. 16 at Minneapolis, Minn., to provide a through service from the origin points named in (2) above to additional points in Minnesota, Kansas, Missouri, and Montana. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 37578 (Sub-No. 23), filed October 11, 1973. Applicant: JOSEPH W. TREHAN, INCORPORATED, Box 332, North Lima, Ohio 44452. Applicant's representative: Joe F. Asher, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refractory and clay products, and materials and supplies* used in the installation thereof, (1) from Columbiana, Ohio, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, restricted against the transportation of refractories, to points in Wayne and Monroe Counties, Mich., points in that part of New York on and west of U.S. Highway 15, points in that part of West Virginia on and north of U.S. Highway 50 and to points in that part of Pennsylvania on and west of U.S. Highway 11 (except Summerville), and (2) from Frostburg, Md., to points in Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Wisconsin, and the District of Columbia, restricted against tacking the above-described authority with any presently held authority in MC 37578 Subs 5, 17, and 20, for purposes of rendering a through service to points not included in the above-requested authority.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 41406 (Sub-No. 34), filed October 10, 1973. Applicant: ARTIM TRANSPORTATION SYSTEM, INC., 7105 Kennedy Avenue, Hammond, Ind. 46323. Applicant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite of Bethlehem Steel Corporation located at or near Lackawanna, N.Y., to points in Illinois, Indiana, Iowa, Wisconsin, and the St. Louis, Mo., Commercial Zone.

NOTE.—Common control was approved in MC-F-11406. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 43963 (Sub-No. 3), filed October 15, 1973. Applicant: CHIEF TRUCK LINES, INC., Joliet Road & 79th Street, Hinsdale, Ill. 60521. Applicant's representative: James C. Hardman, 127 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Chicago and Joliet, Ill., and Burns Harbor, Ind., to points in Wisconsin, Illinois, and those in Indiana on and north of U.S. Highway 40.

NOTE.—Applicant presently holds "size and weight" authority from the origins to the destinations requested herein. Applicant states that the requested authority can be tacked at Chicago and Joliet, Ill., to handle iron and steel articles categorized as size and weight commodities: (a) from points in Wisconsin to points in Illinois and a designated portion of Indiana; (b) from a designated portion of Indiana to points in Wisconsin; and (c) from points in Illinois to points in Wisconsin and a designated portion of Indiana. Applicant further states that the requested authority can be tacked at Chicago, Ill., on iron and steel articles categorized as general commodities (with usual exceptions) between points in Illinois and Indiana within a 40-mile radius of Chicago, on the one hand, and, on the other, points in Illinois and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 49304 (Sub-No. 31), filed September 5, 1973. Applicant: BOWMAN TRUCKING COMPANY INC., P.O. Box 6, Stephens City, Va. 22655. Applicant's representative: Daniel B. Johnson, Perpetual Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Equipment, materials, and supplies* used by or in the processing of minerals and ores (except commodities which because of size and weight require the use of special equipment), from points in West Virginia, Virginia, Ohio, Pennsylvania, and North Carolina, to Strasburg, Va.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority (1) on steel drums, at Strasburg, Va., to provide a through service from the origin points named above to Frederick, Md.; and (2) on lime and limestone, at points in West Virginia and Pennsylvania to provide a through service from Middletown, Va., and points within 6 miles thereof to Strasburg, Va. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 50307 (Sub-No. 68), filed October 15, 1973. Applicant: INTERSTATE DRESS CARRIERS, INC., 247 West 35th Street, New York, N.Y. 10001. Applicant's representative: Hubert Burstein, One World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials, supplies and equipment* used in the manufacture thereof, between Cumberland, Md., and Lock Haven, Pa.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 51146 (Sub-No. 339), filed October 11, 1973. Applicant: SCHNEIDER TRANSPORT, INC., 2661 S. Broadway, Green Bay, Wis. 54304. Applicant's representative: D. F. Martin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over ir-

tainers and closures thereto, and *those materials and supplies* used in the manufacture of glass containers, from Terre Haute, Ind., to points in Colorado, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, and Nebraska.

NOTE.—Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority in (1) Sub-No. 197 at Terre Haute, Ind., to provide a through service from Gas City and Evansville, Ind., to points in Colorado, Iowa west of Highway 69, Kansas, Kentucky, Michigan, Minnesota, and Missouri; (2) at Terre Haute, Ind., to provide a through service from Burlington, Wis., to points in Colorado, Kansas, and Missouri; and (3) at Terre Haute, Ind., to provide a through service from Mundelein, Ill., to points in Colorado, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, and Nebraska. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 52704 (Sub-No. 108), filed October 18, 1973. Applicant: GLENN McCLENDON TRUCKING CO., INC., Lafayette, Ala. 36862. Applicant's representative: John W. Cooper, 1314 City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Bottles,* from Henderson, N.C., and Laurens, S.C., to points in Virginia.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority in Sub-No. 53 at Henderson, N.C., to provide a through service from Lafayette, Ala. to points in Virginia; and in Sub-No. 58 at Henderson, N.C., and Laurens, S.C., to provide a through service from the plantsite of Laurens Glass Company located at or near Simsboro, La., to points in Virginia. If a hearing is deemed necessary, applicant requests it be held at Greenville, S.C., or Washington, D.C.

No. MC 52704 (Sub-No. 109), filed October 19, 1973. Applicant: GLEN McCLENDON TRUCKING COMPANY, INC., P.O. Drawer "H", Lafayette, Ala. 36862. Applicant's representative: Archie B. Culbreth, Suite 246, 1252 West Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Bottle molds, bottle trays and containers, machines and machine parts,* and *polyethylene bags,* between the plantsite of Laurens Glass Company located at or near Simsboro, La., on the one hand, and on the other the plantsites of Laurens Glass Company located at or near Laurens, S.C., and Henderson, N.C.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 59264 (Sub-No. 58), filed October 15, 1973. Applicant: SMITH & SOLOMON TRUCKING COMPANY, a Corporation, How Lane, New Brunswick, N.J. 08903. Applicant's representative: Herbert Burstein, 1 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Food and food stuffs* (except commodities in bulk in tank vehicles), from Hillside, N.J., and Fairlawn, N.J., to points in Virginia.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 60465 (Sub-No. 8), filed July 13, 1973. Applicant: SPERRY TRANSPORTATION COMPANY, a Corporation, 907 F Street, P.O. Box 468, Charles City, Iowa. Applicant's representative: Thomas E. Leahy, Jr., 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Castings,* from Charles City, Iowa, to points in Illinois on and north of a line beginning at the Illinois-Missouri State line near Alton, Ill., and extending along Illinois Highway 140 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Illinois-Indiana State line, under contract with White Farm Equipment Company.

NOTE.—Dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Chicago, Ill., Minneapolis, Minn., Omaha, Nebr., or Kansas City, Mo.

No. MC 61592 (Sub-No. 310), filed October 15, 1973. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa 52722. Applicant's representative: E. A. DeVine (same address as applicant). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Iron and steel articles,* unloaded by mechanical devices furnished by the Carrier, when required, from the plantsite of Bethlehem Steel Corporation at Lackawanna, N.Y., to points in Illinois, Indiana, Iowa, Michigan (lower Peninsula), and Ohio.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 63792 (Sub-No. 20), filed October 11, 1973. Applicant: TOM HICKS TRANSFER COMPANY, INC., 4132 Peters Road, Harvey, La. 70058. Applicant's representative: C. W. Ferebee, P.O. Box 283, Harvey, La. 70058. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Iron and steel articles,* from points in Jefferson and Orange Counties, Tex., to points in Louisiana.

NOTE.—Applicant states that the requested authority can be tacked (1) on the existing size and weight authority in its base certificate at points in Louisiana to serve points in Arkansas and Mississippi, and (2) in Sub-No. 18 at points in Louisiana on and south of U.S. Highway 190 (except New Orleans and points in its Commerical Zone) to serve points in Arkansas, Mississippi, Alabama, Georgia, and Florida. If a hearing is deemed necessary, applicant requests it be held at Beaumont, Tex., or New Orleans, La.

No. MC 73165 (Sub-No. 332), filed October 18, 1973. Applicant: EAGLE MOTOR LINES, INC., 830 North 33rd Street, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Eugene T. Liipfert, 1660 L Street, NW., Suite 1100, Washington, D.C. 20036. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Iron and steel articles,* from the plantsite of Bethlehem Steel Corporation located at or near Lackawanna, N.Y., to points in Illinois, Indiana, Ohio, and the lower peninsula of Michigan.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 75320 (Sub-No. 165), filed October 12, 1973. Applicant: CAMPBELL SIXTY-SIX EXPRESS, INC., P.O. Box 807, Springfield, Mo. 65801. Applicant's representative: Harold D. Miller, Jr., 700 Petroleum Bldg., P.O. Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), Between Pryor, Okla., and Dallas, Tex.: From Pryor, Okla., over U.S. Highway 69 to Denison, Tex., and thence over U.S. Highway 75 to Dallas, Tex., and return over the same route, serving no intermediate points.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Springfield, Mo., Dallas, Tex., or Tulsa, Okla.

No. MC 78947 (Sub-No. 13), filed August 2, 1973. Applicant: ELLIOTT BROS. TRUCK LINE, INC., 801 Hiway 21, Dysart, Iowa 52224. Applicant's representative: Kenneth F. Dudley, 611 Church Street, P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Plant machinery, equipment, materials, and supplies; metal and plastic boxes; metal cabinets, and chests; tool stands;* and *hospital carts,* (1) between Waterloo, Iowa, and Pocahontas, Ark.; and (2) between Waterloo, Iowa, and Pocahontas, Ark., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, and Missouri.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority at (a) Waterloo, Iowa, to provide a through service from Minneapolis, Minn., and points in Illinois to Pocahontas, Ark., and (b) at Waterloo, Iowa, to serve the above-mentioned points. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Kansas City, Mo.

No. MC 82841 (Sub-No. 133), filed October 21, 1973. Applicant: HUNT TRANSPORTATION, INC., 10770 I Street, Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Building materials,* from the

plantsite of Johns-Manville Products Corporation at Waukegan, Ill., and the plantsite of Johns-Manville Perlite Corporation at or near Joliet, Ill., to points in Iowa, South Dakota, and Nebraska; and (2) *asbestos cement pipe*, from the plantsite of Johns-Manville Products Corporation at Waukegan, Ill., to points in Colorado, Montana, Wyoming, Iowa, Nebraska, and South Dakota.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 83539 (Sub-No. 383), filed October 23, 1973. Applicant: C & H TRANSPORTATION CO., INC., 1936–2010 West Commerce Street, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Thomas E. James (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers and trailer chassis* (except those designed to be drawn by passenger automobiles), in initial movements, from Hamilton, Ohio, to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 83835 (Sub-No. 111), filed October 10, 1973. Applicant: WALES TRANSPORTATION, INC., P.O. Box 6186, Dallas, Tex. 75222. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cooling equipment and parts of cooling equipment* and (2) *materials and supplies*, except in bulk, used in the manufacturing, installation and erection of cooling equipment, from the plantsite of Hudson Products Corp. located at or near Beasley, Tex., to points in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, South Carolina, Tennessee, West Virginia, Vermont, and Virginia.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas or Houston, Tex.

No. MC 88380 (Sub-No. 11), filed October 17, 1973. Applicant: REB TRANSPORTATION, INC., 2400 Cold Springs Road, Fort Worth, Tex. 76106. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bituminized or indurated conduit or pipe*, from points in Grayson County, Tex., to points in the United States (except Alaska and Hawaii), restricted to traffic originating at the plantsite of McGraw-Edison Company, Fibre Products Division, located in Grayson County, Tex.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 94201 (Sub-No. 117), filed October 23, 1973. Applicant: BOWMAN TRANSPORTATION, INC., P.O. Box 17744, Atlanta, Ga. 30316. Applicant's representative: Archie B. Culbreth, 1252 West Peachtree St. NW., Suite 246, Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Charcoal* (except in bulk), and *lighter fluid (naphtha distillate), hickory chips, fireplace logs, and vermiculite, other than crude, when moving in mixed shipments with charcoal*, from Dothan, Ala., to points in Kentucky, North Carolina, South Carolina, Tennessee, and Virginia, and (2) *materials and supplies, such as, bags, twine, hickory chips, lighter fluid (naphtha distillate), fireplace logs, and vermiculite, other than crude* (except in bulk), from the above-named destination states to the plantsite of Kingsfort Company, at or near Dothan, Ala.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 95540 (Sub-No. 889), filed October 19, 1973. Applicant: WATKINS MOTOR LINES, INC., 1940 Monroe Drive NE., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in "Descriptions in Motor Carrier Certificates," 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from the plantsite of Madison Foods, Inc., located at or near Madison, Nebr., to points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia, restricted to traffic originating at the above named plantsite and destined to the above named destination points.

NOTE.—Common control was approved in MC-F-7942 and MC-F-8308. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Washington, D.C.

No. MC 96818 (Sub-No. 4), filed October 4, 1973. Applicant: SOUTHERN MARYLAND TRANSPORTATION CO., INC., 4112 Dewmar Court, Kensington, Md. 20795. Applicant's representative: Thomas M. Auchincloss, Jr., 918 16th St. NW., Suite 700, World Center Bldg., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between U.S. Government Military Installations at Norfolk, Va., at or near Yorktown, Va., Dahlgren, Va., Indianhead, Md., Patuxent River, Md., and Washington, D.C., restricted to the transportation of shipments having a prior or subsequent movement by aircraft.

NOTE.—Applicant states that the requested authority can be tacked at Patuxent River, Md., Indianhead, Md., and Washington, D.C., to provide service between presently authorized points in Maryland, and those points named above. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Baltimore, Md.

No. MC 97830 (Sub-No. 4), filed September 13, 1973. Applicant: BOWEN TRUCKING CO., INC., P.O. Box 181, Vernal, Utah 84078. Applicant's representative: William S. Richards, 900 Walker Bank Bldg., P.O. Box 2465, Salt Lake City, Utah 84110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oil field machinery, and equipment, and parts and accessories* when moving with the equipment or machinery which will utilize the parts and accessories, (1) between points in Duchesne, Uintah, Grand, San Juan, and Carbon Counties, Utah, on the one hand, and, on the other, points in Colorado, Wyoming, Oklahoma, Arizona, and New Mexico; and (2) between points in Colorado and Wyoming.

NOTE.—Applicant states that the requested authority can be tacked at Oklahoma with authority in MC 97830 (Sub-No. 2) to provide service between the counties in Utah named above and points in Kansas and those in Texas in and on a line bounded on the south by U.S. Highway 84 extending from the New Mexico-Texas State Boundary line to Lubbock, Tex., thence along U.S. Highway 82 to Wichita Falls, Tex., and on the east by U.S. Highway 277, extending from Wichita Falls, Tex. to the Texas-Oklahoma State Boundary line. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City or Vernal, Utah.

No. MC 98088 (Sub-No. 21), filed October 15, 1973. Applicant: LINDLEY TRUCKING SERVICE, INC., 1701 Grand Avenue, Granite City, Ill. 62040. Applicant's representative: Richard Chasteen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, and materials and supplies* used in the installations and distribution thereof, from Fort Dodge, Iowa, to points in Illinois, Indiana, and Missouri.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 99208 (Sub-No. 12), filed October 15, 1973. Applicant: SKYLINE TRANSPORTATION, INC., 131 Quincy Avenue, Knoxville, Tenn. 37917. Applicant's representative: Blaine Buchanan, 1024 James Building, Chattanooga, Tenn. 37402. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transport-

ing: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment because of size or weight), (1) Regular route—Between Knoxville, Tenn., and Birmingham, Ala.: From Knoxville over U.S. Highway 11 and also Interstate Highway 75 to Chattanooga, Tenn., thence over U.S. Highway 11 and also Interstate Highway 59 to Birmingham, and return over the same route, serving no intermediate points; and (2) Irregular route—Between Knoxville, Tenn., on the one hand, and, on the other, points in Hawkins, Sullivan (including Bristol, Va., and its commercial zone), Johnson, Carter, Washington, and Unicoi Counties, Tenn.

NOTE.—Common control was approved in No. MC-F-11779. Applicant states that the requests for authority in parts (1) and (2) above will be tacked together at Knoxville, Tenn. Applicant further states that the combined request for authority herein will be tacked at Knoxville, Tenn., with its existing authorities to serve various points in Tennessee and Kentucky. If a hearing is deemed necessary, applicant requests it be held at Knoxville, Tenn.

No. MC 99685 (Sub-No. 4) (AMENDMENT), filed September 4, 1973, published in the FR issue of November 15, 1973, and republished as amended this issue. Applicant: G. I. TRUCKING COMPANY, a Corporation, 13727 Alondra Boulevard, La Mirada, Calif. 90638. Applicant's representative: Donald Murchison, 9454 Wilshire Boulevard, Suite 400, Beverly Hills, Calif. 90212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, motor vehicles and livestock), between points within an area bounded by a line beginning at the junction of California Highways 118 and 27, and extending over California Highway 118 to Junction California Highway 7, thence over California Highway 7 to Junction Rinaldi Street, thence over Rinaldi and Workman Streets to the boundary of the City of San Fernando, thence along the boundary of the City of San Fernando and its prolongation to the boundary of the Angeles National Forest, thence along the boundary of the Angeles National Forest and the San Bernardino National Forest to U.S. Highway 395, thence over U.S. Highway 395 to Junction U.S. Highway 99, thence over U.S. Highway 99 to Redlands, thence along an imaginary line to Junction U.S. Highway 395 and 60, thence over U.S. Highway 395 to Junction Cajalco Drive, thence over Cajalco Drive to Junction Mockingbird Canyon Road, thence over Mockingbird Canyon Road and Van Buren Street to junction California Highway 18, thence over California Highway 18 and U.S. Highway 91 to Junction California Highway 55, thence over California Highway 55 to the Pacific coastline, thence along the Pacific coastline to a point directly south of junction Alternate U.S. Highway 101 and California Highway 27, thence over California Highway 27 to the point of beginning, on the one hand, and, on the other, (a) all points located on Interstate Highway 5, California Highway 126 and U.S. Highway 101, to and including Paso Robles, Calif., (b) all points located on California Highway 14 between its junction with Interstate Highway 5 and Mojave, Calif., and (c) all off-route points within fifteen (15) miles of the routes and territory described above.

NOTE.—The purposes of this republication are: (1) To indicate the request for authority in (a) through (c) above; (2) to indicate applicant's tacking possibilities; and (3) to correct the conversion notice of the previous publication. The primary purpose of this application is to convert the authority granted by the California Public Utilities Commission in Decision No. 81389, dated May 15, 1973, and as previously published in the Federal Register under date of May 17, 1972, to a Certificate of Public Convenience and Necessity. Applicant states that the requested authority can be tacked with its existing authority in Sub-No. 2 at points in the territory requested herein to provide a service between points south of the Los Angeles Basin area and the points proposed to be served herein. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 99776 (Sub-No. 13), filed July 6, 19673. Applicant: BUCKNER TRUCKING, INC., P.O. Box 23234, Houston, Tex. 77028. Applicant's representative: R. Connor Wiggins, Jr., 909 100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and roofing materials*, from the plantsite of Bird & Son, Inc., at Shreveport, La., to points in Alabama, Arkansas, Florida, Kansas, Kentucky, Mississippi, New Mexico, Oklahoma, Tennessee, and Texas.

NOTE.—Applicant states that the requested authority cannot be tacked with its exising authority. If a hearing is deemed necessary, applicant requests it be held at Shreveport, La.

No. MC 99780 (Sub-No. 32), filed October 9, 1973. Applicant: CHIPPER CARTAGE COMPANY, INC., 1327 NE. Bond St., Peoria, Ill. 61603. Applicant's representative: John R. Zang (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prepared meals, bakery goods, trays, eating utensils, freezers, ovens, and other items* used in the preparation and serving of school lunches (except in bulk), from the plantsite and/or storage facilities of Mass Feeding Corporation at Elk Grove Village, and Chicago, Ill., to points in Missouri, Ohio, Michigan, Indiana, and Illinois, restricted to the transportation of traffic originating at the above-named origins and destined to the above-named destinations.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago or Peoria, Ill.

No. MC 100449 (Sub-No. 36), filed October 15, 1973. Applicant: MALLINGER TRUCK LINE, INC., R.F.D. 4, Fort Dodge, Iowa 50501. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in "Descriptions in Motor Carrier Certificates," 61 M.C.C. 209 and 766, from Amarillo, Tex., to points in Illinois, Iowa, Kansas, Missouri, Minnesota, Nebraska, North Dakota, Oklahoma, South Dakota, and Wisconsin, restricted to traffic originating at the plantsite and facilities utilized by John Morrell and Co., at Amarillo, Tex.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 100666 (Sub-No. 251) (AMENDMENT), filed October 1, 1973, published in the FR issue of November 23, 1973, and republished, as amended, this issue. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life, 3535 NW. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, and materials and supplies* used in the distribution and installation thereof (except in bulk), from the facilities of The Celotex Corp., located in Marion, S.C., to points in Alabama, Illinois, Indiana, Iowa, Kentucky, Louisiana (east of the Mississippi River), Michigan, Minnesota, Mississippi, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin.

NOTE.—The purpose of this republication is to indicate that the facilities of The Celotex Corporation are located *in* Marion County, S.C., instead of *at* Marion County, S.C. Applicant states that the requested authority can be tacked with either its Subs 120 or 127 at Henry County and Covington, Tenn., to serve from Marion, S.C., to points in Arkansas, Missouri, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Colorado, and New Mexico; and with its Sub 120 at Henry County, Tenn., to serve points in Montana and Wyoming. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 100666 (Sub-No. 252), filed October 12, 1973. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 3535 NW. 58th, 280 National Foundation Life Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Transformers*, from Laurel, Miss., to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing

authority. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Shreveport, La.

No. MC 100666 (Sub-No. 254), filed October 19, 1973. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Building, 3535 NW. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refined copper and materials and supplies* used in the manufacture and distribution of refined copper (except in bulk, in tank vehicles), between Amarillo, Tex., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 103051 (Sub-No. 288), filed October 18, 1973. Applicant: FLEET TRANSPORT COMPANY, INC., 934 44th Avenue North, Nashville, Tenn. 37209. Applicant's representative: Russell E. Stone (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Montgomery, Ala. to points in Florida.

NOTE.—Dual operations and common control may be involved. Applicant states that the requested authority can be tacked with its existing authority in Sub-No. 196, on fertilizer solutions, at Montgomery, Ala., to provide a through service from Tyner, Tenn., to points in Florida; and in Sub-Nos. 217 and 230, on chemicals, at Montgomery, Ala., to provide a through service from Lavergne and points in Robertson County, Tenn., to points in Florida. Additional tacking possibilities exist but are not sought. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Atlanta, Ga.

No. MC 103993 (Sub-No. 780), filed October 15, 1973. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, building panels, building parts*, and *materials, accessories, and supplies* used in connection with the installation, erection, and construction of buildings, building panels and building parts, from the plantsite and storage facilities of Butler Manufacturing Company at Birmingham, Ala., to points in the United States (except Alaska, Hawaii, and Alabama), and *damaged, rejected, and returned shipments* of the above described commodities, from the destination territory named above, to the plantsite and storage facilities of Butler Manufacturing Company at Birmingham, Ala.

NOTE.—Common control was approved in MC-F-10057. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 103993 (Sub-No. 781), filed October 15, 1973. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, building panels, building parts, and materials, accessories, and supplies* used in connection with the installation, erection and construction of buildings, building panels and building parts, from the plantsite and storage facilities of Butler Manufacturing Company at Galesburg, Ill., to points in the United States (except Alaska, Hawaii, and Illinois), and *damaged, rejected, or returned shipments* of the above commodities from said destination states, to the plantsite and storage facilities of Butler Manufacturing Company at Galesburg, Ill.

NOTE.—Common control was approved in Docket No. MC-F-10057. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 105457 (Sub-No. 75), filed October 19, 1973. Applicant: THURSTON MOTOR LINES, INC., 600 Johnston Road, Charlotte, N.C. 28201. Applicant's representative: J. V. Luckadoo, P.O. Box 10638, Charlotte, N.C. 28201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods, commodities in bulk, and those requiring the use of special equipment), serving the Holiday Industrial Park located in De Soto County, Miss., as an off-route point in connection with carrier's regular route authority between Greenville, S.C., and Memphis, Tenn., as authorized in MC 105457 (Sub-No. 61):

NOTE.—Common control was approved in MC-F-11018. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Washington, D.C.

No. MC 105733 (Sub-No. 48), filed October 5, 1973. Applicant: H. R. RITTER TRUCKING CO., INC., 928 East Hazelwood Avenue, Rahway, N.J. 07065. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied natural gas*, in bulk, in tank vehicles, (a) from points in Massachusetts, to points in Rhode Island, and (b) from points in Tennessee, Virginia, Pennsylvania, New York, New Jersey, Massachusetts, and Rhode Island, to points in New Jersey.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 105813 (Sub-No. 193), filed October 15, 1973. Applicant: BELFORD TRUCKING CO., INC., 3500 NW. 79th Avenue, Miami, Fla. 33148. Applicant's representative: Arnold L. Burke, 127 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods and foodstuffs*, from points in Florida, to points in Alabama, Arkansas, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—Common control was approved in MC-F-7806. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Miami, Fla.

No. MC 106398 (Sub-No. 686), filed September 17, 1973. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings* in sections mounted on wheeled undercarriages, from points of manufacture in Boulder County, Colo., to points in the United States (except Alaska and Hawaii).

NOTE.—Dual operations and common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 107010 (Sub-No. 50), filed October 15, 1973. Applicant: BULK CARRIERS, INC., P.O. Box 423, Auburn, Nebr. 68305. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid feed and liquid feed supplements*, in bulk, in tank vehicles, from Humboldt, Nebr., to points in Kansas, Oklahoma, Missouri, South Dakota, Iowa, Minnesota, and Colorado; and (2) *ingredients* used in the manufacturing and production of liquid feed and liquid feed supplements, from the destination points named in (1) above, to Humboldt, Nebr.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 107295 (Sub-No. 664) (CLARIFICATION), filed August 16, 1973, published in the FR issue of September 27, 1973, and republished as clarified this issue. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, composition board, insulating materials, roofing and roofing materials, urethane and urethane products, building*

and construction materials, and related materials, supplies and accessories incidental thereto (except commodities in bulk), between points in Arkansas, Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, Tennessee, Wisconsin, and the plantsite and warehouse facilities of the Celotex Corp., located at points in Marion County, S.C., in nonradial movements, restricted to the transportation of shipments originating at or destined to points in the above-named States.

NOTE.—The purpose of this republication is to clarify applicant's request to perform a nonradial service such that shipments may originate at any point in this territory and be destined to any other point in this territory. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Chicago or St. Louis, Ill., or Washington, D.C.

No. MC 107295 (Sub-No. 677), filed October 15, 1973. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, building panels, building parts*, and *materials, accessories, and supplies* used in connection with the installation, erection, and construction of buildings, building panels, and building parts, from the plantsite and storage facilities of Butler Manufacturing Company at Birmingham, Ala., to points in the United States (except Alaska, Hawaii, and Alabama), and *damaged, rejected, and returned shipments* of the above-described commodities, from the destination territory named above, to the plantsite and storage facilities of Butler Manufacturing Company at Birmingham, Ala.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests a consolidated record with other similar applications but does not specify a location.

No. MC 107295 (Sub-No. 678), filed October 16, 1973. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, building panels, building parts*, and *materials, accessories, and supplies* used in connection with the installation, erection, and construction of buildings, building panels, and building parts, from the plantsite and storage facilities of Butler Manufacturing Company at Galesburg, Ill., to points in the United States (except Alaska, Hawaii, and Illinois), and *damaged, rejected and returned shipments* of the above-described commodities, from the destination territory named above, to the plantsite and storage facilities of Butler Manufacturing Company at Galesburg, Ill.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests a consolidated record but does not specify a location.

No. MC 107515 (Sub-No. 879), filed October 15, 1973. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: K. Edward Wolcott, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical distribution equipment, electric heaters, and parts* for electrical distribution equipment and electric heaters, from Edgefield, S.C., and Vidalia, Ga., to points in Texas and California, restricted against the transportation of commodities which because of size or weight require the use of special equipment.

NOTE.—Dual operations and common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 108053 (Sub-No. 123) (CORRECTION), filed September 26, 1973, published in the FR issue of November 15, 1973, and republished as corrected in this issue. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., P.O. Box 129, Fremont, Nebr. 68025. Applicant's representative: Arnold L. Burke, 127 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in "Descriptions in Motor Carrier Certificates," 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from the plantsite of Madison Foods, Inc., Madison, Nebr., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, restricted to the transportation of traffic originating at the above-named plantsite and destined to the above-named states.

NOTE.—The purpose of this republication is to add Wyoming as a destination point, which was inadvertently omitted in the previous publication. Common control may be involved. The applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108207 (Sub-No. 374), filed October 15, 1973. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, P.O. Box 5888, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from the plant site and warehouse facilities of Kraft Foods at or near Springfield, Mo., to points in New Mexico, Arizona, and California, restricted to traffic originating at points in the named origin, and destined to points in the named destination states.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 108449 (Sub-No. 361), filed October 9, 1973. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Mylenbeck (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, from Mankato, Minn., to points in South Dakota.

NOTE.—Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority in Sub-No. 200 on petroleum and petroleum products, at the terminal facilities of the Kaneb Pipe Line Company located at or near Aberdeen, S. Dak., to provide a through service from Mankato, Minn., to points in Minnesota, Montana, North Dakota, and Wyoming. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn., or Chicago, Ill.

No. MC 109689 (Sub-No. 255), filed October 11, 1973. Applicant: W. S. HATCH CO., a Corporation, 643 South 800 West, Woods Cross, Utah 84087. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, liquid, and in bulk, from points in Arizona, to points in California, Nevada, and Utah.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority (1) on acids and chemicals, liquid, in bulk, in Sub-No. 26 (a) at points in Utah to serve points in New Mexico, Montana, Wyoming, Nevada, Colorado, and Idaho; (b) at points in California to serve Glenn, Mont., and points in Wyoming, Utah, and Colorado; and (c) at points in Nevada to serve Glenn, Mont., and points in Colorado, Utah, and Wyoming; and (2) on chemicals, liquid, in bulk in Sub-No. 213 at Great Salt Lake Minerals & Chemicals Corp. plant near Little Mountain, Utah, to serve points in Kansas, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, Oregon, and Washington; and in Sub-No. 154 at points in Arizona to provide a through service from Henderson, Nev., to the destination points named above. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah or Los Angeles, Calif.

No. MC 110525 (Sub-No. 1074), filed October 15, 1973. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19355. Applicant's representative: Thomas J. O'Brien (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum lubricating oil, hydraulic systems fluids other than petroleum, and defoaming compounds*, in bulk, in tank vehicles, from Carrollton, Ga., to points in Alabama, Florida, Louisiana, Mississippi, and Texas; and (2) *cupric chloride*, in bulk, in tank vehicles from Western

Electric Co., Oklahoma City, Okla., to Southern California Chemical Co., Garland, Tex.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 110988 (Sub-No. 302), filed October 11, 1973. Applicant: SCHNEIDER TANK LINES, INC., 200 West Cecil Street, Neenah, Wis. 54956. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chromium sulphate*, in bulk, in tank vehicles, from Milwaukee, Wis., to points in Colorado, Indiana, Iowa, Kentucky, Michigan, Minnesota, Ohio, and Pennsylvania.

NOTE.—Common-control was approved in MC-F-10280. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110563 (Sub-No. 117), filed October 18, 1973. Applicant: COLDWAY FOOD EXPRESS, INC., P.O. Box 747, Ohio Building, Sidney, Ohio 45365. Applicant's representative: Joseph M. Scanlan, 111 W. Washington, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned, frozen and fresh mushrooms*, from the Borough of Oxford and Lower Oxford Township in Chester County, Pa., to points in Ohio, Kentucky, Indiana, Illinois, Wisconsin, Michigan, and Missouri, restricted to traffic originating at the named origin points.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 111729 (Sub-No. 405), filed October 18, 1973. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: Russell S. Bernhard, 1625 K 20-000 6648 1-.-
Street NW., Washington, D.C. 20423. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records, audit, and accounting media of all kinds*, and *advertising material* of all kinds, moving therewith, (a) between Pittsburgh, Pa., on the one hand, and, on the other, Batavia, Buffalo, Hornell, Lakewood, Niagara, Olean, Rochester, and Victor, N.Y.; and Charleston, Huntington, and Williamson, W. Va.; (b) between Toledo, Ohio, on the one hand, and, on the other, Angola, Auburn, Fort Wayne, and Warsaw, Ind.; and Adrian, Albion, Battle Creek, Coldwater, Hillsdale, Jackson, Marshall, Monroe, Morenci, Sturgis, Tecumseh, and Union City, Mich.; (c) between Paramus, N.J. and York, Pa.; (d) between Red Lion, Pa., on the one hand, and, on the other, Jersey City, South Hackensack, and Rutherford, N.J.; Columbus, Ohio; Springfield and Canton, Mass.; and points in that portion of the New York, N.Y., Commercial Zone as defined in the Commercial Zones and Terminal Areas, 53 M.C.C. 451, within which local operations may be conducted pursuant to the partial exemption provided by Section 203 (b) (8) of the Act (the "exempt" zone); (e) between Nashville, Tenn., on the one hand, and, on the other, Blytheville, Ark.; Chicago, Ill.; Bedford, Bloomington, Evansville, Indianapolis, and New Albany, Ind.; Corinth, Clarksdale, and Oxford, Miss.; Sikeston, Mo.; Cincinnati, Columbus, and Springdale, Ohio; and points in Kentucky; and (f) between Elmhurst, Ill., on the one hand, and, on the other, points in Ohio located on or west of Interstate Highway 75; and (2) *cutting dies and small parts*, between Red Lion, Pa., on the one hand, and, on the other Jersey City, South Hackensack, and Rutherford, N.J.; Columbus, Ohio; Springfield and Canton, Mass.; and points in that portion of the New York, N.Y., Commercial Zone as defined in Commercial Zones and Terminal Areas, 53 M.C.C. 451, within which local operations may be conducted pursuant to that partial exemption provided by Section 203 (b) (8) of the Act (the "exempt" zone), (2) restricted against the transportation of packages or articles weighing in the aggregate more than 100 pounds from the consignor to one consignee on any one day.

NOTE.—Applicant presently has motor contract carrier authority in MC 112750 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. Applicant states that the requested authority can be tacked with its existing authority as follows: for 1a in Sub-Nos. 138, 169, 172, 182, 196, 208, 216, 236, and 266 at Pittsburgh, Pa., to provide service between those points in New York named in 1a above, on the one hand, and, on the other, points in Ohio, West Virginia, and Maryland; in Sub-No. 302 at Pittsburgh, Pa., to provide service between points in West Virginia, on the one hand, and, on the other, New Haven, Conn.; in Sub-Nos. 155 and 188 at Buffalo and Rochester, N.Y., to provide service between Pittsburgh, Pa., on the one hand, and, on the other, Detroit, Mich., and points in Middlesex County, Mass.; and in Sub-No. 292 at Charleston and Huntington, W. Va., to provide service between Pittsburgh, Pa., on the one hand, and, on the other, points in Roanoke County, Va.; for 1b at Toledo, Ohio (1) in Sub-Nos. 146 and 216 to provide service between the destination points named in 1b above, on the one hand, and, on the other, Pittsburgh and Boyers, Pa., and (2) in Sub-Nos. 220, 278, and 339 to provide service between those points in Indiana named in 1b above, on the one hand, and, on the other, Detroit, Flint, Ann Arbor, and Chelsea, Mich.; in Sub-Nos. 185, 331, and 353 at those Indiana points named in 1b above to provide service between Toledo, Ohio, on the one hand, and, on the other, Chicago, Elmhurst and Elk Grove Village, Ill.; for 1c in Sub-Nos. 164, 172, 178, 266, and 302 at York, Pa., to provide service between Paramus, N.J., on the one hand, and, on the other, Baltimore, Md., Alexandria, Va., and points in Ohio; and in Sub-Nos. 168, 247, 328, and 331 at Paramus, N.J., to provide service between York, Pa., on the one hand, and, on the other, points in New York and Middlesex County, Mass.; for 1d in Sub-Nos. 164, 172, 178, 258, 266, and 302 at Red Lion, Pa., to provide service between (1) Columbus, Ohio, on the one hand, and, on the other, Carlstadt and Orange, N.J., and Baltimore, Md., and (2) those points in New York, New Jersey, and Massachusetts named in 1d above, on the one hand, and, on the other, Baltimore, Md., and points in Ohio; in Sub-Nos. 31, 38, 80, 110, 127, 151, 163, 168, 188, 205, 231, 243, 247, 258, 266, 270, 282, 295, 328, 331, and 333 (1) at those points in New York and New Jersey named in 1d above to provide service between Red Lion, Pa., on the one hand, and, on the other, points in Massachusetts, Connecticut, Rhode Island, and New Hampshire; and (2) at Columbus, Ohio, to provide service between Red Lion, Pa., on the one hand, and, on the other, points in Indiana, Kentucky, Michigan, and Illinois; for 1e in Sub-Nos. 37, 69, 79, 88, 109, 114, 115, 122, 146, 169, 172, 185, 186, 218, 219, 228, 234, 258, 266, 270, 272, 278, 292, 295, 300, 302, 309, 331, and 338 (1) at points in Kentucky and Ohio to provide service between Memphis, Tenn., on the one hand, and, on the other, points in Michigan and Pennsylvania; at those points in Indiana named in 1e above to provide service between Memphis, Tenn., on the one hand, and, on the other, points in Ohio and Illinois; at points in Kentucky to provide service between Memphis, Tenn., on the one hand, and, on the other, points in Ohio, Indiana, Missouri, Illinois, and Michigan; at Chicago, Ill., to provide service between Memphis, Tenn., on the one hand, and, on the other, points in Wisconsin and Iowa; and in Sub-Nos. 225, 282, 302, and 318 at Nashville, Tenn., to provide service between those points in Illinois, Indiana, Ohio, and Missouri named in 1e above, on the one hand, and, on the other, points in Alabama and Georgia; and for 1f in Sub-Nos. 252, 327 and 331 (1) at Elmhurst, Ill., to provide service between those points in Ohio named above on the one hand, and, on the other, Minneapolis, Minn., and points in Wisconsin and Iowa; and (2) at those points in Ohio named in 1f above to provide service between Elmhurst, Ill., on the one hand, and, on the other, points in Pennsylvania, Kentucky, New York, and West Virginia. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111812 (Sub-No. 500), filed October 18, 1973. Applicant: MIDWEST COAST TRANSPORT, INC., 900 West Delaware, P.O. Box 1233, Sioux Falls, S. Dak. 57104. Applicant's representative: Ralph H. Jinks (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery, chocolate and chocolate products, fruit syrup, flavoring syrup, cocoa and cocoa butter*, from points in Derry Township, Pa., to points in Illinois, Kansas, Missouri, and Wisconsin, restricted to traffic originating at the named origin and destined to the named destination points.

NOTE.—Common control was approved in MC-F-11285. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112223 (Sub-No. 92), filed October 15, 1973. Applicant: QUICKIE TRANSPORT COMPANY, a Corporation, 501 11th Avenue South, Minneapolis, Minn. 55415. Applicant's representative: Earl Hacking, 503 11th Avenue South, Minneapolis, Minn. 55415. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Landscape rock*, in bags and in bulk, from the upper Peninsula of Michigan, to points in Iowa, Illinois,

Minnesota, Wisconsin, North Dakota, and South Dakota.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 112304 (Sub-No. 72), filed October 17, 1973. Applicant: ACE DORAN HAULING & RIGGING CO., 1601 Blue Rock Street, Cincinnati, Ohio 45223. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, building panels, building parts, and materials, accessories and supplies* used in connection with the installation, erection, and construction of buildings, building panels, and building parts, from the plantsite and storage facilities of Butler Manufacturing Company at Galesburg, Ill., to points in the United States (except Alaska, Hawaii, and Illinois), *and damaged, rejected, or returned shipments* of the above commodities from said destination states, to the plantsite and storage facilities of Butler Manufacturing Company at Galesburg, Ill.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 112304 (Sub-No. 73), filed October 17, 1973. Applicant: ACE DORAN HAULING & RIGGING CO., a Corporation, 1601 Blue Rock Street, Cincinnati, Ohio 45223. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buildings, building panels, building parts, and materials, accessories, and supplies* used in connection with the installation, erection, and construction of buildngs, building panels, and building parts, from the plantsite and storage facilities of Butler Manufacturing Company at Birmingham, Ala., to points in the United States (except Alaska, Hawaii, and Alabama) and (2) *damaged, rejected, or returned shipments* of the above commodities from the above-named destination states, to the plantsite and storage facilities of Butler Manufacturing Company at Birmingham, Ala.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 112822 (Sub-No. 298), filed October 15, 1973. Applicant: BRAY LINES INCORPORATED, 1401 N. Little St., P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Robert A. Stone (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from the plantsite and warehouse facilities of Kraft Foods at or near Springfield, Mo., to points in California, Colorado, Idaho, New Mexico, Oregon, and Washington.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Oklahoma City, Okla.

No. MC 112822 (Sub-No. 299), filed October 15, 1973. Applicant: BRAY LINES INCORPORATED, 1401 N. Little Street, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Robert A. Stone (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pizza ingredients*, from Wichita and Hutchinson, Kans., and Peoria, Ill., to points in Georgia, Illinois, Florida, Kansas, and Texas.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans., or Oklahoma City, Okla.

No. MC 112822 (Sub-No. 300), filed October 19, 1973. Applicant: BRAY LINES INCORPORATED, 1401 N. Little Street, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Robert A. Stone (same address as applicant's). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Champaign, Ill., to points in California, Montana, South Dakota, and North Dakota, restricted to traffic originating at the plantsite and storage facilities of Kraft Foods located at or near Champaign, Ill.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Oklahoma City, Okla.

No. MC 113025 (Sub-No. 7), filed October 5, 1973. Applicant: RALPH C. ISLAND, doing business as ISLAND FREIGHT, Box 147, Deadwood, S. Dak. 57732. Applicant's representative: A. Milton Evans, Box 1286, Rapid City, S. Dak. 57701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Flour, feed, and feed ingredients*, dry, in bulk or in bags, from the plantsite of Hubbard Milling Company located at or near Mankato, Minn., to the plantsite of its branch plant also known as Hubbard Milling Company located at Rapid City, S. Dak., under a continuing contract or contracts with Hubbard Milling Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Rapid City, S. Dak., or Mankato, Minn.

No. MC 113651 (Sub-No. 164), filed October 17, 1973. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. 47303. Applicant's representative: Henry A. Dillon (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in "Descriptions in Motor Carrier Certificates," 61 M.C.C. 209 and 766, from Amarillo, Tex., to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, restricted to shipments originating at the plantsite and facilities utilized by John Morrell and Company located at Amarillo, Tex.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessray, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 113678 (Sub-No. 519), filed October 15, 1973. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery, and related items, and premiums and advertising material* when moving with the above-named commodities, from Freehold, N.J., to points in Ohio, Michigan, Indiana, Illinois, Wisconsin, Minnesota, Missouri, Kansas, Nebraska, Colorado, New Mexico, Arizona, Nevada, Kentucky, Oklahoma, Utah, California, Oregon, Washington, and Iowa.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.; Denver, Colo.; or Newark, N.J.

No. MC 113678 (Sub-No. 520), filed October 15, 1973. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cookies, crackers, bakery products*, and *snack foods*, from the plantsites of Midwest Biscuit Company at or near Burlington, Iowa, to points in Nebraska, Kansas, Colorado, Utah, Nevada, California, New Mexico, Arizona, Oregon, and Washington.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., Chicago, Ill., or Denver, Colo.

No. MC 113678 (Sub-No. 521), filed October 15, 1973. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* from

Kansas City, Mo., to points in Illinois, Indiana, Michigan, Ohio, Pennsylvania, New York, Vermont, New Hampshire, Maine, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, Maryland, Virginia, West Virginia, Kentucky, and the District of Columbia, restricted to traffic originating at and destined to those locations named.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.; Denver, Colo.; or Omaha, Nebr.

No. MC 113678 (Sub-No. 522), filed October 15, 1973. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from the plantsite and warehouse facilities of Kraft Foods at or near Springfield, Mo., to points in Colorado, Arizona, California, Idaho, Oregon, Washington, and New Mexico, restricted to the transportation of traffic originating at the origin and destined to the destination States named above.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., Chicago, Ill., or Denver, Colo.

No. MC 114211 (Sub-No. 209) filed October 17, 1973. Applicant: WARREN TRANSPORT, INC., 324 Manhard Street, P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Material handling equipment* and (2) *parts, attachments, and accessories*, from New London, Wis., to points in the United States (except Alaska and Hawaii) and (3) *equipment, materials and supplies*, used in the manufacture and distribution of the above-named commodities (except commodities in bulk), from points in the United States (except Alaska and Hawaii) to New London, Wis.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority at points in the United States to serve points in the United States. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis., or Chicago, Ill.

No. MC 114211 (Sub-No. 212), filed November 23, 1973. Applicant: WARREN TRANSPORT, INC., 324 Manhard Street, P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Charles W. Singer, 2440 East Commercial Boulevard, Fort Lauderdale, Fla. 33308. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by manufacturers and distributors of wallboard and shelving, from Deer Park, N.Y. and Lodi, N.J., to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. HEARING: January 9, 1974, at 9:30 A.M. United States Standard Time, at the Offices of the Interstate Commerce Commission, Washington, D.C.

No. MC 114457 (Sub-No. 170), filed October 12, 1973. Applicant: DART TRANSIT COMPANY, a Corporation, 780 N. Prior Avenue, St. Paul, Minn. 55104. Applicant's representative: Michael P. Zell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from Buffalo, N.Y., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., or St. Paul, Minn.

No. MC 114896 (Sub-No. 11), filed October 18, 1973. Applicant: PUROLATOR SECURITY, INC., 1341 West Mockingbird Lane, Dallas, Tex. 75202. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Silver bullion*, from West Point and New York, N.Y., to points in the Chicago, Ill., Commercial Zone under a continuing contract or contracts with General Services Administration.

NOTE.—Common control was approved in MC-F-11658 and MC-F-11680. Dual operations may also be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 115331 (Sub-No. 352), filed October 15, 1973. Applicant: TRUCK TRANSPORT, INCORPORATED, 29 Clayton Hills Lane, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill. 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum products*, in packages; from St. Louis, Mo., to points in Tennessee, Kentucky, Alabama, and Mississippi; (2) *malt beverages*, from Milwaukee, Wis., to Rolla, Mo.; and (3) *perlite and vermiculite*, in bags, and *polystyrene boards*, in boxes and bags, from St. Louis, Mo., to points in Illinois.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 115955 (Sub-No. 27), filed October 15, 1973. Applicant: SCARI's DELIVERY SERVICE, INC., P.O. Box 2627, Wilmington, Del. 19805. Applicant's representative: Francis P. Desmond, 115 East 5th Street, Chester, Pa. 19013. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in shipments having a prior or subsequent movement via railroad trailer-on-flat-car service, between Alexandria, Va., on the one hand, and, on the other, points in Cecil, Harford, and Baltimore Counties, Md., and points in Delaware.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Wilmington, Del., or Philadelphia, Pa.

No. MC 116273 (Sub-No. 164), filed October 18, 1973. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foundry facings, liquid mold release products, quenching compounds, and hydraulic fluids* from Howell, Mich., to points in Illinois, Indiana, and Ohio; and (2) *cutting oil, rust preventive compounds, soluble oils, metal working petroleum oils, and water based metal working lubricant*, in bulk, in tank vehicles, from Howell, Mich., to points in Illinois, Indiana, Kentucky, Missouri, Ohio, and Wisconsin.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority in Sub-No. 25 at Peru, Ill., to serve points in Iowa, Michigan, and Minnesota; in Sub-No. 48 at East Dubuque, Ill., to serve points in Iowa, Kansas, Michigan, Nebraska, South Dakota, and Minnesota; in Sub-No. 61 at Niota, Ill., to serve points in Iowa, Kansas, Michigan, Minnesota, Nebraska, and South Dakota; in Sub-No. 104 at Frankfort, Ill., to serve points in Georgia, Michigan, Minnesota, and Tennessee (except Kingsport); and in Sub-No. 136 at La Salle, Ill., to serve points in Alabama, Arkansas, Colorado, Georgia, Iowa, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Nebraska, North Dakota, Oklahoma, Pennsylvania, South Dakota, Texas, West Virginia, Wyoming, and those in Tennessee west of U.S. Highway 27. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116544 (Sub-No. 145), filed October 15, 1973. Applicant: WILSON BROTHERS TRUCK LINES, INC., 700 East Fairview Avenue, P.O. Box 636, Carthage, Mo. 64836. Applicant's representative: Robert Wilson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in "Descriptions in Motor Carrier Certificates," 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Amarillo, Tex., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina,

South Carolina, and Tennessee, restricted to the shipments originating at the plantsite and facilities utilized by John Morrell and Co.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Amarillo, Tex.

No. MC 116698 (Sub-No. 10) (AMENDMENT), filed July 6, 1973, published in the FEDERAL REGISTER issue of October 26, 1973, and republished as amended this issue. Applicant: BILL G. CARR AND PHYLLIS R. CARR, a Partnership, doing business as ARROWHEAD TRANSPORTATION, 103 Moore Lane, Billings, Mont. 59102. Applicant's representative: Jerome Anderson, 100 Transwestern Building, Billings, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring the use of special equipment), between Billings and Laurel, Mont.: From Billings over Interstate Highway 90 and/or U.S. Highway 10 to Laurel, and return over the same route, for the purposes of joinder only, serving no intermediate or off-route points.

NOTE.—The purpose of this republication is to indicate that applicant seeks two-way movements between Billings and Laurel, Mont. If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 116725 (Sub-No. 20), filed October 17, 1973. Applicant: INDIAN VALLEY ENTERPRISES, INC., 855 Maple Avenue, Harleysville, Pa. 19438. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Butter and foodstuffs* (except frozen foodstuffs and foodstuffs in bulk), between Harleysville, Pa., and points in Franconia Township, (Montgomery County), Pa., south of Cowpath Road, on the one hand, and, on the other, points in Washington, Oregon, and California, restricted to the transportation of shipments originating at and destined to points in the above-named territory.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 117119 (Sub-No. 488), filed October 19, 1973. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: Bobby G. Shaw (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery products, and premiums* when moving in the same vehicle, in vehicles equipped with mechanical refrigeration, from Freehold, N.J., to points in Tennessee, Arkansas, Oregon, Washington, California, Nevada, Idaho, Montana, Utah, Minnesota, Iowa, Missouri, Colorado, Wyoming, Arizona, New Mexico, and Kansas.

NOTE.—Common control was approved in MC-F-11113 and MC-F-11462. Dual operations may also be involved. Applicant states that the requested authority can be tacked with its existing authority in Sub-No. 39 at points in Tennessee to serve Oklahoma City, Okla., and points in Texas and Nebraska. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 117119 (Sub-No. 489), filed October 18, 1973. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: Bobby G. Shaw (same address as applicant's). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery products*, and *advertising premiums*, in vehicles equipped with mechanical refrigeration, from Covington, Tenn., to points in California, Oregon, Washington, New Mexico, Utah, Arizona, Idaho, Nevada, Colorado, Minnesota, Wisconsin, Michigan, and New Jersey.

NOTE.—Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Memphis, Tenn.

No. MC 117322 (Sub-No. 10), filed October 15, 1973. Applicant: LESTER NOVOTNY, doing business as CHATFIELD TRUCKING, Chatfield, Minn. 55923. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the facilities of Kitchens of Sara Lee at Deerfield, Ill., to points in Wisconsin and Minnesota, restricted to the traffic originating at the named origin and destined to the named destinations.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Minneapolis, Minn.

No. MC 117686 (Sub-No. 144), filed October 18, 1973. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, P.O. Box 417, Sioux City, Iowa 51102. Applicant's representative: George L. Hirschbach, 309 Badgerow Bldg., Sioux City, Iowa 51101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Amarillo, Tex., to points in Alabama, Arkansas, Florida, Georgia, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, and South Dakota, restricted to shipments originating at plantsite and facilities utilized by John Morrell & Co.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 117940 (Sub-No. 100), filed October 18, 1973. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Donald L. Stern, Suite 530 Univac Building, 7100 W. Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Amarillo, Tex., to points in Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia, restricted to shipments originating at the plantsite and facilities utilized by John Morrell & Co. located at or near Amarillo, Tex.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 118202 (Sub-No. 25), filed October 17, 1973. Applicant: SCHULTZ TRANSIT, INC., 323 Bridge St., P.O. Box 406, Winona, Minn. 55987. Applicant's representative: Eugene A. Schultz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen potatoes and potato products* (except bulk commodities shipped in tank vehicles), from Clark, S. Dak., to points in Alabama, Arkansas, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New York, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, and the District of Columbia, restricted to the plantsite and storage facilities utilized by Midwest Food Corporation, at Clark, S. Dak.

NOTE.—Applicant holds contract carrier authority in MC 134631 (Sub-No. 4) and subs thereunder, therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Washington, D.C.

No. MC 118288 (Sub-No. 44), filed October 9, 1973. Applicant: STEPHEN F. FROST, 14750 Boyle Ave., Fontana, Calif. 92335. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except in bulk in tank vehicles), from Toledo, Ohio, to points in

the United States (except Alaska and Hawaii), on and west of U.S. Highway 85.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Toledo, Ohio.

No. MC 118610 (Sub-No. 17), filed October 23, 1973. Applicant: L & B EXPRESS, INC., P.O. Box 137, Madisonville, Ky. 42431. Applicant's representative: Fred F. Bradley, P.O. Box 773, Court House, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum and aluminum products, and equipment, materials, and supplies* used in the manufacture and processing of aluminum and aluminum products (except commodities in bulk), between the facilities of Martin Marietta Aluminum, Inc., located at or near Lewisport, Ky., on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Michigan, and Ohio.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Frankfort, or Louisville, Ky., Memphis, Tenn., or Cincinnati, Ohio.

No. MC 119522 (Sub-No. 26), filed October 23, 1973. Applicant: McLAIN TRUCKING, INC., 2425 Walton Street, Anderson, Ind. 46011. Applicant's representative: Donald W. Smith, Indiana National Bank Tower, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers and closures therefor*, (1) from Lapel, Ind., to Milwaukee, Wis., and points in Kentucky, and (2) return shipments of glass containers from Milwaukee, Wis., and points in Kentucky, to Lapel, Ind.

NOTE.—Applicant holds contract carrier authority in MC 348865 Sub No. 39, therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 119632 (Sub-No. 59), filed October 15, 1973. Applicant: REED LINES, INC., 634 Ralston Avenue, Defiance, Ohio 43512. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except frozen foods and commodities in bulk), from Decatur, Ind., to points in Delaware, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., Washington, D.C., or Chicago, Ill.

No. MC 119669 (Sub-No. 41), filed October 17, 1973. Applicant: TEMPCO TRANSPORTATION, INC., 546 South 31A, P.O. Box 886, Columbus, Ind. 47201. Applicant's representative: Donald McCameron (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in "Descriptions in Motor Carrier Certificates," 61 M.C.C. 209 and 766, from the plantsite and facilities of John Morrell & Company, Amarillo, Tex., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, restricted to traffic originating at the plantsite and facilities utilized by John Morrell & Company.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119726 (Sub-No. 36), filed September 21, 1973. Applicant: N. A. B. TRUCKING CO., INC., 2502 West Howard Street, Indianapolis, Ind. 46221. Applicant's representative: James L. Beattey, 130 E. Washington Street, Suite 1000, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool, mineral wool products, insulating material and insulated air duct*, from the plant site of Certain-teed Products Corp., Kansas City, Kans., to points in Pike, Scott, Morgan, Sangamon, Macon, Piatt, Champaign, and Vermillion Counties, Ill., and all counties in Illinois south thereof.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Kans., or Indianapolis, Ind.

No. MC 120859 (Sub-No. 3), filed October 19, 1973. Applicant: SHANE TRUCK LINE, INC., 707 Jefferson Avenue, Clovis, Calif. 93612. Applicant's representative: William H. Kessler, 638 Divisadero Street, Fresno, Calif. 93712. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Plaster*, from Arden, Nev., to the facilities of Duncan Ceramic Products, Inc., located at or near Fresno, Calif.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Fresno or San Francisco, Calif.

No. MC 121060 (Sub-No. 28), filed October 16, 1973. Applicant: ARROW TRUCK LINES, INC., P.O. Box 5568, Birmingham, Ala. 35207. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth Street, N.W., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* having a prior or subsequent movement by water, in cargo containers and *empty cargo containers*, between Mobile, Ala., on the one hand, and, on the other, points in Alabama, Florida, Georgia, Mississippi, Louisiana, Arkansas, South Carolina, Tennessee, and Kentucky, restricted against the transportation of shipments in vehicles equipped with mechanical refrigeration.

NOTE.—Applicant states that the requested authority can be tacked with authority pending at points in the destination States named above to serve points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas. If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala.

No. MC 121107 (Sub-No. 8), filed October 16, 1973. Applicant: PITT COUNTY TRANSPORTATION COMPANY, INC., P.O. Box 207, Farmville, N.C. 27828. Applicant's representative: Harry J. Jordan, 1000 16th Street, N.W., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bags and bulk, from Richmond, Va., to points in North Carolina.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123048 (Sub-No. 282), filed October 15, 1973. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 53401. Applicant's representative: Paul C. Gartzke, 121 W. Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, implements and parts* (other than hand), from La-Porte, Ind., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Louisiana, Mississippi, Montana, Nevada, New Mexico, North Carolina, Oklahoma, Oregon, South Carolina, Texas, Utah, Washington, Wyoming, District of Columbia, and Virginia (except points in that part of Virginia north of U.S. Highway 460 and west of U.S. Highway 301).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 123048 (Sub-No. 284), filed October 15, 1973. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 53401. Applicant's representative: Paul C. Gartzke, 121 W. Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: (1) *Agricultural implements and dozer blades*, (2) *attachments* for (1) above, and (3) *parts* for (1) and (2) above, from Yazoo City, Miss., to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 123061 (Sub-No. 70), filed October 5, 1973. Applicant: LEATHAM BROS. INC., 46 Orange Street, Salt Lake City, Utah 84104. Applicant's representative: Harry D. Pugsley, 400 El Paso Natural Gas Bldg., Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, from points in Utah, to points in Oregon, Washington, and Montana.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho, or Salt Lake City, Utah.

No. MC 123310 (Sub-No. 12), filed September 26, 1973. Applicant: HUNT TRUCKING INC., P.O. Box 2670, Idaho Falls, Idaho 83401. Applicant's representative: F. L. Sigloh, P.O. Box 7651, Boise, Idaho 83707. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber and lumber mill products, including plywood and built-up woods*, and (2) *composition board*, from points in Montana west of U.S. Highway 91, and points in Boundary, Bonner, Kootenai, Shoshone, Benewah, Custer, Lemhi, Butte, Fremont, and Madison Counties, Idaho, to points in Colorado.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Boise, Idaho, Spokane, Wash., or Denver, Colo.

No. MC 123391 (Sub-No. 7), filed October 18, 1973. Applicant: MACHISE INTERSTATE TRANSPORTATION CO., a Corporation, 500 North Egg Harbor Road, Hammonton, N.J. 08037. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except chemicals), in bulk, from Swann Terminal in Philadelphia, Pa., to points in Delaware.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 124144 (Sub-No. 8), filed October 11, 1973. Applicant: ROBERT N. TOOMEY, doing business as ROBERT N. TOOMEY TRUCKING COMPANY, 1516 South George Street, York, Pa. 17403. Applicant's representative: Charles E. Creager, P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs, food treating compounds, chemicals, and additives*, in vehicles equipped with mechanical refrigeration; and (2) *commodities*, the transportation of which is exempt or partially exempt from regulation under the provisions of Section 203(b)(6) of the Interstate Commerce Act, in mixed loads with the commodities described in (1) above, from Baltimore, Md., to points in Texas and Louisiana, under contract with McCormick & Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124236 (Sub-No. 60), filed October 15, 1973. Applicant: CHEMICAL EXPRESS CARRIERS, INC., 1200 Simons Building, Dallas, Tex. 75201. Applicant's representative: Leroy Hallman, 4555 First National Bank Bldg., Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry silicate of soda*, in bulk, from Dallas, Tex., to Wrens, Ga.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 124236 (Sub-No. 61), filed October 15, 1973. Applicant: CHEMICAL EXPRESS CARRIERS, INC., 1200 Simons Bldg., Dallas, Tex. 75201. Applicant's representative: Leroy Hallman, 4555 First National Bank Bldg., Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry silica moulding sand and dry resin coated moulding sand*, from Mill Creek, Okla., to Amarillo, Tex.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 124774 (Sub-No. 88), filed October 12, 1973. Applicant: MIDWEST REFRIGERATED EXPRESS, INC., 4440 Buckingham Avenue, Omaha, Nebr. 68117. Applicant's representative: Clifford J. Foltz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from the plantsite of Madison Foods, Inc., Madison, Nebr., to points in Connecticut, Delaware, District of Columbia, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia, restricted to the transportation of traffic originating at the above named plantsite and destined to the above named states.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 124821 (Sub-No. 12), filed October 15, 1973. Applicant: WILLIAM GILCHRIST, 509 Susquehanna Avenue, Old Forge, Pa. 18518. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Books, and booklets, or pamphlets*, from Forge Village, Clinton, and Plympton, Mass.; Brattleboro, Vt.; Saddlebrook, N.J.; Binghamton, N.Y., points in the New York, N.Y. Commercial Zone as defined by the Commission; and Scranton and Dallas, Pa., to Troy, Mo.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 124896 (Sub-No. 4), filed August 13, 1973. Applicant: WILLIAMSON TRUCK LINES, INC., P.O. Box 3485, Corner Thorne & Ralston Streets, Wilson, N.C. 27893. Applicant's representative: Vaughan S. Winborne, 1108 Capital Club Building, Raleigh, N.C. 27601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Peanuts*, processed, including roasted, blanched, and boiled, from Edenton, Pendleton, Robersonville, and Dublin, N.C., and Franklin and Suffolk, Va., to points in the United States (except Alaska and Hawaii); and (2) *roasted peanuts*, (a) From Franklin, Va., to points in Alabama (except points in Russell County, Ala.), Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Idaho, Kansas (except points in Kansas within the Kansas City, Mo.-Kansas City, Kans., Commercial Zone, as defined by the Commission), Kentucky (except Louisville, Ky., and points in Kentucky within the Louisville Commercial Zone, as defined by the Commission), Louisiana, Maine, Maryland (except Baltimore, Md., and points within the Baltimore Commercial Zone, as defined by the Commission), Massachusetts, Minnesota, Mississippi, Missouri (except St. Louis, St. Joseph, and Kansas City, Mo., and points in Missouri within the Commercial Zones thereof, as defined by the Commission), Montana, Nevada, New Hampshire, New Mexico, New York (except New York, N.Y., and points in New York within the New York, N.Y., Commercial Zone, as defined by the Commission), North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Texas (except Dallas, Tex., and points within the Dallas, Tex., Commercial Zone, as defined by the Commission), Utah, Vermont, Washington, West Virginia, Wisconsin (except Milwaukee

and Racine, Wis., and points within the Commercial Zones thereof, as defined by the Commission), and Wyoming; and (b) From Edenton, N.C., to points in Alabama (except points in Russell County, Ala.), Connecticut, Delaware, Florida, Kentucky (except Louisville, Ky., and points in Kentucky within the Louisville, Ky., Commercial Zone, as defined by the Commission), Maine, Maryland (except Baltimore, Md., and points within the Baltimore, Md, Commercial Zone, as defined by the Commission), Massachusetts, Mississippi, New Hampshire, New York (except New York, N.Y., and points in New York within the New York, N.Y., Commercial Zone, as defined by the Commission), Rhode Island, Vermont, West Virginia, and Wisconsin (except Milwaukee and Racine, Wis., and points within the Commercial Zone thereof, as defined by the Commission).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C., or Norfolk or Richmond, Va.

No. MC 124896 (Sub-No. 5), filed August 13, 1973. Applicant: WILLIAMSON TRUCK LINES, INC., P.O. Box 3485, Corner Thorne & Ralston Streets, Wilson, N.C. 27893. Applicant's representative: Vaughan S. Winborne, 1103 Capital Club Building, Raleigh, N.C. 27601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and food products*, between points in Brunswick, Duplin, Columbus, New Hanover, Pender, and Onslow Counties, N.C., on the one hand, and, on the other, and points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Raleigh, N.C., or Norfolk or Richmond, Va.

No. MC 125254 (Sub-No. 20), filed October 15, 1973. Applicant: DONALD L. MORGAN, doing business as MORGAN TRUCKING CO., P.O. Box 714, 1201 E. Fifth Street, Muscatine, Iowa 52761. Applicant's representative: Larry D. Knox, 9th Floor, Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Milwaukee, Wis., and St. Paul, Minn., to Muscatine, Iowa.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 125996 (Sub-No. 41), filed October 3, 1973. Applicant: ROAD RUNNER TRUCKING, INC., P.O. Box 37491, Omaha, Nebr. 68137. Applicant's representative: Arnold L. Burke, 127 North Dearborn Street, Suite 1133, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from the plant site of Madison Foods, Inc., Madison, Nebr., to points in Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Idaho, Maine, Maryland, Massachusetts, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Washington, West Virginia, Virginia, Washington, West Virginia, and Wyoming, restricted to the transportation of traffic originating at the above named plant site and destined to the above named states.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Chicago, Ill.

No. MC 125996 (Sub-No. 42), filed October 17, 1973. Applicant: ROAD RUNNER TRUCKING, INC., P.O. Box 37491, Omaha, Nebr. 68137. Applicant's representative: Donald L. Stern, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in "Descriptions in Motor Carrier Certificates," 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite of Swift Fresh Meats Co., Grand Island, Nebr., to points in Tennessee, North Carolina, South Carolina, Georgia, and Florida.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or Omaha, Nebr.

No. MC 126276 (Sub-No. 87), filed October 23, 1973. Applicant: FAST MOTOR SERVICE, INC., 9100 Plainfield Road, Brookfield, Ill. 60513. Applicant's representative: Albert A. Andrin, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers and container ends*, from Obetz, Ohio, to points in the United States (except Alaska and Hawaii), under contract with National Can Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126844 (Sub-No. 22), filed October 18, 1973. Applicant: R. D. S. TRUCKING CO., INC., 1713 North Main Road, Vineland, N.J. 08360. Applicant's representative: Jacob P. Billig, 1126 16th Street NW., Suite 300, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in "Descriptions in Motor Carrier Certificates," 61 M.C.C. 209 and 766, from Amarillo, Tex., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, and West Virginia, restricted to shipments originating at the plantsite and facilities utilized by John Morrell & Co.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127527 (Sub-No. 16), filed October 15, 1973. Applicant: CARL W. REAGAN, doing business as SOUTHEAST TRUCKING CO., 8418 C. H. East R. D. #6, Ravenna, Ohio 44266. Applicant's representative: Robert N. Krier, 88 E. Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from Buffalo and Lackawanna, N.Y.; Sparrows Point, Md.; Johnstown, Bethlehem, and Sharon, Pa., points in Allegheny County, Pa.; Chicago and Sterling, Ill.; Gary, Burns Harbor and Kokomo, Ind.; Weirton, W. Va.; Detroit, Mich.; and Roanoke, Va., to Akron, Ohio, and (2) *iron and steel articles, and fabricated, processed, and structural steel*, from Akron, Ohio, to points in New York, Pennsylvania, Indiana, Illinois, West Virginia, and Michigan, under continuing contract with Summit Steel Corporation, located at Akron, Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Cleveland, or Columbus, Ohio, or Washington, D.C.

No. MC 128219 (Sub-No. 1), filed September 13, 1973. Applicant: SALVATORE T. ZIZZO, doing business as FRANKLIN TRUCK LINES, 20755 Main Street, Lannon, Wis. 53046. Applicant's representative: Salvatore T. Zizzo, W156 N8116 Pilgrim Road, Menomonee Falls, Wis. 53051. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bituminous fibre pipe and conduit, plastic pipe and products, fibre vault, and accessories* used in connection with said products, from West Bend, Wis., to points in Illinois, Indiana, Kentucky, Ohio, Michigan, Missouri, Iowa, and Minnesota; and (2) *raw materials, products, and parts* used in the manufacture of the commodities named in (1) above, from the destination territory described in (1) above, to West Bend, Wis., under a continuing contract or contracts with McGraw-Edison Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis., or Chicago, Ill.

No. MC 128273 (Sub-No. 146), filed October 1, 1973. Applicant: MIDWESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carnivorous animal food* (except commodities in bulk) from the plantsite

and storage facilities of Kal Kan Foods, Inc., located at or near Columbus, Ohio, to points in Utah, California, and those in Colorado west of U.S. Highway 85.

NOTE.—Applicant states that the requested authority can be tacked at Vernon, Calif., to serve points in Wyoming. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 128375 (Sub-No. 103), filed October 15, 1973. Applicant: CRETE CARRIER CORPORATION, P.O. Box 81228, Lincoln, Nebr. 68501. Applicant's representative: Ken Adams (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Materials and supplies* used in the production and distribution of animal food, and *animal food* (except in bulk and meat or meat byproducts), between Dublin, Camp Hill, and Allentown, Pa., on the one hand, and, on the other, points in Wisconsin, Illinois, Minnesota, Indiana, Michigan, Ohio, Kentucky, Tennessee, Arkansas, West Virginia, and Virginia; and (2) *materials and supplies* used in the production of animal food, and *animal food* (except in bulk), between Nebraska on the one hand, and, on the other, points in West Virginia, Connecticut, District of Columbia, Rhode Island, Massachusetts, New Hampshire, Vermont, New Jersey, and Maine; and (3) *materials and supplies* used in the production and distribution of animal food (except in bulk), from Billings, Mont., to Crete, Nebr., and Mattoon, Ill., under continuing contract with Liggett and Myers Incorporated.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa. or Lincoln, Nebr.

No. MC 128698 (Sub-No. 7), filed October 16, 1973. Applicant: ERDNER BROS,. INC., Fow & Leahy Avenue, Swedesboro, N.J. 08085. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, (1) from Woodstown and Swedesboro, N.J., to Salem, Harrison, Woodstown, and Swedesboro, N.J., and Chambersburg, Mechanicsburg, Pittsburgh, and Leetsdale, Pa., and (2) from Solon, Ohio, to points in Virginia.

NOTE.—Applicant states that the requested authority can be tacked at Swedesboro, N.J., to provide a through service from Philadelphia, Pa., to the destination points described in (1) above. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 129034 (Sub-No. 5), filed October 12, 1973. Applicant: LOOMIS COURIER SERVICE, INC., 55 Battery Street, Seattle, Wash. 98121. Applicant's representative: George H. Hart, 1100 IBM Bldg., Seattle, Wash. 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cash letters*, (1) between Portland, Oreg., on the one hand, and, on the other, points in Yakima, Franklin, Walla Walla, Asotin, Whitman, and Spokane Counties, Wash.; (2) between points in Walla Walla County, Wash., and points in Umatilla, Union, Wallowa, Malheur, Baker, Gilliam, and Morrow Counties, Oreg.; and (3) between points in Spokane, Whitman, and Asotin Counties, Wash., and Nez Perce, Latah, Benewah, Kootenai, Bonner, Boundary, Shoshone, Clearwater, Lewis, and Idaho Counties, Idaho, under contract with the Federal Reserve Bank of California, Portland Branch; restricted to a transportation service to be performed under a continuing contract or contracts with banks and banking institutions.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 129193 (Sub-No. 3), filed October 18, 1973. Applicant: HARRISON TRANSPORT, INC., 3520 Adamo Drive, P.O. Box 5895, Tampa, Fla. 33605. Applicant's representative: Richard B. Austin, 214 Palm Coast II Building, 5255 N.W. 87th Avenue, Miami, Fla. 33166. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers*, loaded and empty, between points in Duval, Orange, and Hillsborough Counties, Fla., restricted to traffic having a prior or subsequent handling by freight forwarders; and (2) *general commodities* (except those of unusual value, Classes A and B explosives, livestock, and household goods as described by the Commission), *commodities in bulk and those requiring special equipment*, between points in Pasco, Pinellas, Polk, Hillsborough, Manatee, Sarasota, Charlotte, Lee, and Collier Counties, Fla., restricted to traffic having a prior or subsequent handling by freight forwarders.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 129282 (Sub-No. 19), filed October 23, 1973. Applicant: BERRY TRANSPORTATION, INC., P.O. Box 2147, Longview, Tex. 75601. Applicant's representative: Fred S. Berry (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and materials, supplies, and equipment* used in the manufacture and distribution thereof, from (1) Galveston, Tex., to points in Arkansas and Mississippi; and (2) from New Orleans, La., to points in Mississippi and Arkansas (except Blytheville, and Paragould, Ark.).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or New Orleans, La.

No. MC 129645 (Sub-No. 48), filed October 1, 1973. Applicant: BASIL J. SMEESTER AND JOSEPH G. SMEESTER, a partnership, doing business as SMEESTER BROTHERS TRUCKING, 1330 South Jackson Street, Iron Mountain, Mich. 49801. Applicant's representative: John M. Nader, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, and materials and supplies* used in the distribution and/or installation thereof (except commodities in bulk), from the facilities of the Celotex Corp., located at Marion County, S.C., to points in Alabama, Illinois, Indiana, Kentucky, Michigan, Mississippi, North Carolina, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Minnesota, Iowa, and Wisconsin.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 129828 (Sub-No. 3), filed October 10, 1973. Applicant: GLENN DAVIS AND DON R. DAVIS, a Partnership, doing business as DAVIS BROS., P.O. Box 1027, 2024 Trade Street, Missoula, Mont. 59801. Applicant's representative: J. F. Meglen, P.O. Box 1581, Billings, Mont. 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood products, lumber, lumber products, chipboard, and particle board*, from points in Idaho, Montana, Oregon, and Washington, to points in Colorado.

NOTE.—Applicant holds contract carrier authority in 127349 and Subs 2 and 4, therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Billings, Mont.

No. MC 133095 (Sub-No. 48), filed October 16, 1973. Applicant: TEXAS CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages* (except in bulk), (1) from points in New Jersey, to points in Texas, Oklahoma, Arkansas, and Louisiana, and (2) from points in Pennsylvania, to points in Oklahoma, Arkansas, Louisiana, and those in Texas east of U.S. Highway 277.

NOTE.—Applicant holds contract carrier authority in No. MC-136032, but indicates that dual operations are not involved herein. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., Oklahoma City, Okla., or Little Rock, Ark.

No. MC 133095 (Sub-No. 49), filed October 16, 1973. Applicant: TEXAS CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and*

articles distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Amarillo, Tex., to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Illinois, and Indiana, restricted to shipments originating at the plantsite and facilities utilized by John Morrell and Company.

NOTE.—Applicant holds contract carrier authority in MC 136032, therefore, dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 133106 (Sub-No. 37), filed October 18, 1973. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1858, Liberal, Kans. 67901. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Switch boxes, outlet boxes, covers, rings, pipe fittings, pipe straps, pipe hangers, and related items* utilized in the installation of the foregoing items, from the plant, warehouse, and storage facilities of Bowers, Division of Norris Industries located at or near South Gate, Calif., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, North Dakota, South Dakota, Minnesota, and Wisconsin, under a continuing contract or contracts with Norris Industries.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif.

No. MC 133106 (Sub-No. 38), filed October 18, 1973. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1858, Liberal, Kans. 67901. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Switch boxes, outlet boxes, covers, rings, pipe fittings, pipe straps, pipe hangers, and related items* utilized in the installation of the foregoing items, from the plant, warehouse, and storage facilities of Bowers, Division of Norris Industries located at or near South Gate, Calif., to points in Michigan, Indiana, Kentucky, Tennessee, Mississippi, Louisiana, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Ohio, Pennsylvania, Maryland, District of Columbia, Delaware, New Jersey, New York, Connecticut, Rhode Island, New Hampshire, Maine, Vermont, and Massachusetts, under a continuing contract or contracts with Norris Industries.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif.

No. MC 133106 (Sub-No. 39), filed October 18, 1973. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1858, Liberal, Kans. 67901. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Switch boxes, outlet boxes, covers, rings, pipe fittings, pipe straps, pipe hangers, and related items* utilized in the installation of the foregoing items, from the plant, warehouse, and storage facilities of Bowers, Division of Norris Industries located at or near South Gate, Calif., to points in Wyoming, Colorado, New Mexico, Texas, Oklahoma, Kansas, Nebraska, Iowa, Missouri, Arizona, and Illinois, under a continuing contract or contracts with Norris Industries.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif.

No. MC 133233 (Sub-No. 25), filed October 17, 1973. Applicant: CLARENCE L. WERNER, doing business as WERNER ENTERPRISES, 805 32d Avenue, P.O. Box 831, Council Bluffs, Iowa 51501. Applicant's representative: D. L. Ehrlich (same address as applicant's). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, (1) from Afton, Wyo., to points in Indiana, Oklahoma, Texas, and Wisconsin; and (2) from Evanston, Wyo., to points in Arkansas, Indiana, Kansas, Minnesota, Nebraska, Oklahoma, Texas, and Wisconsin, under a continuing contract or contracts with Star Studs, Inc.

NOTE.—Dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 133330 (Sub-No. 4), filed October 10, 1973. Applicant: HALVOR LINES, INC., 510 Lonsdale Building, Duluth, Minn. 55802. Applicant's representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Snowmobiles and sportswear and trailers, and parts, supplies, accessories, and advertising and promotional materials for snowmobiles and trailers; and crawler tractors and snowplows and trailers, and parts, accessories, supplies for crawler tractors, snowplows, and trailers*, (a) from ports of entry on the International Boundary line between the United States and Canada Boundary line adjacent to the Provinces of Ontario and Quebec, Canada and Duluth, Minn., and Idaho Falls, Idaho, to points in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington, and (b) from Idaho Falls, Idaho, to points in Montana, Wyoming, Colorado, and New Mexico; (2) *water scooters and sportswear and trailers, and parts, supplies, accessories, and advertising and promotional materials for water scooters and trailers*, (a) from the ports of entry on the International Boundary line between the United States and Canada Boundary line adjacent to the Provinces of Ontario and Quebec, Canada and Duluth, Minn., and Idaho Falls, Idaho, to points in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington, and (b) from Idaho Falls, Idaho, to points in Montana, Wyoming, Colorado, and New Mexico; (3) *sportswear*, from Plattsburgh, N.Y., to Idaho Falls, Idaho; and (4) *motorcycles*, from ports of entry on the International Boundary lines between the United States and Canada Boundary line adjacent to the Provinces of Ontario and Quebec, Canada, Duluth, Minn., and Idaho Falls, Idaho, to points in the United States (except Alaska and Hawaii), restricted to a transportation service to be performed under continuing contract with Bombadier Corporation and Bombadier Limited.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 134349 (Sub-No. 8), filed October 15, 1973. Applicant: B. L. T. CORPORATION, 405 Third Avenue, Brooklyn, N.Y. 11215. Applicant's representative: William D. Traub, 10 East 40th St., New York, N.Y. 10016. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in or used in the operations of retail department stores*, between New York, N.Y., and North Bergen, N.J., on the one hand, and, on the other, points in Indiana, Iowa, Kentucky, Minnesota, Ohio, and Tennessee, under contract with Allied Stores Corporation, at New York, N.Y.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 134477 (Sub-No. 43), filed October 17, 1973. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, Minn. 55118. Applicant's representative: Thomas Fischbach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Non fat dry milk solids, powdered; milk or cream substitutes, dry or liquid; beverage preparation, milk and cocoa compound, dry; shortening, powdered; pudding; desert toppings; animal food*, from Madison, Menomonie, Cameron, Vesper, and Wisconsin Rapids, Wis., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, restricted to traffic moving in vehicles equipped with mechanical refrigeration and further restricted to traffic originating at plantsites and/or storage facilities for Sanna, Division of Beatrice Foods Company.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis., or St. Paul, Minn.

No. MC 134612 (Sub-No. 1), filed October 18, 1973. Applicant: FAST MOTOR SERVICE, INC., 9100 Plainfield Road, Brookfield, Ill. 60513. Applicant's representative: Robert H. Levy, 29 South La

Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lids, bottle caps, crowns,* and *metal containers*, from the plantsite of Crown Cork & Seal Company, Inc., at Chicago, Ill., to Racine, Waxdale, and Milwaukee, Wis., and to the plantsite of Crown Cork & Seal Company, Inc., at Philadelphia Pa.; (2) *metal containers*, from the plantsite of Crown Cork & Seal Company, Inc., at Chicago, Ill., to Cleveland, Medina, Van Wert, St. Henry, Montpelier, St. Marys, and Bedford Heights, Ohio, Minneapolis and St. Paul, Minn., and to the corporate limits of Jeffersonville, Ind.; (3) *metal containers and lids, aluminum foil, cork discs, varnish* and *lacquer* in drums, from the plantsite of Crown Cork & Seal Company, Inc., at Philadelphia, Pa., to the plantsite of Crown Cork & Seal Company, Inc., at Chicago, Ill.; (4) *metal containers*, from the plantsite of Crown Cork & Seal Company, Inc., located at St. Louis, Mo., to Chicago, Ill.; (5) *metal containers* and *materials* used in the manufacture or shipping of metal containers, from Chicago, Ill., to St. Louis and Berkeley, Mo.; (6) *materials and supplies* used in the manufacture of metal containers, between the plantsite of Crown Cork & Seal Company, Inc., at Chicago, Ill., and the plantsite of Crown Cork & Seal Company, Inc., at Cleveland, Ohio;

(7) *Metal containers*, from the plantsite of Crown Cork & Seal Company, Inc., at Cleveland, Ohio, to South Bend, Ind., and Chicago, Ill.; (8) *glass containers* and *caps and tops* for glass containers, (a) from the plantsite of Ball Brothers Company Incorporated at or near Leithton, Ill., to points in Iowa, Nebraska, Missouri, Kansas, and Oklahoma; and (b) from the plantsite of Ball Brothers Company, Incorporated, at Okmulgee, Okla., to points in Texas, points in Arkansas (except points on and north of a line extending along U.S. Highway 64 from Fort Smith to Conway, Ark., thence along U.S. Highway 65 from Conway to Little Rock, Ark., thence along U.S. Highway 70 to West Memphis, Ark., except service is authorized at Fort Smith, Ark.), points in Iowa (except points on and north of U.S. Highway 20), points in Kansas (except Kansas City and the commercial zone thereof, as defined by the Commission), and those in Missouri (except points on and south of U.S. Highway 40 including Kansas City and St. Louis, Mo., and their commercial zones, as defined by the Commission); (9) *glass containers* and *closures therefor*, from the plantsite of Ball Brothers Company, Incorporated, at Okmulgee, Okla., to Jackson, Miss., and to points in Louisiana; (10) *soda ash*, in bulk, from Lake Charles and Baton Rouge, La., and Corpus Christi, Tex., to the plantsite of Ball Brothers Company, Incorporated, at Okmulgee, Okla.; (11) *metal containers*, from the plantsite of Crown Cork & Seal Company, Inc., at St. Louis, Mo., to South Bend, Ind.; (12) *metal containers*, and *container components, ends, tops, and closures*, when moving in mixed loads with metal containers, from the site of the plant and facilities of Crown Cork & Seal Company, Inc., at or near Faribault, Minn., to points in Wisconsin, Illinois, Indiana, Missouri, and Ohio.

(13) *Metal containers, container components and ends; and steel, tin, and aluminum tops and closures*, from Kankakee and Bradley, Ill., to points in Indiana, Michigan, Kentucky, Missouri, Iowa, Wisconsin, and Minnesota; (14) *metal containers and accessories*, and supplies used in the manufacture and distribution of metal containers and accessories, in mixed loads, with metal containers and accessories, from the plantsites of Crown Cork & Seal Company, Inc., at St. Louis, Mo., and Cleveland, Ohio, to points in Illinois (except Chicago and points in its commercial zone as defined by the Commission); (15) *metal containers, metal container parts and closures, and supplies* used in the manufacture and distribution of metal containers and closures therefor (except commodities in bulk), between the plantsites of Crown Cork & Seal Co., Inc., at North Bergen, N.J., Philadelphia, Pa., Baltimore and Fruitland, Md., Winchester, Va., Lawrence, Mass., Bradley and Chicago, Ill., Faribault, Minn., St. Louis, Mo., Spartanburg, S.C., and Cleveland, Ohio; (16) (1) *metal containers, container components and ends, and container tops and closures;* and (2) *supplies and materials* used in the manufacture and distribution of the commodities set forth in (1) above when moving in mixed loads with such commodities, from the plantsite of Crown Cork & Seal Co., Inc., at Cleveland, Ohio, to points in Connecticut, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

(17) (1) *Metal containers*, and (2) *metal container components and ends, and supplies* (except commodities in bulk), used in the manufacture and distribution of metal containers and metal container ends and tops and closures, when moving in mixed loads with metal containers, (a) from the plantsites of Crown Cork & Seal Company, Inc., at North Bergen, N.J., Philadelphia, Pa., Baltimore, and Fruitland, Md., Winchester, Va., Lawrence, Mass., Chicago and Bradley, Ill., Fairbault, Minn., Spartanburg, S.C., and Cleveland, Ohio, to points in Minnesota, Wisconsin, Michigan, Missouri, Illinois, Ohio, Indiana, Kentucky, and Maryland; and (b) from the plantsite of Crown Cork & Seal Company, Inc., at St. Louis, Mo., to points in Minnesota, Wisconsin, Michigan, Missouri, Kentucky, Maryland, and Lincoln, Ill., and points in that part of Illinois, north of a line beginning at the Indiana-Illinois State line and extending along U.S. Highway 150 to Peoria, Ill., and thence along U.S. Highway 24 to the Illinois-Missouri State line, points in Indiana (except Terre Haute), and points in Ohio (except Columbus, Dayton, Springfield, and Hamilton, Ohio, and except points in Hamilton County, Ohio); (18) *glass containers and closures for bottles and jars*, from Skyland, N.C., to points in Georgia (except Augusta and Savannah and points within their respective commercial zones as defined by the Commission), South Carolina, Tennessee, Illinois, Alabama, Louisiana, Mississippi, Kentucky, Indiana, and Ohio (except points in Columbiana, Cuyahoga, Geauga, Mahoning, Medina, Portage, Stark, Summit, and Wayne Counties).

(19) *Metal containers, and metal container ends and accessories, materials, supplies and equipment* used in the manufacture, sale, and distribution of metal containers and metal container ends, when moving with metal containers (except commodities in bulk), from the plantsite and warehouse facilities of National Can Corporation at Baltimore and Cambridge, Md., Chicago and Rockford, Ill., Colliersville, Tenn., Eden and New York, N.Y., Edison, N.J., Fairless, Hamburg, and Hanover, Pa., Gary, Ind., Lenexa, Kans., Millis, Mass., and St. Paul, Minn.; and from the plantsites and warehouse facilities of Crown Cork & Seal Co., Inc., at Baltimore and Fruitland, Md., Bradley, and Chicago, Ill., Cleveland, Ohio, Faribault, Minn., Lawrence, Mass., and Philadelphia, Pa., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and the District of Columbia; (20) *paper cups and plates, and plastic lids, cups, knives, forks, and spoons*, from the plantsites and storage facilities of Continental Can Co., at Three Rivers, Mich., to points in Massachusetts, New Jersey, Maryland, New York, Pennsylvania, Rhode Island, Virginia, Connecticut, Vermont, Maine, North Carolina, Georgia, Missouri, and Kansas; (21) *nonalcoholic beverages*, (a) from the plantsite of Kolmar Products Corporation at Munster, Ind., to points in Illinois, Kentucky, and Missouri; and (b) from the plantsite of Kolmar Products Corporation at Chicago, Ill., to points in Indiana, Kentucky, and Missouri.

(22) *Materials and supplies* used in the manufacture of non-alcoholic beverages, (a) from points in Illinois, Kentucky, and Missouri, to the plantsite of Kolmar Products Corporation at Munster, Ind.; and (b) from points in Indiana, Kentucky, and Missouri, to the plantsite of Kolmar Products Corporation at Chicago, Ill.; (23) *paper plates, paper cups, plastic plates, plastic cups, plastic knives, plastic spoons, and plastic forks, and materials and supplies* used in the manufacture of the above-named commodities, from the plantsite of American Can Company at Lexington, Ky., to points in Illinois, Wisconsin, Michigan, and Indiana; (24) (1) *containers*, (2) *container components and ends* in mixed loads with containers, (3) *container tops and enclosures* in mixed loads with con-

tainers, and (4) *materials and supplies* used in the manufacture and distribution of containers in mixed loads with containers, (a) from Fort Smith, Ark., to points in Arkansas, Colorado, Illinois, Kansas, Louisiana, Maryland, Michigan, Mississippi, Nebraska, Oklahoma, Pennsylvania, Texas, and Wisconsin; (b) from San Antonio, Tex., to points in Alabama, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, Texas, Wisconsin, and West Virginia; (c) from New Orleans, La., to points in Alabama, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Pennsylvania, Texas, Wisconsin, and West Virginia; (d) from Houston, Tex., to points in Alabama, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, Texas, Wisconsin, and West Virginia; and (e) from Arlington, Tex., to points in Alabama, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Nebraska, Ohio, Oklahoma (except Oklahoma City and Tulsa and their respective commercial zones as defined by the Commission), Pennsylvania, Texas, Wisconsin, and West Virginia, (1), (2), (3), and (4) above are restricted against the transportation of commodities in bulk, and restricted to the transportation of traffic originating at the plant and warehouse sites of American Can Company located at the above-named origin points, and (4) above further restricted to the transportation of traffic destined to plant and warehouse sites of American Can Company located in the above-described destination States:

(25) *Nonalcoholic beverages*, in containers, from the plantsite of Pepsi-Cola General Bottlers at Danville, Ill., to points in Indiana, Kentucky, and Missouri; (26) *materials and supplies* (except in bulk) used in the manufacture of nonalcoholic beverages, from points in Indiana, Kentucky, and Missouri, to the plantsite of Pepsi-Cola General Bottlers at Danville, Ill.; (27) *foodstuffs*, except in bulk, from the plant and storage facilities of Kraftco Corporation and its division, Kraft Foods, at Champaign, Ill., to points in those parts of New York, Pennsylvania, and Maryland on and west of Interstate Highway 81, and points in Indiana, Kentucky, the Lower Peninsula of Michigan, Ohio, and West Virginia; (28) *metal containers* and *metal container ends*, from La Porte, Ind., and Madisonville, Ky., to points in the United States (except Alaska and Hawaii); (29) *metal containers, metal container ends, and closures*, from the plantsites of Crown Cork & Seal Co., at Fruitland and Baltimore, Md., Philadelphia, Pa., North Bergen, N.J., Winchester, Va., and Spartanburg, S.C., to points in Maryland, South Carolina, North Carolina, Georgia, Alabama, Tennessee, Florida, Louisiana, Texas, West Virginia, Virginia, and Arkansas; and (30) *closures*, from the plantsite of Owens-Illinois, Inc., at Constantine, Mich., to Fort Smith, Ark., Asheville, N.C., Chambersburg, Pa., and Canajoharie, N.Y.

NOTE.—The purpose of the instant application is to convert the contract carrier authority issued under MC 126276 and subs thereunder to common carrier authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 134734 (Sub-No. 14), filed October 11, 1973. Applicant: NATIONAL TRANSPORTATION, INC., Box 31, Norfolk, Nebr. 68701. Applicant's representative: Lanny N. Fause, P.O. Box 37096, Omaha, Nebr. 68137. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cranberry products* (except in bulk, in tank vehicles), from Kenosha, Wis., to Markham, Wash., and points in Minnesota, and North Dakota under a contract or contracts with Ocean Spray Cranberries, Inc., located at or near Kenosha, Wis.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 134777 (Sub-No. 22), filed October 3, 1973. Applicant: SOONER EXPRESS, INC., P.O. Box 219, Madill, Okla. 73446. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Bldg., 3535 N.W. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in "Descriptions in Motor Carrier Certificates," 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from the plantsite of Madison Foods, Inc., Madison, Nebr., to points in Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Maine, Maryland, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, restricted to the transportation of traffic originating at the above named plantsite and destined to the above named States.

NOTE.—Applicant holds contract carrier authority in MC-87088 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 134806 (Sub-No. 17), filed October 23, 1973. Applicant: B-D-R TRANSPORT, INC., P.O. Box 813, Brattleboro, Vt. 05301. Applicant's representative: Francis J. Ortman, 1100 17th Street NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tanned leather*, from points in San Francisco, Alameda, Napa, Solano, San Mateo, and Santa Cruz Counties, Calif., to points in Pennsylvania and Huntington, W. Va., under contract with West Coast Tanners Production Club.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Brattleboro, Vt., or Washington, D.C.

No. MC 135283 (Sub-No. 9), filed October 27, 1973. Applicant: GRAND ISLAND MOVING & STORAGE CO., INC., Box 1665, E. Highway 30, Grand Island, Nebr. 68801. Applicant's representative: Gailyn L. Larsen, 521 S. 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of Swift Fresh Meats Company, at or near Grand Island, Nebr., to points in Indiana, Michigan, and Ohio, restricted to transportation of traffic originating at and destined to the named states.

NOTE.—Common control was approved in MC-F-11351. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr., or Chicago, Ill.

No. MC 135454 (Sub-No. 6), filed October 17, 1973. Applicant: DENNY TRUCK LINES, INC., 893 Ridge Road, Webster, N.Y. 14580. Applicant's representative: Francis P. Barrett, 60 Adams Street, Milton (Boston), Mass. 02187. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, and *materials and supplies* used in the processing of preserved foodstuffs, from the plantsites and warehouses of Duffy Mott Co., Inc., at Aspers, Pa., to the plantsites and warehouses of Duffy Mott Co., Inc., in Monroe and Wayne Counties, N.Y.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 135542 (Sub-No. 4) (AMENDMENT), filed August 22, 1973, published in the FR issue, October 31, 1973 and republished as amended, this issue. Applicant: TIMOTHY D. SHAW, R. D. No. 1, Sweet Valley, Pa. 18653. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* as described in Appendix V, Group III to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Luzerne, Pa., to points in New York, Maryland, Virginia, West Virginia, North Carolina, Georgia, Ohio, Tennessee, Kentucky, and Indiana.

NOTE.—The purposes of this republication are to (1) correct the Docket Number MC-

135542 in lieu of MC-13552 and (2) add Indiana as a destination point. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 135590 (Sub-No. 4), filed October 10, 1973. Applicant: GOLD COAST TRUCKING & EXPRESS, INC., 278 S.W. 32d Court, Ft. Lauderdale, Fla. 33315. Applicant's representative: Richard B. Austin, 214 Palm Coast II Building, 5255 N.W. 87th Avenue, Miami, Fla. 33166. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Photographic supplies*, between points in Dade, Broward, and Palm Beach Counties, Fla.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Ft. Lauderdale or Miami, Fla.

No. MC 135705 (Sub-No. 5), filed October 23, 1973. Applicant: MELROSE TRUCKING COMPANY, INC., 6360 Raderville Route, Casper, Wyo. 82601. Applicant's representative: Charles S. Aspinwall, 430 East First Street, Casper, Wyo. 82601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, from Rapid City, S. Dak., to Douglas, Glenrock, and Casper, Wyo.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Casper, Wyo., Rapid City, S. Dak., Billings, Mont., or Denver, Colo.

No. MC 136052 (Sub-No. 4), filed October 17, 1973. Applicant: SECURITY CARRIERS, INC., 6210 River Road, P.O. Box 3368, Amarillo, Tex. 79106. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Amarillo, Tex., to points in Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, restricted to shipments originating at the plantsite and facilities utilized by John Morrell & Company.

NOTE.—Applicant holds contract carrier authority in MC-136966 Sub-No. 1, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr., or Amarillo, Tex.

No. MC 136386 (Sub-No. 11), filed October 23, 1973. Applicant: GO LINES, INC., 8023 E. Slauson Avenue, Suite 6, Montebello (Los Angeles), Calif. 90640. Applicant's representative: Thomas F. Kilroy P.O. Box 624, Springfield, Va. 22150. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat byproducts and articles distributed by meat packinghouses* as defined by the Commission (except those commodities in bulk or hides), from Maytown, Wash., to points in Nevada, California, Arizona, and the port of entry on the International Boundary line between the United States and Canada, at or near Blaine, Wash.; and (2) *canned foods*, from the plant and warehouse sites utilized by Tri/Valley Growers, located in Madera, Stanislaus, and San Joaquin Counties, Calif., to points in Washington, Oregon, Idaho, Nevada, and Utah.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 136786 (Sub-No. 34), filed October 11, 1973. Applicant: ROBCO TRANSPORTATION, INC., Room 205, 3033 Excelsior Boulevard, Minneapolis, Minn. 55416. Applicant's representative: Val M. Higgins, 1000 1st National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured mulches* (except commodities in bulk), from Findlay and Barberton, Ohio, to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio, or Minneapolis, or St. Paul, Minn.

No. MC 138176, filed October 11, 1973. Applicant: CASCADE MOBILE HOME TRANSPORT, INC., 650 Lancaster Dr., N.E., Salem, Oreg. 97301. Applicant's representative: John G. McLaughlin, 620 Blue Cross Building, 100 S.W. Market Street, Portland, Oreg. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes, sectional buildings, travel trailers, and campers and recreational vehicles*, in initial and secondary movements, between points in Oregon, Washington, and Idaho.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 138376 (Sub-No. 2), filed October 23, 1973. Applicant: R/T TRUCKING, INC., 1853 Babcock Blvd., Pittsburgh, Pa. 15209. Applicant's representative: A. J. Daood (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sheet steel, strip steel, and steel plate*, between Brackenridge and West Leechburg, Pa., on the one hand, and, on the other, New Castle, Ind.; and (2) from New Castle, Ind., to Cleveland, Ohio, and Sharon, Pa., under contract with Allegheny Ludlum Steel Corporation, located at Brackenridge, Pa.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 138610 (Sub-No. 1), filed October 16, 1973. Applicant: DARRELL JAMES RISEN, doing business as CITY DELIVERY SERVICE, 2411 N.W. 11th St., P.O. Box 481, Corvallis, Oreg. 97330. Applicant's representative: Darrell James Risen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between the Mahlon-Sweet Airport located in Eugene (Lane County), Oreg., and points in Benton, Linn, and Polk Counties, Oreg., restricted to traffic having an immediate prior or subsequent movement by air.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Benton County Courthouse, Corvallis, Oreg.; Linn County Courthouse, Albany, Oreg.; or Lane County Courthouse, Eugene, Oreg.

No. MC 138654, filed April 12, 1973. Applicant: EARL B. IRBY, doing business as E. B. IRBY TRUCKING COMPANY, Route No. 2, Hurt, Va. 24563. Applicant's representative: James David Jones, Box 95, Chatham, Va. 24531. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured tire valves, brass hardware, and rubber* used in the manufacture of tire valves, *and scrap* generated during the manufacturing process, between Altavista, Va., Akron, Ohio, Bridgeport, and New Haven, Conn., Pottstown, Pa., and Hackensack, and New Brunswick, N.J., under a contract or contracts with Piedmont Manufacturing Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Roanoke or Lynchburg, Va.

No. MC 138786 (Sub-No. 2) (AMENDMENT), filed August 13, 1973, published in the FR issue of October 26, 1973, and republished as amended this issue. Applicant: CHARLES A. TERPENING TRUCKING CO., INC., 341 Driscoll Avenue, Syracuse, N.Y. 13204. Applicant's representative: Homer S. Carpenter, 618 Perpetual Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, from ports of entry on the International Boundary line between the United States and Canada at or near Rooseveltown and Ogdensburg, N.Y., to points in Broome, Cayuga, Chemung, Cortland, Essex, Franklin, Herkimer, Jefferson, Lewis, Madison, Monroe, Oneida, Onondaga, Ontario, Oswego, St. Lawrence, Steuben, Tompkins, Wayne, and Yates Counties, N.Y.

NOTE.—The purpose of this republication is to include St. Lawrence County, N.Y., in the destination territory described above. If a hearing is deemed necessary, applicant requests it be held at Syracuse, N.Y.

No MC 138792 (Sub-No. 1) (AMENDMENT), filed August 8, 1973, published in the FR issue of October 4, 1973, and republished as amended this issue. Applicant: D. J. VISKOE TRUCKING, INC., Gemmell, Minn. 56643. Applicant's representative: F. H. Kroeger, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fence*

panels, pickets, posts, and rails, and shingles, (1) from Northome, Minn., to points in Alabama, Arizona, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, and Wyoming, (2) from Little Fork, Minn., to the Chicago, Ill., Commercial Zone, the Denver, Colo., Commercial Zone, Grand Island and Lincoln, Nebr., the Oklahoma City, Okla., Commercial Zone, the St. Louis, Mo., Commercial Zone, Sioux Falls, S. Dak. and Wichita, Kans., and (3) from the facilities of Allied Fence Co., located at Tulsa, Okla., to points in Arizona, Colorado, New Mexico, and Texas.

NOTE.—The purpose of this republication is to indicate the additional destination States to be served in (1) above, which were inadvertantly omitted in the previous publication. If a hearing is deemed necessary, applicant requests it be held at Duluth or Minneapolis, Minn.

No. MC 138858 (Sub-No. 2), filed October 15, 1973. Applicant: CHARLES M. SHIRK, 205 East Main Street, Terre Hill, Pa. 17581. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precast concrete products*, from the plantsite of Terre Hill Concrete Products, Inc., at Terre Hill, Pa., to points in New York, New Jersey, Maryland, West Virginia, Delaware, Virginia, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 139091 (Sub-No. 2), filed October 15, 1973. Applicant: LOGAN MOTOR LINES, INC., Route 2, Box 174A, Canyon, Tex. 79015. Applicant's representative: Gailyn L. Larsen, 521 S. 14th St., P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vacuum bottles and fillers, lunch and picnic boxes and kits, portable heaters, containers, mattresses and springs, lamps, lanterns, travel bags, camping equipment, stoppers, plastic articles, jugs, cooling boxes and chests, tents, display racks, gas mantels, glassware, insulating material, and liquefied petroleum and materials, and* (2) *materials, parts, and supplies* used in the manufacture or distribution of the foregoing items (except liquid commodities in bulk), between the plantsite and facilities of King-Seeley Thermos Co., at or near Macomb, Ill., on the one hand, and, on the other, the plantsite and facilities of King-Seeley Thermos Co., at or near Norwich, Conn., under contract with King-Seeley Thermos Co. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Omaha, Nebr.

No. MC 139152, filed September 13, 1973. Applicant: FRANK MONGELLUZI AND JOSEPH GALANAUGH, a partnership, doing business as PARKWAY LEASING COMPANY, 489 Parkway Drive, Broomall, Pa. 19008. Applicant's representative: Hugh M. Joseloff, 410 Asylum Street, Hartford, Conn. 06103. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Frozen beef patties*, from the plantsites of Equity Meat Corporation, at Folcroft, Pa., and S. Lottman & Son, at Philadelphia, Pa., to the plantsite of The Connecticut Celery Company, at Hartford, Conn., under contract with The Connecticut Celery Company, at Hartford, Conn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., or Washington, D.C.

No. MC 139161 (Sub-No. 1), filed October 15, 1973. Applicant: A. SPADARO TRUCKING, INC., 1343-73 Street, Brooklyn, N.Y. 11228. Applicant's representative: Rodman Kober, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sculpture reproductions*, from Holbrook, N.Y., to points in Queens, Kings, and New York Counties, N.Y., and Hudson, Essex, Bergen, Passaic, Middlesex, Union, and Hunterdon Counties, N.J.; and (2) *materials, supplies, and equipment* used in the manufacture of sculpture reproductions from Hudson, Essex, Bergen, Middlesex, Passaic, Union, and Hunterdon Counties, N.J., and Queens, Kings, and New York Counties, N.Y., to Holbrook, N.J., under a continuing contract with Austin Productions, Incorporated.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 139167 (Sub-No. 1), filed October 18, 1973. Applicant: DAVID E. PEET, doing business as PURITAN EXPRESS CO., 842 Alden Street, Springfield, Mass. 01109. Applicant's representative: David M. Marshall, 135 State Street, Springfield, Mass. 01103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products and supplies, materials, and equipment* used in the manufacture and distribution of paper and paper products, between Springfield, Mass., on the one hand, and, on the other, points in Connecticut, Rhode Island, New Hampshire, Vermont, Maine, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, West Virginia, and Kentucky, under contract with Eastern Container Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., Boston, Mass., or Albany, N.Y.

No. MC 139168 (Sub-No. 1), filed October 12, 1973. Applicant: THE SABATINI CO., INC., 11600 Elkin Street, Silver Spring, Md. 20902. Applicant's representative: M. Bruce Morgan, 201 Azar Building, Glen Burnie, Md. 21061. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Concrete products* (including precast manholes, catch basins, and meter vaults, requiring special equipment or special handling), (1) from Cockeysville, Md., to construction sites in Delaware, Pennsylvania, Virginia, and the District of Columbia, and (2) from Tullytown, Pa., to construction sites in Maryland, Delaware, the District of Columbia, and Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Baltimore, Md.

No. MC 139170 (Sub-No. 1), filed October 15, 1973. Applicant: FRANK W. MADDEN COMPANY, a Corporation, 1288 East Archwood Ave., Akron, Ohio 44306. Applicant's representative: James E. Davis, 611 West Market St., Akron, Ohio 44303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prestressed and precast building components and accessory parts*, from points in Summit County, Ohio, to points in Indiana, Michigan, Pennsylvania, West Virginia, Illinois, New York, New Jersey, Kentucky.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Akron or Cleveland, Ohio.

No. MC 139179 (Sub-No. 2), filed October 18, 1973. Applicant: DRYWALL TRANSPORT CO., INC., 1200 Arden Way, Sacramento, Calif. 95815. Applicant's representative: Bert Collins, Suite 6193, 5 World Trade Center, New York, N.Y., 10048. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials, gypsum products, gypsum board paper and wall sections and related materials, supplies and equipment* (except in bulk), from Antioch, Newark, and San Leandro, Calif., to points in Nevada, Washington, California, Utah, and Arizona; and (2) *materials, supplies and equipment* used in connection with the manufacture, sale or distribution of the commodities mentioned in (1) above and *returned or rejected shipments*, from points in Nevada, Oregon, Washington, California, Utah, and Arizona, to Antioch, Newark, and San Leandro, Calif. (1) and (2) under a continuing contract or contracts with Kaiser Gypsum Company, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 139181 (Sub-No. 1), filed October 17, 1973. Applicant: CHAFFEE LEASING CO., INC., doing business as P & J TRUCKING, 911 Yale Street, Scott City, Mo. 63780. Applicant's representative: Billy R. Reid, 6108 Sharon Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay, crushed, ground or pulverized, in bags or boxes*, from Oran, Mo., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either St. Louis, or Kansas City, Mo.

No. MC 139182 (Sub-No. 1), filed October 11, 1973. Applicant: ATLAS DELIVERY, INC., 340 Cole Ave., Dallas, Tex. 75207. Applicant's representative: E. Larry Wells, 4645 N. Central Expressway, Dallas, Tex. 75205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Appliances*, including stoves or ranges (gas); stoves or ranges (electric); stove or range parts; ovens or surface units; electronic ovens, refrigerators, compactors, dishwashing machines; garbage disposers, and ventilating hoods, from Houston and Arlington, Tex., to points in New Mexico, Oklahoma, Arkansas, Louisiana, Mississippi, and Texas, under contract with The Tappan Company.

NOTE.—If a hearing is deemed necessary, applicant request it be held at Dallas, or Houston, Tex.

No. MC 139184, filed October 15, 1973. Applicant: MILESTONE TRUCKING, INC., P.O. Box 545, Troy, N.Y. 12181. Applicant's representative: John L. Alfano, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Insulation and insulated panels, supplies, materials, and equipment* used in the manufacture of insulation and insulated panels (except in bulk, in tank vehicles), between points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Vermont, restricted to shipments originated at, destined to, or processed in transit at shippers' facilities located in the Town of Halfmoon, N.Y., under continuing contract with Panel Craft, Inc., and Advance Cooler, Inc.

NOTE.—Dual operations and common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 139185, filed October 12, 1973. Applicant: BELLWETHER TRUCKING INC., 123 South Cherry Valley Avenue, West Hempstead, N.Y. 11552. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cabinets, desks and tables; and materials, supplies, and equipment* used for office etc., filing purposes, from Moonachie and Parsippany, N.J., to New York, N.Y., and points in Nassau, Suffolk, and Westchester Counties, N.Y.; and (2) *returned, refused, rejected commodities* of the same description, from New York, N.Y., and points in Nassau, Suffolk, and Westchester Counties, N.Y., to Moonachie and Parsippany, N.J., under contract with Oxford Pendaflex Corp., Garden City, N.Y.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 139191, filed September 24, 1973. Applicant: PAPER EXPRESS, INC., 23 South Railroad Avenue, San Mateo, Calif. 94401. Applicant's representative: Robert K. Lancefield, 2470 El Camino Real, Suite 108, Palo Alto, Calif. 94306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flattened* (knocked down) *corrugated paper boxes*, from Emeryville and Fresno, Calif., on the one hand, and, on the other, Sparks and Reno, Nev.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Francisco, or Oakland, Calif.

No. MC 139202, filed October 18, 1973. Applicant: WILLMER W. GERDIN, Princeton, Minn. 55371. Applicant's representative: James L. Nelson, 325 Cedar Street, St. Paul, Minn. 55101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Grain elevator equipment and component and assembly parts* of grain elevator equipment, from Princeton, Minn., to points in Minnesota, Wisconsin, Iowa, North Dakota, South Dakota, Montana, Kansas, and Texas, under contract with Verti-Flo Corp.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, or Minneapolis, Minn.

No. MC 139203, filed October 17, 1973. Applicant: AKSARBEN MOVING & STORAGE, INC., 215 North 12th Street, Omaha, Nebr. 68102. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as described in Ex Parte MC-19, between points in Dodge, Saunders, Lancaster, Washington, Douglas, Sarpy, Cass, and Otoe Counties, Nebr., and Harrison, Shelby, Pottawattamie, Mills, Montgomery, Fremont, and Page Counties, Iowa, restricted to shipments moving on a through Bill of Lading of a freight forwarder operating under a Section 402 (b) (2) exemption and shipments having an immediate prior or subsequent line haul movement, and further restricted to shipments of an import export nature.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC 139206, filed October 17, 1973. Applicant: F. M. S. TRANSPORTATION, INC., 900 North Alvarado, Los Angeles, Calif. 90026. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Textiles, textile fibers, textile fabrics, textile yarns, textile articles, and textile products, and materials, equipment, and supplies* used or useful in the sale, manufacture, processing, production, and distribution of the above-named commodities, between Laredo, El Paso, Brenham, and Houston, Tex.; Johnson City, Tenn.; Clinton, Charleston, and Pickens, S.C.; New Orleans, La.; Savannah and Dalton, Ga.; Wellsville, St. Louis, Kansas City, and New Haven, Mo.; Sand Springs, Okla.; Millersburg, Ohio; and Nogales, Ariz., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted against the transportation of commodities in bulk and further restricted to the transportation of traffic moving under a continuing contract with Chromalloy American Corporation, its divisions or subsidiaries.

NOTE.—The purpose of the instant application is to substitute the commonly-controlled contract carrier services of applicant for the private carriage operations of the contracting shipper. F. M. S. is a wholly owned subsidiary of Chromalloy American Corporation. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 139211, filed October 12, 1973. Applicant: VENETIAN TRUCKING CORP., 66 Wolf Avenue, Malverne, N.Y. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *New furniture*, from New York, N.Y., to points in New Jersey and Connecticut; and (2) *refused, rejected, returned and traded-in commodities* of the same description, from points in New Jersey and Connecticut, to New York, N.Y., under contract with Gimbel Bros. Inc., New York, N.Y.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

MOTOR CARRIER PASSENGER

No. MC 2835 (Sub-No. 39), filed October 15, 1973. Applicant: ADIRONDACK TRANSIT LINES, INC., 18 Pine Grove Avenue, Kingston, N.Y. 12401. Applicant's representative: James E. Wilson, 1032 Pennsylvania Bldg., Pennsylvania Ave. and 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, between junction New York Highway 17 and Interstate Highway 87 at or near Exit 15 and junction Interstate Highway 80 and New Jersey Highway 17 at or near Lodi, N.J., as follows: From junction New York Highway 17 and Interstate Highway 87 over Interstate Highway 87 to junction Garden State Parkway at or near Exit 14A; thence over Garden State Parkway to junction Interstate Highway 80; thence over Interstate Highway 80 to junction New Jersey Highway 17 at or near Lodi, N.J., and return over the same route serving no intermediate points. Service at the termini points named herein is restricted to joinder only.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 107450 (Sub-No. 3), filed October 12, 1973. Applicant: METROPOLITAN COACH CORPORATION, 1704 N. 29th Street, Richmond, Va. 23223. Applicant's representative: Steven L. Weiman,

1730 M St. NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round trip charter operations, beginning and ending at points in New Kent, Henrico, Hanover, Charles City, Chesterfield, and Goochland Counties, Va., and Richmond, Petersburg, Hopewell, and Colonial Heights, Va., and extending to points in the United States (including Alaska and Hawaii).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Richmond, Va., or Washington, D.C.

No. MC 127642 (Sub-No. 2), filed October 11, 1973. Applicant: ANDREW T. JONES, doing business as ANDREW T. JONES BUS SERVICE, 2714 Magnolia Street, Portsmouth, Va. 23704. Applicant's representative: Andrew T. Jones, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in charter and special operations, from Norfolk, Portsmouth, Chesapeake, Virginia Beach, Hampton, Newport News, Nansemond, Eastville, and Williamsburg, and points in Glouster, Surry, Isle of Wight, Sussex, Suffolk, and Accomac Counties, Va.; and Elizabeth City and points in Camden, Perquimans, Hertford, and Chowan Counties, N.C., to points in the United States, including Alaska but excluding Hawaii, and return.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Norfolk or Richmond, Va.

No. MC 138859, filed June 11, 1973. Applicant: SERVICE D'AUTOBUS DE LA MAURICIE LTÉE, a Corporation, P.O. Box 513, Shawinigan Province of Quebec, Canada. Applicant's representative: Jean Cote Barrister, 580 Grande Allee Est, Quebec 4, Province of Quebec, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter and special operations, from ports of entry on the International Boundary Line between the United States and Canada located in Maine, New Hampshire, Vermont, New York, and Michigan, to points in the United States (except Alaska and Hawaii), restricted to traffic originating at Grand Mere, Shawinigan, and Trois Rivieres, Quebec, Canada. If a hearing is deemed necessary, applicant requests it be held at Montpellier, Vermont.

No. MC 139000, filed April 26, 1973. Applicant: OKANAGAN CHARTER TOURS LTD., Box 358, Kelowna, British Columbia, Canada. Applicant's representative: J. J. Joyce, 1666 Boundary Road, Burnaby, British Columbia, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, from those ports of entry along the International Boundary line between the United States and Canada located in Washington, to points in Washington, Oregon, California, Nevada, Montana, Idaho, and Utah, and return.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Seattle or Spokane, Wash.

BROKER APPLICATION

No. MC 130220, filed November 1, 1973. Applicant: WESTOURS, INC., 900 IBM Building, Seattle, Wash. 98101. Applicant's representative: A. T. Wendells, 3933 Sea-First National Bank Building, Seattle, Wash. 98154. Authority sought to engage in *operation*, in interstate or foreign commerce, as a *broker* at Anchorage and Fairbanks, Alaska to sell or offer to sell the transportation of *individual passengers and groups of passengers and their baggage* in the same vehicle with passengers in round-trip or one-way and packaged tour operations between points in the United States, including Alaska but excluding Hawaii. Motor carrier transportation commencing outside Alaska, restricted to passengers having prior movement by air or water transportation originating in Alaska.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Anchorage, Alaska, or Seattle, Wash.

FREIGHT FORWARDER APPLICATION

No. FF-446, filed October 15, 1973. Applicant: WORLD FORWARDING CORP., 1 Aleppo Street, Providence, R.I. 02909. Applicant's representative: Herbert Burstein, One World Trade Center, New York, N.Y. 10048. Authority sought to engage in operation, in interstate commerce, as a *freight forwarder*, through use of the facilities of common carriers by railroad, motor vehicle, water, and express, in the transportation of *household goods, used automobiles, and unaccompanied baggage*, between points in the United States (including Hawaii, but excluding Alaska).

NOTE.—Common control may be involved pursuant to applicant's common Officers and Directors with No. MC-621 and subs thereunder. If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.73-25767 Filed 12-5-73;8:45 am]

[Notice No. 401]

ASSIGNMENT OF HEARINGS

DECEMBER 3, 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 December 6, 1973.

MC 113651 Sub 160, Indiana Refrigerator Lines, Inc., MC 113678 Sub 516, Curtis, Inc., and MC 129600 Sub 15, Polar Transport, Inc., now being assigned hearing February 7, 1974 (2 days), at Chicago, Ill., in a hearing room to be later designated.

MC 136420 Sub 1, Oklahoma Border Express, Inc., now assigned continued hearings January 14, 1974, at Oklahoma City, Okla., and January 21, 1974, at Amarillo, Tex., are postponed indefinitely.

I & S No. 8890, Freight, All Kinds, in Multiple Trailers, Official territory, now assigned January 8, 1974, at Washington, D.C., is postponed indefinitely.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.73-25916 Filed 12-5-73;8:45 am]

[No. MC-28961 (Sub-No. 25)]

McDUFFEE MOTOR FREIGHT, INC.

Notice of Extension

At a session of the Interstate Commerce Commission, Division 1, Acting as an Appellate Division, held at its office in Washington, D.C., on the 21st day of November, 1973.

It appearing, that by application filed July 3, 1972, as amended, McDuffee Motor Freight, Inc., of Detroit, Mich., seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, of general commodities, with exceptions, (1) between Lexington, Ky., and the plant and warehouse sites of Eaton Corporation at Glasgow, Ky., over a specified regular route, serving no intermediate points, and (2) serving Glasgow, Ky., as an off-route point in connection with applicant's existing authority;

It further appearing, that by order entered May 18, 1973, in the above-entitled proceeding, Review Board Number 1 found that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, of general commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plant site and warehouse sites of Eaton Corporation at Glasgow, Ky., as an off-route point in connection with applicant's otherwise authorized regular-route operations;

It further appearing, that on June 25, 1973, applicant filed a petition for reconsideration; that in its petition applicant asserts that as its operations over the regular route to which Glasgow is appurtenant (such route being its Nashville,

Tenn., Lexington, Ky., route described in its Sub-No. 3) are restricted against the transportation of traffic originating at, destined to, or interchanged at Cincinnati, Ohio, or Louisville, Ky., or the commercial zones of either, the grant of authority by the Review Board has not rendered applicant able to perform the service for which a need was shown, on the record, to exist; and that applicant further contends that the authority sought should be granted in the form requested;

It further appearing, that as stated in the above-specified order and supported by the record, shipper requires service between Glasgow and points north thereof, particularly those in Indiana, Michigan, and Ohio, and applicant proposes to provide such service by interchanging at Cincinnati, Louisville, or Lexington; and that, as applicant has accurately characterized its existing authority, it is correct in its assertion that the Review Board has not granted authority to enable it to provide the service for which the Board ostensibly found there to be a need.

It further appearing, that, as there is nothing in the record to indicate the shipper has a need for service to Nashville, Tenn., or to any points other than those indicated above, a grant of authority to applicant to serve shipper's facilities at Glasgow as an off-route point in connection with its presently authorized regular-route operations serves no useful purpose;

It further appearing, that the service for which a need has been shown, and which applicant proposes to provide, inasmuch as it involves the transportation of truckload quantities of one shipper's products and raw materials between one shipper's facilities, on the one hand, and, on the other, three specified points with no apparent scheduled regularity, is not in the nature of a regular-route service; that services applicant would provide for shipper between its Glasgow facilities and Henderson, Ky., have not been proven to be other than intrastate in nature; that the supporting firm ships and receives a large variety of commodities, and shipper has specifically requested that applicant be granted "general commodity authority"; and that, therefore, applicant should not be granted the regular-route authority sought, but rather should be granted irregular-route authority to transport general commodities (with exceptions) as specified below, see *Transportation Activities, Brady Transfer & Storage Co.*, 47 M.C.C. 23, and *Motor Common Carriers of Property—Routes and Service*, 88 M.C.C. 415;

It further appearing, that as it is possible that other parties who have relied upon the notice in the Federal Register of the application as originally published may have an interest in and would be prejudiced by the lack of proper notice of the authority actually granted herein, a notice of the authority actually granted will be published in the Federal Register and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate petition for leave to intervene in the proceeding setting forth in detail the precise manner in which it has been prejudiced; and good cause appearing therefor:

It is ordered, that the above-entitled proceeding be, and it is hereby, reopened for reconsideration on the present record.

It is further ordered, that the order entered in the above-entitled proceeding on May 18, 1973, be, and it is hereby, vacated and set aside.

We find on reconsideration, that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of general commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the plant site and warehouse site of Eaton Corporation at Glasgow, Ky., on the one hand, and, on the other, Lexington and Louisville, Ky., and Cincinnati, Ohio; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; that this decision is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969; that an appropriate certificate should be issued; and that the application in all other respects should be denied.

It is further ordered, that the application, and the said petition, except to the extent granted herein, be, and they are hereby, denied.

It is further ordered, that upon compliance by applicant with the requirements of Sections 215, 217, and 221(c) of the Interstate Commerce Act, and with the Commission's rules and regulations thereunder, a certificate be issued to applicant subject to prior publication in the Federal Register as set forth above, authorizing operation, in interstate or foreign commerce as a common carrier by motor vehicle in the manner described above.

It is further ordered, that unless compliance is made by applicant with the requirements of Sections 215, 217, and 221(c) of the Act within 90 days after the date of service of this order, or within such additional time as may be authorized by the Commission, the grant of authority made herein shall be considered as null and void and the application shall stand denied in its entirety effective upon the expiration of the said compliance time.

It is further ordered, that notice of the authority granted herein be published in the FEDERAL REGISTER.

By the Commission, Division 1, Acting as an Appellate Division.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.73-25915 Filed 12-5-73;8:45 am]

[Notice No. 403]

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 December 26, 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-74757. By order of November 28, 1973, the Motor Carrier Board approved the transfer to Jerry Schugel, Doing Business As Jerry Schugel Trucking, New Ulm, Minn., of Certificate No. MC-125894 (Sub-No. 2), issued to Edward A. Dudley, Doing Business As Dudley Trucking, Le Center, Minn., authorizing the transportation of: Dehydrated alfalfa from Le Center, Minn., to points in Wisconsin. Joseph J. Dudley, Attorney, W. 1269 First National Bank, St. Paul, Minn. 55101.

No. MC-FC-74773. By order of November 28, 1973, the Motor Carrier Board approved the transfer to Wade Brothers Transfer Company, a corporation, Hilliard, Fla., of Permit No. MC-133732 issued to D. E. Wade, dba V. F. Carter Delivery Service, Jacksonville, Fla., authorizing the transportation of: Electrical appliances, from Jacksonville, Fla., to points in Ware and Lowndes Counties, Ga. Sol H. Proctor, Attorney, 2501 Gulf Life Tower, Jacksonville, Fla., 32207.

No. MC-FC-74780. By order of November 29, 1973, the Motor Carrier Board approved the transfer to Shillito Oil, Inc., Dillsburg, Pa., of Certificate No. MC-84387 issued to R. L. Shillito, Dillsburg, Pa., authorizing the transportation of: Various commodities, building supplies, tin cans, cartons, agricultural products, etc., between specified points and areas in New York, Pennsylvania, Maryland, and Washington, D.C. Robert H. Griswold, Attorney, P.O. Box 1166, Harrisburg, Pa. 17108.

No. MC–FC–74785. By order of November 29, 1973, the Motor Carrier Board approved the transfer to Edward W. Skinner and Edward W. Skinner, Jr., Doing Business As Skinner Trucking, Twin Falls, Idaho, of Permit No. MC–129654 (Sub-No. 2) issued to J. L. Anderson, Doing Business As J. L. Anderson & Son, Wendell, Idaho, authorizing the transportation of: Beekeepers' supplies and equipment, honey, and beeswax, and other similar commodities, between points and areas in Idaho, California, Arizona, Colorado, Iowa, Minnesota, Montana, Nebraska, New Mexico, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. R. W. Wigton, Practitioner, Box 1107, Sioux City, Iowa 51102.

No. MC–FC–74796. By order of November 29, 1973, the Motor Carrier Board approved the transfer to Schaller Trucking Corporation, Indianapolis, Ind., of Certificate of Registration No. MC–120618 (Sub-No. 1) issued to Joseph Schaller, John Donnell, Second Successor, Administrator, Indianapolis, Ind., evidencing the right to engage in interstate or foreign commerce in the transportation of Property between points in Indiana. James L. Beattey, Attorney, 130 E. Washington St., Indianapolis, Ind. 46204.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73–25917 Filed 12–5–73;8:45 am]

SMALL BUSINESS ADMINISTRATION

[License No. 02/02–0305]

J. H. FOSTER & CO.

Application for a License as a Small Business Investment Company

On November 5, 1973, a Notice of application for a license as a small business investment company was published in the FEDERAL REGISTER (38 FR 30485) stating that an application has been filed with the Small Business Administration (SBA) pursuant to section 107.102 of the Regulations governing small business investment companies (13 CFR 107.102 (1973)) for a license as a small business investment company by J. H. Foster & Company, One Battery Park Plaza, New York, New York 10004.

Interested parties were given until the close of business November 15, 1973, to submit their comments to SBA. No comments were received.

Notice is hereby given that, pursuant to section 301(c) of the Small Business Investment Act of 1958, as amended, after having considered the application and all other pertinent information and the facts with regard thereto, SBA will issue License No. 02/02–0305 to J. H. Foster & Company to operate as a small business investment company.

Dated: November 28, 1973.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.73–25813 Filed 12–5–73;8:45 am]

TARIFF COMMISSION

[TEA–F–57 and TEA–W–219]

GLOBE CORP.

Notice of Investigations

On the basis of petitions filed under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the Globe Corporation, Cincinnati, Ohio, and its workers, the United States Tariff Commission, on November 29, 1973, instituted investigations under section 301(c)(1) and 301(c)(2) of the said Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with men's suits, coats and trousers, knit and not knit, of wool and of manmade fibers (of the types provided for in items 380.02, 380.04, 380.57, 380.61, 380.63, 380.66, 380.81 and 380.84 of the Tariff Schedules of the United States) produced by the aforementioned firm, are being imported into the United States in such increased quantities as to cause, or threaten to cause, serious injury to such firm and/or the unemployment or underemployment of a significant number or proportion of the workers of such firm or an appropriate subdivision thereof.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigations may request a hearing, provided such request is filed within 10 days after the notice is published in the FEDERAL REGISTER.

The petitions filed in this case are available for inspection at the Office of the Secretary, United States Tariff Commission, 8th and E Streets NW., Washington, D.C., and at the New York City office of the Tariff Commission located in Room 437 of the Customhouse.

By order of the Commission.

Issued: November 30, 1973.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.73–25810 Filed 12–5–73;8:45 am]

VETERANS ADMINISTRATION

VETERANS ADMINISTRATION WAGE COMMITTEE

Notice of Meetings

The Veterans Administration gives notice that meetings of the VA Wage Committee will be held at the Veterans Administration Central Office, 810 Vermont Avenue, NW., Washington, D.C., on:

Thursday, January 3, 1974
Thursday, January 17, 1974
Thursday, January 31, 1974
Thursday, February 14, 1974
Thursday, February 28, 1974
Thursday, March 14, 1974
Thursday, March 28, 1974

The meetings will convene in Room 1100 at 2:30 p.m. for the purpose of reviewing wage survey data obtained by VA field stations under Federal Wage System procedures and proposed pay schedules derived therefrom.

The meetings will be closed to the public under the provisions of section 10(d) of Public Law 92–463, based on the confidential nature of information under consideration.

Dated: November 30, 1973.
By direction of the Administrator:

[SEAL] RUFUS H. WILSON,
Associate Deputy Administrator.

[FR Doc.73–25885 Filed 12–5–73;8:45 am]

CUMULATIVE LIST OF PARTS AFFECTED—DECEMBER

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

3 CFR Page

EXECUTIVE ORDERS:
10480 (Superseded in part by E.O. 11748) 33575
11726 (Superseded in part by E.O. 11748) 33575
11748 33575

5 CFR
213 ..... 33487, 33577

PROPOSED RULES:
731 33315

6 CFR
150 ..... 33487, 33577
152 33581
155 ..... 33488, 33489
Rulings 33582

7 CFR
871 33273
873 33582
1030 33455
1464 33276
1873 33586

PROPOSED RULES:
818 33400
909 33400
928 ..... 33400, 33491

9 CFR
76 33455

PROPOSED RULES:
317 33308
381 33308

12 CFR
204 33456
544 33456
563 33457
563c 33457

13 CFR
111 33588

14 CFR
39 33391
71 ..... 33277, 33391–33394, 33464, 33588
73 33394
75 33394
95 33589
97 33589

PROPOSED RULES:
71 ..... 33404, 33501, 33603

15 CFR
6 33482
376 33590
377 33592
1000 33486

16 CFR
13 ..... 33277, 33279
1508 33593
1700 33280

PROPOSED RULES:
1 33618
1508 33405

17 CFR Page
210 33282

19 CFR
1 33284
153 33593

20 CFR
410 33464

21 CFR
1 ..... 33284, 33465
2 33593
1401 33744

PROPOSED RULES:
1 33492
1000 33313

22 CFR

PROPOSED RULES:
41 33603

23 CFR
1 33465

24 CFR
1914 ..... 33465, 33466
1915 33467

25 CFR

PROPOSED RULES:
60 33401
153 33402

26 CFR
1 ..... 33290, 33395
601 33300

PROPOSED RULES:
1 33490
31 33490
301 33490

27 CFR
5 33470

28 CFR
0 33471

29 CFR
1910 33397
1926 33397

30 CFR
75 33397

32A CFR
Ch. VI:
BDC Notice 3 33472

33 CFR
62 33472
66 33473
74 33472
110 ..... 33473, 33474
117 33593

36 CFR
212 33474

38 CFR
21 33303

40 CFR Page
52 ..... 33368, 33556, 33702
80 33734
166 33303
180 33398

PROPOSED RULES:
52 33563
180 33604
406 33438

41 CFR
1–1 33594
1–4 33594
1–18 33596
101–25 33596

43 CFR

PUBLIC LAND ORDERS:
5362 33597

45 CFR
206 33380
248 33380
249 33383

PROPOSED RULES:
103 33565

46 CFR
77 33474
96 33474
195 33474

PROPOSED RULES:
30 33494
64 33494
90 33498
98 33498
528 33501

47 CFR
0 33597
1 ..... 33302, 33475
64 33475
73 33598
76 33398
95 33302

PROPOSED RULES:
2 ..... 33604, 33617
73 ..... 33405, 33406
81 33604
87 ..... 33604, 33618
89 ..... 33604, 33617
91 33604
93 33604
94 33604

49 CFR
1033 ..... 33302, 33399, 33482

PROPOSED RULES:
567 33404
571 33501

50 CFR
280 33492

FEDERAL REGISTER PAGES AND DATES—DECEMBER

33267–33383	Dec. 3
33385–33445	4
33447–33567	5
33569–33749	6

federal register

THURSDAY, DECEMBER 6, 1973

WASHINGTON, D.C.

Volume 38 ■ Number 234

PART II

ENVIRONMENTAL PROTECTION AGENCY

■

TRANSPORTATION CONTROL PLAN

National Capital Interstate AQCR

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

National Capital Region Transportation Control Plans

This notice of final rulemaking amends the implementation plans of the District of Columbia, Maryland, and Virginia, so as to provide a single unified transportation control plan for the National Capital Interstate Air Quality Control Region (the "Region"). A General Preamble was published on November 6, 1973 (38 FR 30626), and is incorporated by reference.

Background

On March 20, 1973, by publication in the Federal Register (38 FR 7325, and 7327), the Administrator, acting in response to a court order, notified the District of Columbia and the Governor of Maryland that transportation control plans should be submitted by April 15, 1973, for the portions of the Region under their respective jurisdictions. In response, plans were submitted on April 20, 1973, by the District and on April 16 and May 5, 1973, by Maryland. Although Virginia was not notified at that time, it too submitted transportation control plans to the Administrator on April 11 and May 30, 1973. These three plans had been worked out in coordination with each other under the auspices of the National Capital Interstate Air Quality Planning Committee, a council of local and State governments.

The strategies proposed, such as improved mass transit, parking disincentives, emission inspection programs, and additional stationary source controls represented the combined efforts of the three jurisdictions to develop a unified plan which would apply area-wide. They comprised a wide range of concepts which, if implemented properly, should effectively control the automobile-related emission problems in the area. The strategies as proposed by each of the jurisdictions were for the most part acceptable. However, since none of the plans could be completely approved. On June 15, 1973, the Administrator issued approval/disapproval notices containing his evaluation of each of the plans on June 22, 1973 (38 FR 16550).

The jurisdictions responded in a timely fashion to cure some of the deficiencies in the original submissions. Thus, material to supplement the plans was provided by the District of Columbia on July 9 and July 16; by Maryland on June 15, June 22, June 28, and July 10; and by Virginia on July 9, 1973. Public comment on each of these additional submissions was invited by Federal Register notice published July 18, 1973 (38 FR 19132).

On August 2, 1973, the Administrator published a proposed transportation control plan for each of the three portions of the Region (38 FR 20758, 20779, 20789). The proposals were very largely based on the material submitted by the three local jurisdictions. Public hearings on these EPA proposals were held in Virginia on September 4, in the District of Columbia on September 5, and in Maryland on September 6, 1973. The submissions by Virginia, Maryland, and the District were also extensively discussed at the public hearings.

Large portions of the submissions made in June and July by the three local jurisdictions are being approved today. In addition, the measures which EPA is promlugating have, to the maximum extent possible, been drafted to reflect the expressed preferences of the District of Columbia Government and the State of Maryland and the Commonwealth of Virginia.

Air Pollution in the National Capital Interstate AQCR

The Region is made up of Montgomery and Prince Georges Counties in Maryland; Arlington, Fairfax, Loudoun, and Prince William Counties in Virginia; and the District of Columbia. It extends past Dulles Airport in the west, to Gaithersburg and the National Bureau of Standards in the North along Route 70–S, past Quantico, Virginia, south along the Potomac River, and to Beltsville, Maryland, in the east.

1. Natural Features. The National Capital Interstate Region is situated almost entirely in the gentle rolling Piedmont Plateau and the nearly flat Atlantic Coastal Plain. The terrain to the east is generally flat, with elevations less than 1,000 feet above sea level. Gentle rolling hills with elevations of 200 to 500 feet extend to the Blue Ridge Mountains at the western edge of the Region. In general, the topography permits free air movement with few channeling effects.

Surface winds as reported by the National Airport occur most frequently from the northwest during the colder months and from the south and south-southeast during the warmer months. Weather changes occur frequently, but periods of stagnating anticyclones, which contribute to the development of high pollutant concentrations, are not uncommon. During the 30-year period from 1936 to 1965, the area was affected by 48 stagnating anticyclones for a total of 231 days. Average duration of each anticyclone was 4.8 days; and in three of the cases, stagnation conditions persisted for seven days or more. Of the 48 cases, 34 occurred during the months of August, September, and October. Frequency of inversions was greatest at 7 a.m., varying from 48 percent in the winter to 59 percent in the fall. Mean maximum mixing heights varied from 480 meters in December to 1,310 meters in June.

2. Air Quality and Reductions. Continuous monitoring of carbon monoxide (CO) levels is provided by 11 stations in the Region, with 8 stations providing continuous monitoring of photochemical oxidants. The highest 1972 CO reading of 20 parts per million (ppm) (compared to the national standard of 9 ppm) was recorded at the CAMP station in the District of Columbia. Oxidant readings of 0.20 ppm, compared to the national standard of 0.08 ppm, were recorded at the Argyle Sligo Airmon 5 station in Silver Spring, Maryland, and at the Airmon 4 station in Hyattsville, Maryland. The Air Quality Planning Committee, after review of air quality data throughout the Region, recommended these values be uniformly used as a basis for development of the Region's strategies by the District of Columbia, Virginia, and Maryland.

Emission reductions of 55.5 percent for CO using the rollback technique and 67 percent for hydrocarbons (based on the conversion curve in Appendix J of 40 CFR 51) were determined by the jurisdictions as necessary to meet the national ambient air quality standards. Since significantly greater emission reductions are required for HC, the control measures proposed to attain the oxidant standard will be more than sufficient to attain the CO standard. For a further discussion, see the Technical Support Document for the National Capital Transportation Control Plan, October 1973 (hereafter referred to as the Technical Support Document), which is available for public inspection at the EPA Region III Air Programs Branch, Curtis Building, 6th and Walnut Streets, Philadelphia, Pennsylvania 19106, and at the Freedom of Information Center, EPA, Room W232, 401 M Street SW., Washington, D.C. 20460.

Oxidant readings for this past summer, not yet officially reported to or verified by EPA, will very possibly be equal to or higher than the maximum readings obtained to date. If this proves to be the case, a plan revision calling for additional reduction measures will be required.

Since 1972 was the year in which the high readings for HC and CO were taken, emissions for that year have been calculated in order to determine the total degree of control required.

Emissions of hydrocarbons vary considerably during the day, and the rush hours account for a major amount of emissions due to the contribution of motor vehicles. Hence, the HC emission inventories and strategy effects were determined for this peak period, 6–9 a.m., although most of the strategies approved or promulgated today will reduce emissions throughout the day.

The local Air Quality Planning Committee's conclusion is that emissions of hydrocarbons in the Region between 6 a.m. and 9 a.m. during 1972 amounted to 63.3 tons. Emissions of carbon monoxide in the eight-hour period from 6 a.m. to 2 p.m. during that same year amounted to 1133 tons.

The National Capital Transportation Control Plan

1. Background and origin. The transportation control measures contained in this plan are based as much as possible on measures suggested by the three affected local jurisdictions. In particular, no measures to reduce vehicle miles traveled (VMT) are included which did not originate from suggestions made by the States or by the District of Columbia.

except for the requirement to review the construction of certain parking facilities.

The submissions from each of the three local jurisdictions (including the supplemental submissions) call for annual emission testing of all light duty vehicles, establishment of a computer car pool matching system, and the substantial expansion of bus service. The latter will occur through the expansion of the existing fleet size, establishment of an extensive network of exclusive bus lanes, and the addition of new routes, together with such amenities as shelters and more fringe parking lots. In addition, all employers and all commercial lots in areas served by mass transit will be required to charge commuters by automobile the prevailing commercial rate plus a two dollar per day Mass Transit Incentive, and on-street parking by commuters in these same areas will be restricted. Increased controls on stationary sources of hydrocarbon emissions were also called for. In addition, the District originally proposed and Virginia took credit for a ban on deliveries by gasoline-powered trucks during about half the daylight hours. Finally, the plans assumed that EPA-imposed restrictions on ground operations of aircraft at Dulles and National airports would lead to a further emission reduction. For a further discussion of the three state submissions, see the Evaluation Reports prepared by EPA for each of them. These are available for inspection at the addresses listed above for the Technical Support Document.

The EPA proposals published in the FEDERAL REGISTER on August 2, 1973, discussed these state measures, and in certain instances language was proposed to give the state strategies the necessary regulatory form. The Clean Air Act, however, requires that before an extension may be granted to a Region its plans must apply all measures to reduce emissions which are "reasonably available." These included the retrofit of 1971–74 fleet vehicles with oxidizing catalysts, and the retrofit of older vehicles with a relatively inexpensive emission control device known as VSAD (Vacuum Spark Advance Disconnect). As contingency measures, the preconstruction review of all new parking lots to determine their impact on air quality and a reduction in off-street parking spaces were proposed for implementation only if the Mass Transit Incentive was not enacted. Where necessary, additional measures for the control of emissions from stationary sources were also proposed to cure minor technical deficiencies in the local plans.

2. Summary of public comments. Three days of public hearings were held on the proposed plans for the National Capital Interstate Region. In all seventy-nine persons and organizations gave testimony. In addition, numerous written comments were received from private citizens, citizen groups, environmental organizations, trade associations, private industry, and governmental entities.

HEAVY DUTY VEHICLE RESTRAINTS

Criticism of the proposed ban on heavy duty gasoline powered trucks during the morning rush hours was especially pointed. It was argued that the emission reduction that would be achieved by imposition of the ban did not justify the extensive social and economic disruption that would result and that disruption to the construction schedule of the METRO system might result if the ban were imposed. Numerous practical difficulties were raised by the affected industries which would require an unwieldy exemption list and render enforcement very difficult. The testimony favored the substitution of heavy duty retrofit in place of an outright ban on heavy duty vehicle during rush hour periods. EPA agrees that in the D.C. area, which is heavily serviced oriented, a ban on heavy duty vehicles would, of necessity lead to many legitimate exemptions. Therefore, EPA has decided that a retrofit strategy would be more appropriate and would assure that emission reductions needed for this category of vehicles would be attained.

MASS TRANSIT INCENTIVE SURCHARGE

Comments concerning approval of the proposed two-dollar Mass Transit Incentive Surcharge on all day parking were mixed, but the majority were in opposition. Opposition from downtown businessmen was vigorous. Concern was expressed that the incentive would penalize central business district (CBD) businesses, would further hamper an already struggling downtown area, and would contribute heavily to relocation of businesses to suburban areas. However, much of the criticism appears to be based on the misimpression that the Mass Transit Incentive Surcharge would be levied only in the District of Columbia, that it would be imposed on shoppers, and that it would be imposed before adequate mass transit was available. In fact, the incentive will be applied only to long-term commuter parking (not shoppers), will be applied uniformly among the jurisdictions and will not be applied until adequate mass transit is available.

Also there were claims that the surcharge was a "commuter-tax." However, it is not the purpose or effect of this measure to raise revenue for one jurisdiction at the expense of others. The surcharge will apply to all commuters to areas adequately served by mass transit, wherever they come from, and will be applied not only in certain areas of the District, but in a significant number of employment centers outside it. All revenues from the surcharge will be used to expand mass transit, which will be to the benefit of the Region as a whole.

Comments in the Maryland hearing asserted that the outer suburbs would be unfairly burdened by the Mass Transit Incentive Surcharge because there are few, if any, mass transit lines in existence or proposed that run to these areas. However, only those areas adequately served by mass transit will be affected, and in addition those in outer suburbs can greatly mitigate any adverse impact either by car pooling or park and ride facilities.

Despite the objections raised, EPA agrees with the three lead jurisdictions that strong negative disincentives as well as positive incentives are necessary to divert automobile drivers to mass transit. In fact, this is the premise on which the entire transportation portion of the plans submitted by the jurisdictions is based upon.

Several comments were received suggesting that the revenues obtained from the incentive should be spent on improvements of mass transit. This is consistent with the plans for use of the revenues.

It was also suggested that mass transit improvements could be facilitated by an immediate phase-in of the Mass Transit Incentive Surcharge applied throughout the entire AQCR. This alternate proposal would impose an immediate phase-in of a smaller charge which would be applied to all parking facilities area-wide without regard to mass transit service. The proceeds from the charge would be used to purchase and subsidize mass transit. The charge would increase in amount as mass transit becomes more readily available. EPA feels the phased-in approach has merit.

Finally, most of the written comments submitted by the local business community included pleas that the community should be free to propose and enact an alternate program. However, none of the comments offered suggestions other than to increase use of carpools, a program which was part of the proposed plan. EPA encourages the communities affected to establish programs which would achieve similar or greater emission reductions than the programs being approved today. If such programs in proper regulatory form and of adequate stringency are submitted to EPA, they will be approved and the corresponding portions of EPA's plan will be descinded.

The Environmental Protection Agency also found merit in the suggestions that handicapped persons should be exempt from the incentive, and EPA has incorporated these suggestions in this promulgation.

PARKING RESTRICTIONS

Three types of parking restrictions were discussed in the comments received by EPA: the on-street parking restrictions, the off-street space reduction contingency regulation proposed by EPA, and parking in Federal facilities.

As to on-street parking, several citizen groups in the District of Columbia emphasized that parking restriction provision proposed by the local jurisdictions are essential to the effectiveness of the Plan, but that the proposed provisions lacked sufficient detail. There were comments that on-street parking should be prohibited from heavily traveled arterials, and that a permit system for residents should be included. In fact, the plan proposed by the District of Columbia which is being approved in this action includes provisions similar to those advocated in the public comments.

With respect to the EPA proposal to reduce available off-street parking spaces as an alternative strategy businesses were opposed to any restrictions of available parking on company property. The State

of Maryland commented that they had no authority to require local jurisdictions to reduce the number of parking spaces. The parking management groups questioned EPA's authority to impose parking restrictions. In both cases, EPA believes its legal authority adequately supports the proposed contingency measure. However, other groups feared that commuters would utilize all available spaces, leaving few spaces for shoppers, if the proposal were implemented. Partly due to this last point, and since subsequent studies have shown that a much greater space reduction than proposed in the areas affected would be necessary to achieve results similar to the surcharge, EPA has dropped the contingency proposal for parking space reduction.

Several comments suggested that increasing the fine for parking violations and enforcing the existing restrictions on on-street parking more strictly would also aid any on-street parking reduction plan. EPA encourages the local jurisdictions to continue to study these recommendations.

Much public testimony was received concerning the issue of Federal parking. The comments were nearly unanimous that in order for any parking strategy to be effective, the full cooperation of the D.C. area's largest single employer, the Federal Government, would be necessary. Many persons suggested that if controls were not placed on Federal employee parking, private sector personnel could not be expected to submit to regulation. The Federal Government agrees, and recognizes its responsibilities to the National Capital area. Such controls were contained in the EPA proposal, and are now being promulgated.

Several comments suggested that night employees be exempted from parking restrictions for safety and other reasons. Since the plan is designed to control emissions during daylight hours because of the nature of smog formation, control over these personnel is not necessary for air quality purposes, and EPA has made provisions in this promulgation for such an exemption.

Mass Transit

Numerous comments were received on how mass transit could be improved. Comments suggested fringe parking systems, improved routing, bus lanes, dial-a-ride buses, limited stop buses, reduction in fares, and staggered working hours. The Washington Metropolitan Area Transit Authority (WMATA) has expressed willingness to work closely with EPA in considering each of these measures. As discussed elsewhere in this preamble, WMATA is committed to expanding its bus fleet as quickly as possible and to initiating new service lines. Exclusive bus lanes were proposed by the local jurisdictions, and are being approved in this promulgation.

WMATA has singled out staggered working hours as being an effective aid to more efficient use of mass transit. EPA and GSA are currently studying the feasibility of staggered working hours and four day work weeks for Federal employees.

There was universal support for the proposed computerized car pool matching system. The Metropolitan Washington Board of Trade, with the assistance of the Council of Government, has independently initiated a program to promote car pools among private industry. The Board is currently holding a series of workshops with employers explaining car pool techniques, has made available information, experts, and computer time to assist in establishing car pool programs.

Commuter Rail

Numerous citizen groups pointed to the desirability of a commuter rail system for the D.C. area. EPA recognizes that commuter rail systems are quite functional in other metropolitan areas and that a rail system could be an attractive transportation alternative. However, implementation of such a system area wide is fraught with practical difficulties, not the least of which is the fact that the area is fully committed to heavily subsidizing the METRO rapid rail system. None of the three jurisdictions considered commuter rail in their plans, and EPA has not had sufficient time before this promulgation to adequately study the feasibility for commuter rail for the D.C. area. Thus, no provision is made for commuter rail in this promulgation. Nevertheless, EPA will continue to support all feasible transportation alternatives and encourages the three jurisdictions to study and promote the development of a commuter rail system in addition to METRO.

Retrofit Proposals

Comments received on the VSAD retrofit for pre-1968 light duty vehicles and the catalytic retrofit for 1971–74 fleet vehicles centered around the availability of technology and the economic justification of the retrofits in light of the relatively small reduction in emissions that would be achieved area wide. However, the reductions for each vehicle retrofitted are substantial. EPA has discussed these comments in the General Preamble to the Transportation Control Plans in the November 6, 1973, Federal Register (38 FR 30631).

The State of Maryland objected to imposition of retrofits on used fleet vehicles because EPA has granted new vehicles a one year delay of the effective date of the emission standards. Since the regulation would not become effective until May 31, 1977, EPA does not believe imposition of the regulation will be in fact inequitable.

Testimony from classic and antique car collectors indicated that such cars are well maintained and rarely used, and that imposition of retrofit devices would reduce their historic value. These regulations now provide for exemption from retrofit and inspection requirements for classic and antique vehicles.

Maryland also stated that VSAD retrofit does not reduce emissions as claimed and that the retrofit could cause engine damage. Based on the results of tests and on the California experience it is the EPA's position that this is not the case for the model years covered in these regulations, and therefore, EPA is promulgating a retrofit strategy. However, the regulation allows the jurisdictions to require installation of any alternate device which achieves reductions equivalent to VSAD.

Dry Cleaning Vapor Controls

Considerable confusion was evidenced by the public comments concerning control of hydrocarbon vapors from dry cleaning processes. It was EPA's intention to propose the equivalent of Los Angeles' Rule 66, a well-established procedure. Comments from the industry indicated preference for the Rule 66 approach rather than the proposed regulation. The proposed regulation has been modified to conform to these suggestions.

Bicycle Routes

Comments from area bicyclists emphasized three major topics. First, a strategy encouraging the use of bicycles as a mode of commuter travel should be adopted. Second, any system to encourage bicycle usage must protect bicyclists from automobiles. Third, bicycles should be safe from theft while parked. The local jurisdictions appeared willing to implement a network of bicycle routes. Based on the comments received, EPA is promulgating a regulation which will institute a network of commuter bikeways, thereby offering commuters another alternative mode of transit. The regulation will also assure safe parking for bicycles.

Land Use Measures

Written and oral comments urged EPA to become more involved in land use in the D.C. area. EPA believes that changes in land use patterns are the most effective ways of controlling air pollution, and that no lasting solution of the pollution problem is possible without them. In the short run, such measures can contribute to VMT reduction by making growth of automobile traffic more difficult. For this reason, and as a start toward the long-term changes in land use that will be necessary, a measure providing for the pre-construction review of parking lots has been included in this plan. Further review of major new construction projects will be provided by "indirect source" regulations which EPA is under a court order to promulgate by December 15, 1973. These regulations were proposed October 30, 1973 (38 FR 29893).

Inspection/Maintenance

Unanimous support for inspection/maintenance programs confirmed the feasibility and acceptability of these proposed measures.

The Content of the Plan

1. General. The measures approved and promulgated today may be divided into six categories, corresponding to the order in which the jurisdictions and in some cases, EPA decided to apply them.

(1) The Federal Motor Vehicle Control Program for new vehicles, which accounts for much of the emission reduction achieve.

(2) Additional controls on stationary source emissions. Both the States and EPA have extensive experience with such measures, and it can be predicted with confidence that none of them will cause significant economic or social disruption, even though some burdens on individual businesses may result.

(3) The establishment of a system for the annual emissions testing of automobiles and medium-duty vehicles, with provisions for the necessary corrective maintenance to be performed on those which fail. This is a measure that can easily be incorporated into a present annual safety inspection. Inspection/Maintenance programs are being adopted in virtually all transportation control plans.

(4) Moderate VMT reduction measures, resulting from such steps as the establishment of bus and bicycle lanes on existing road space, the review of new parking lots, and measures to encourage car pooling and to discourage commuter travel by automobile. These measures not only contribute directly to cleaning the air, but they also encourage more effective land use, the revival of urban centers, and reduced energy consumption. They are essential to the long-term maintenance of air quality standards.

(5) The reductions achievable from control of aircraft operations at Dulles and National Airports.

(6) EPA looked to the reductions that could be achieved by installing (or "retrofitting") emission control devices on existing vehicles. The more expensive of these devices—catalytic converters—are being reserved for fleet vehicles and trucks, which are generally owned by those who can better afford the expense. The one retrofit of pre-1968 vehicles that is being promulgated is relatively inexpensive and achieves large emission reductions when compared to its cost. In addition, to ensure that emission reductions from heavy-duty gasoline powered vehicles are achieved, a regulation is being promulgated which established a heavy-duty retrofit program.

2. The specific measures. The specific measures contained in this plan, listed in the order indicated by the preceding discussion, are as follows:

Vapor Recovery from Gasoline Loading and Sales. At the present the system by which gasoline is first loaded into the storage tanks at the filling stations and then loaded into individual vehicles gives rise to very significant evaporative emissions of hydrocarbons at the points of transfer. The regulations being promulgated call for at least 90 percent recovery of vapors displaced under underground storage tanks are refilled and 90 percent recovery of vapors displaced when vehicular tanks are refilled. All three jurisdictions proposed to control such emissions as part of their transportation control plans. However, the necessary regulations have not yet been adopted. Accordingly, the Administrator is promulgating regulations for all three portions of the Region to give effect to the local strategies. When equivalent local regulations are adopted and submitted, EPA will rescind the regulations promulgated today. The adopted local regulations submitted may be in a form different from the regulations promulgated today, so long as equivalent emission reductions are achieved.

Use of Solvents in Dry Cleaning. Several of the solvents used at present in dry cleaning of clothes contribute to the formation of photochemical oxidants when they evaporate. These emissions can be controlled either by the use of nonreactive solvents or by appropriate measures to control evaporative emissions. The regulations being promulgated is in a form which corresponds to the controls imposed by Los Angeles County Rule 66. It provides for at least 85 percent control of emissions from these facilities. All three jurisdictions included a measure to control such emissions in their plans, and the EPA regulation promulgated today will give this strategy the required regulatory form. When equivalent local regulations are adopted and submitted, EPA will rescind the regulations promulgated today. It should be noted that the adopted regulations submitted may be in a form different from the regulations promulgated today, so long as equivalent emission reductions are achieved.

Inspection and Maintenance of Light and Medium Duty Vehicles. All three jurisdictions proposed the annual emission testing of light duty vehicles (those weighing under 6,000 pounds). The District of Columbia and Maryland systems will require all vehicles to be tested annually by "loaded" (dynamometer) test—the most effective form of inspection—and would require annual inspection for commercial vehicles. The Maryland plan did not set forth the program in much detail. The Virginia plan contains an "idle" test program.

The Administrator is approving in full the District of Columbia and Virginia programs for inspection and maintenance, and is promulgating a regulation designed to establish a similar program in the Maryland portion of the Region.

In addition, the Administrator has determined that medium duty vehicles (6,000–10,000 pounds gross weight) use engines similar to those used in light duty vehicles and can accordingly be inspected under the same program. Regulations are, therefore, being promulgated to subject such vehicles to inspection in all three parts of the Region.

Aircraft Ground Operations Control. Each of the three local plans claimed hydrocarbon emission reductions of 50 percent resulting from modifications of aircraft ground operating procedures. EPA is granting partial credit for this strategy based upon the assumption that operating standards will be effective by 1977. EPA calculations indicate that hydrocarbon reductions of 36 and 31 percent are achievable at National Airport and Dulles Airport respectively, using presently feasible ground control measures. The period during which ground operating procedures to reduce emissions can be employed is a function of aircraft taxi time and the length of delays prior to departure. These times are less at Dulles and National airports than at most other major airports. Thus, a 50 percent reduction, while perhaps achievable at airports which have long delays and long taxi times, is not possible for the two local airports. In addition, since four engine commercial aircraft do not operate out of National Airport, credit cannot be taken at that airport for the large emission reductions which would result from a shutdown of two of the engines during delays and taxi-in periods. The EPA study from which the 50 percent emission reduction figure was derived assumed the use of some operating procedures that are no longer considered feasible because of either safety or practical reasons.

The present projected emission reductions for Dulles and National Airports result from procedures which do not involve any sacrifice in safety. Comments received at public hearings indicate that these procedures are feasible and, in fact, are already in use by some airlines on a pilot-option basis. Presently, an EPA/FAA demonstration project is being conducted to determine the validity of calculated emission reductions. If the results show that reasonable and safe ground operating procedures do reduce emission levels, the Administrator will propose regulations for the implementation of each procedure.

Expansion of Bus Lanes. The conversion of road space to the exclusive use of buses or car pools is an essential VMT reduction measure. By reducing the amount of road space available to automobiles, driving tends to be discouraged, while such lanes will make more efficient mass transit possible to satisfy the displaced travel demand. Each of the three jurisdictions in the Region submitted a list of corridors it proposed to convert to the exclusive use of buses. The Administrator is approving these locations and is promulgating supplementary requirements to ensure that such lanes are set aside on schedule.

Under the local strategies approved today, two exclusive bus lanes—one inbound lane during the morning peak period, and one outbound lane during the evening peak period—would be established along the following corridors:

a. U.S. Route 50 from New Carrollton, Maryland to the Washington CBD.

b. Pennsylvania Avenue and Maryland Route 4 from Andrews Air Force Base to the CBD.

c. South Capitol Street from Bolling Air Force Base to Independence Avenue.

d. George Washington Parkway—Washington Street—Jefferson Davis Highway from Fort Hunt to National Airport.

e. U.S. Route 50 from Seven Corners to the CBD.

f. Dulles Access Road—Virginia 123—George Washington Memorial Parkway from the Reston Interchange to the CBD.

g. Georgia Avenue—13th Street from the Maryland boundary to the CBD.

h. U.S. Route 240 from Old Georgetown Road to Sheridan Circle.

i. New Hampshire Avenue from U.S. Route 29 to Grant Circle.

The addition of bus lanes in these corridors will complement the existing system of bus lanes and will help assure that an extensive network will be implemented.

Expansion of Bus Transit System. An essential element of any transportation control plan for the National Capital Area is improved mass transit. Accordingly, each of the three plans proposed the area wide addition of 750 buses to the existing fleet. It will be necessary to expand the existing bus fleet to transport those commuters who no longer intend to use the automobile to drive to work. The Washington Metropolitan Area Transit Authority (WMATA) has already instituted a five-year program that was to effect a modest increase in fleet size and a retirement of the oldest buses in the current fleet. WMATA now plans to modify their original program to allow a more rapid increase in fleet size to meet this need. The increase will be gained by retaining some of the older, but serviceable buses (e.g., air-conditioned, good working order) that had been programed for retirement. When the Metro Rapid Rail System comes into operation, the new buses will also be used to provide the cross-town or suburb-to-surburb service that Metro will not provide, and to provide feeder routes to Metro stations.

The following chart shows WMATA's current anticipated timetable for increasing the fleet size through 1977, and a modified timetable which could be implemented to increase fleet size to meet the needs of the transportation plans. In addition, the 369 buses currently planned for retirement by June, 1974, could be retained to augment further the fleet size should it become necessary.

Date	New buses delivered	5-year plan retirement	Modified plan retirement	Annual net increase	Fleet size
1973					1,779
June, 1974	620	508	369	251	2,030
December, 1974	175	150	0	175	2,205
December, 1975	175	150	0	175	2,380
1977	150	150	0	150	2,530
				751	

Of the 251 net increase in buses for 1974, approximately 100 buses will be used to augment existing service lines, and the remaining (approximately 150) buses will be deployed on new lines, including cross-city and cross-county routes.

In addition to an increase in the size of bus fleets, WMATA is also committed to encouraging bus ridership. Additional phone lines have been installed, and a computerized phone route service is scheduled for completion by June, 1974. New maps are in final printing. EPA encourages WMATA to make schedules and maps as widely available as possible, for example in shopping areas, government buildings, and major employment centers.

This promulgation contains a compliance schedule which is primarily intended to insure that the necessary commitments for funding will be forthcoming from the affected jurisdictions in a timely manner.

Elimination of Free Commuter Parking and Mass Transit Incentive. Commuter travel, since it repeats itself predictably from day to day, is the segment of daily travel most easily shifted to car pools or other forms of mass transit.

One way to provide an adequate incentive for employees to switch to mass transit commuting is by an increase in the parking charge over and above the current rate to encourage use of mass transit by commuters. This incentive could promote use of mass transit still more if the revenues from it were channelled back to the mass transit system. The National Capital plan includes such a provision.

The plans submitted by the three jurisdictions and supporting documents suggested that employers in areas adequately served by mass transit should eliminate free parking for their employees, and also impose an additional two dollar per day surcharge that would be used to subsidize mass transit. The plans suggested that EPA should take action to impose such a rate on the Federal Government, and that the three jurisdictions would then impose it on private employers and on commercial lots.

Accordingly, EPA is today promulgating regulations that would impose on the Federal establishments commercial-type charges plus the Mass Transit Incentive Surcharge that the local jurisdictions have requested thereby eliminating free parking for Federal employees as suggested in the local plans. The surcharge and the commercial rate requirements are part of the same package; neither will be imposed apart from the other. These strategies will take effect in 1975 and have been worked out with the cooperation of the General Services Administration. They will apply to all agencies of the executive, legislative, and judicial branches of government. The Administrator is also approving the commitments of the three local jurisdictions to impose the same obligations on private employers and on commercial parking lots, and is promulgating enforceable compliance schedules to make sure that this is done.

Defining the areas where the commercial rates and surcharges will apply has been a difficult task. The general approach taken by EPA is consistent with the regional strategy of applying the parking measures only in employment areas which are adequately served by mass transit at present, or which are capable of being adequately served by mass transit by mid-1975. The areas listed below are those which, in the best judgment of EPA, meet this test.

District of Columbia Central Business District
Federal Triangle Area
Capitol Hill Area
Southwest Mall—Waterside Mall Area
Friendship Heights Area
Prince Georges Plaza Area
Downtown Silver Spring Area
National Institute of Health Corridor Area
Rossyln Area
Crystal City Area
Pentagon
Tyson's Corner Area
Downtown Alexandria.

The concept of areas adequately served by mass transit can be approached in several ways. In order to permit the local jurisdictions as much latitude as possible in the plan, the Administrator will allow each jurisdiction to delete or add areas, provided that an affirmative showing is made to the Administrator that such changes are appropriate and that no other areas are capable of being considered adequately served. Any such substitution or affirmative showing shall be submitted no later than June 30, 1974. By June 30, 1974, each jurisdiction will be required to submit exact definitions or boundaries of the areas included on the above list or the alternate areas selected. The three jurisdictions must conduct a coordinated study of the entire Region defining precisely the areas covered. The list of areas must be updated at least once per year beginning June 30, 1975. Additional areas must be included as mass transit service is increased, unless the jurisdiction can affirmatively demonstrate that it is impossible for any additional areas to be included.

It must be emphasized that the commercial rates and Mass Transit Incentive will not go into effect until mass transit has been significantly expanded by the transit improvement measures outlined above. Therefore, it is expected that these measures will become effective on or about June 30, 1975. However, if the bus system expansion does not proceed substantially as planned, the Administrator may adjust the effective date of the measures to coincide with mass transit development. In fact, the Mass Transit Incentive Surcharge approved in this final promulgation embodies this concept by proceeding on a phased implementation schedule. The original proposals by the jurisdictions included a strategy for the imposition of a $2.00 per day surcharge on commuter parking beginning in 1975. In order to be assured that mass transit will be available to provide the alternate mode of travel for commuters displaced by the surcharge and to allow commuters time to adopt other transit modes, EPA has modified the schedule for imposition of the Mass Transit Incentive Surcharge to proceed on a phased implementation schedule.

The new schedule has been based on WMATA's most recent anticipated time-

table for growth of its fleet. The Mass Transit Incentive Surcharge would initially be set at $0.50 per day and would increase up to $2.00 per day on the following schedule:

Effective date:	Mass transit incentive surcharge (per day per space)
June 30, 1975	$0.50
Jan. 1, 1976	1.00
June 30, 1976	1.50
Jan. 1, 1977	2.00

Any net revenues collected from the Mass Transit Incentive Surcharge on commercial, governmental and private parking facilities will be used for the further expansion or operation of the mass transit system.

The commercial rates and surcharge will be imposed only on those who park for six (6) or more hours at a time. It should accordingly have little or no adverse effect on short term parking by shoppers and on the economic health of existing business districts such as downtown Washington, but should instead operate almost exclusively to change commuting habits.

One other topic deserves discussion under this section. This is the off-street parking space reduction which was proposed as a contingency to the surcharge. Testimony received asserted that if spaces were reduced commuters would take up all available spaces leaving few, if any, for shoppers. Therefore, this strategy would have little effect on commuter trips while shoppers would be adversely affected. Also studies conducted by Pratt and Associates for COG and EPA have indicated that, in order to achieve VMT reduction similar to that expected by the imposition of the surcharge, a parking space reduction much larger than the 10–15 percent proposed would be necessary.

Finally, these strategies provide exemption for handicapped persons.

On-Street Parking Restrictions. To make the parking regulation strategies described above complete, each of the three local jurisdictions submitted measures to EPA that would bar on-street parking by commuters in the areas where the surcharge is in effect. In addition, the District of Columbia proposed to restrict on-street parking on major arterial streets and proposed to institute a permit system so that available on-street spaces would be used by residents of the neighborhood rather than by commuters. These measures are being approved by the Administrator subject, in the cases of Virginia and the District of Columbia, to compliance schedules to correct technical deficiencies in the strategy.

Computerized Car Pooling. The strategies described above can be expected to cause a considerable shift to car pool commuting among employees. Individual automobiles, which are designed to carry four to six persons and which currently carry an average of approximately 1.4 persons per trip in the Region, represent the largest pool of unused transit capacity available. Car pooling, properly administered, could result in a great VMT reduction.

Each of the three local jurisdictions suggested the establishment of a computer-aided car pool matching system to assist and encourage the shift to car pools. This portion of the District of Columbia, Maryland and Virginia plans is being approved in full.

Bicycle Lanes. As a result of comments received at the public hearings, the Administrator is including regulations establishing a bicycle lane-bicycle rack strategy. A safe and widespread system to encourage bicycle usage by present users of motor vehicles has the potential of decreasing area wide VMT by about one percent. Reduction in this range can be achieved by diverting 12–25 percent of urban work trips of less than 4 miles to bicycle commuting from auto commuting. This estimate takes no account of the potential for also shifting other categories of trips under four miles (such as recreational or shopping trips) to bicycles. To accomplish this result the regulation requires the jurisdictions to establish a bicycle lane network of no less than 180 miles area wide by July 1, 1976. Such a network should provide feeder routes to Metro and railroad stations, and should link all major residential sections of the city with centers of employment, as well as major educational institutions and commercial centers.

The bicycle lane network will be implemented following a comprehensive study of all aspects of present and potential bicycle usage. The study will determine the best locations for bicycle routes, both on-street and off-street, and will examine the costs of the bicycle land and rack network.

A pilot bicycle route from Key Bridge past the White House and the U.S. Capitol to Pennsylvania Avenue and Alabama Avenue, S.E. will be established prior to April 1, 1974. An evaluation of this route shall be included in the comprehensive study. This route was chosen because it provides direct access to the Central Business District from areas of the city where present bicycle use is high, and because it will enable connection with Virginia routes.

A system of bicycle racks will be required by June 1, 1975. Bicycle racks or other safe storage facilities are an essential part of a bicycle plan. Without them, the threat of theft may deter potential riders from using even the most extensive bicycle lane network. The regulations require that any employer, building, or facility providing motor vehicle parking space must also provide bicycle parking in an equitable ratio: 1 bicycle parking space capable of storing 12 bicycles in a rack for every 75 motor vehicle parking spaces. Racks should be located to be safe from both motor vehicle traffic and theft. It would be desirable that outdoor racks be sheltered by a roof and enclosed for adequate security.

The inspection and maintenance program, which will be run as part of the present annual safety inspection program, is expected to cost an average of $2 per vehicle inspected. Maintenance on vehicles that fail a first test so that they can pass a retest will cost an average of $3 above normal maintenance costs. The additional maintenance which should result from this program will also improve the fuel economy of the inspected vehicles.

The controls on gasoline transfer will save energy as well as reduce emissions, since the gasoline that would otherwise have evaporated will be collected by the control mechanism and be put back into the distribution system. These controls are expected to conserve approximately four million gallons of gasoline per year. Controls on aircraft ground operations can also be expected to save energy.

The various retrofit measures vary in expense, from $20 for a VSAD system to an estimated $130 for a catalytic converter. Although such devices are effective in reducing emissions, there are no significant secondary benefits from their installation except to avoid the need for less desirable alternatives. The most costly of these devices—the catalytic converter—will be reserved for use on fleet vehicles and taxicabs.

In some instances, as noted above, measures have been promulgated that were not formally proposed as regulations.

Parking Review. In all three jurisdictions, EPA proposed, as a contingency measure, a regulation for the review of new parking facilities to determine whether they would be consistent with the plan's VMT reduction goals. The public comments received stated that this measure was a "reasonably available alternative" measure and therefore should be promulgated not as a contingency but for general applicability. EPA agreed with the comments received, and intended to include this regulation as part of this action. However, in response to a court order this regulation was promulgated on November 12, 1973 (38 FR 31536, November 15, 1973). The regulation as promulgated requires review of all parking facilities over 250 spaces capacity prior to construction or modification.

Since VMT reductions are calculated from a predicted growth curve, and not simply from current levels, this regulation will help reduce VMT levels by reducing the future supply of parking on which future VMT growth would depend.

Although review of new highways was not proposed by any of the jurisdictions, there was substantial public comment on the issue of highway construction. It should be noted that Section 109(j) of the Federal Aid Highway Act, as amended, 23 U.S.C. 109(j), requires any Federal aid highway to be consistent with applicable implementation plans under the Clean Air Act. The plan for the Region is designed to provide a substantial VMT reduction. Accordingly, if any new Federal aid highway in the Region could be expected to lead to a VMT increase or to interfere with the attainment or maintenance of air quality standards, it would not be consistent with this plan.

Heavy Duty Vehicle Exclusion/Heavy Duty Vehicle Retrofit. The District of Columbia proposed to effect a 50 percent

reduction in heavy duty vehicle emissions by banning all but specifically exempted deliveries from 6 a.m. to 9 a.m. This measure is disapproved because of the practical enforcement problems presented in public hearing testimony, because of the uncertain emissions reduction credit that can be assumed in the absence of precise definition of proposed exemptions (e.g., milk trucks, postal service trucks, sanitation trucks), and because of lack of detail in the local proposal. As an alternative measure, the possibility of installing appropriate retrofit devices on medium (6,000–10,000 pound, GVW) and heavy duty vehicles, as proposed by the State of Maryland and the Commonwealth of Virginia, has been investigated. Preliminary results of a vehicle test program, sponsored jointly by the EPA and the City of New York, indicate that catalytic retrofit of medium duty vehicles is indeed feasible, although application of the same devices to heavy duty vehicles indicated problems of deterioration of the retrofit device and the vehicle's exhaust system. Since the jurisdictions have agreed to participate in the ongoing test program, the Administrator has determined that catalytic retrofit will provide substantial reductions in both carbon monoxide and hydrocarbon emissions for all medium duty vehicles which are able to operate properly on unleaded 91 RON gasoline, and is promulgating such a regulation. In addition, for those medium duty vehicles which are unable to operate on 91 RON gasoline, an EGR-Airbleed system will be required.

Air/Fuel Retrofit of Heavy Duty Gasoline Powered Vehicles (greater than 10,000 pound GVW). Since the test program sponsored jointly by the EPA and New York City has suggested serious deterioration effects resulting from the use of catalytic retrofit devices on heavy duty gasoline powered vehicles, it is apparent that the state-of-the-art is insufficiently advanced to permit application of this control measure. However, the same test program has demonstrated the significant emission reductions which result from installation of air/fuel devices, exhaust gas recirculation, or carburetor modifications on heavy duty vehicles. Accordingly, the Administrator is promulgating a regulation which will require installation of appropriate noncatalytic retrofit devices on all heavy duty gasoline powered vehicles. In the event that the medium duty and heavy duty gasoline powered vehicle retrofit programs do not achieve the reductions anticipated, or the jurisdictions do not vigorously implement either programs, other control measures would become necessary.

Catalytic Retrofit of Fleet Vehicles. Since the emission reductions claimed by the jurisdictions for aircraft emissions could not be allowed in full, other measures which are "reasonably available" must be applied to meet the standards by the statutory deadline of 1977. For this reason, the Administrator is promulgating in essentially the form proposed a regulation requiring the retrofit of all light duty vehicles that are part of business or government vehicle fleets. The use of such a catalyst will reduce emissions by approximately 50 percent on each vehicle retrofitted. Installation of these catalysts will begin in mid-1976.

VSAD Retrofit of Pre-1968 Automobiles. Since the emission reductions claimed by the jurisdictions for aircraft emissions could not be allowed in full, it is necessary for the Administrator to promulgate "reasonably available" measures to meet the standards by the 1977 deadline. For this reason, the Administrator is promulgating, in essentially the form proposed, a regulation requiring the installation of VSAD devices on pre-1968 vehicles. The regulation has been modified to allow a jurisdiction to use any other device which can be demonstrated to achieve equivalent emission reductions on this class of vehicles (namely 9 percent reduction in CO and 25 percent reduction in HC). In addition, an exemption from the requirements of this regulation is allowed for antique or classic vehicles.

Monitoring and Reporting Regulation. This measure is included in the final rulemaking for all three jurisdictions to provide for monitoring the reductions that will result from the application of these regulations to mobile sources. This reporting will allow EPA sufficient time to evaluate the effectiveness of the measures included in this plan. It will further provide the data upon which EPA will determine if any modification of the measures is nececsary.

SUMMARY OF EXPECTED EMISSIONS REDUCTION FROM PLAN MEASURES

	Hydrocarbons		Carbon Monoxide	
	Tons per Peak Period	Percent of Total Reduction Required	Tons per Peak Period	Percent of Total Reduction Required
Base year emissions	63.3		1133	
Total reductions required	42.4		632	
Reductions from FMVCP	29.7	70	557	88
Stationary source emissions without control strategy	14.3			
Expected reductions from:				
a. Dry cleaning vapor recovery	1.1	2.6		
b. Gasoline handling vapor recovery	5.0	11.7		
Mobile source emissions without control strategy	19.3		576	
Expected reductions from:				
a. Transportation package	2.9	6.9	26	4.1
b. Inspection/maintenance	1.6	3.8	34	5.4
c. VSAD retrofit	.4	.9	3	.5
d. Catalytic retrofit of fleet automobiles	.2	.5	5	.8
e. Truck retrofit program	.5	1.2	20	3.1
f. Aircraft program	1.0	2.4		
Total reductions	42.4	100.0	645	101.9
Emissions remaining	20.9		488	

FINDINGS

The plan approved today applies a full range of the emission controls that have been used in transportation control plans for other areas of the country. The provisions for stationary source control, inspection and maintenance, bus lanes, computer car pool matching, parking lot review, and certain retrofits are common to many plans. The provisions for special charges on commuter parking is also being used in other heavily polluted areas of the country such as Boston and in California.

ECONOMIC AND SOCIAL EFFECTS

EPA, while recognizing that inconvenience to some individuals will necessarily result from the National Capital Area plan, believes that there will not be significant economic or social disruption. In general, commuter travel by single-passenger automobile will become much less attractive as that mode of transportation loses many of its present advantages. This, however, should not be seen as a deliberate attempt by EPA to hinder and frustrate the many individuals who presently rely upon the automobile to commute to and from work. The transportation plan provides for alternative transit choices which, when fully operational, will make commuting far easier than it is today. In the long run, then, persons in the metropolitan area should benefit from cleaner air, less vehicle congestion and a more balanced system of transportation.

To achieve this result, the Region's bus fleet will be greatly expanded within the next few years and many additional routes and service areas will be established. The efficiency of the entire bus system will be further improved by the new busline network. The 180 miles of bicycle lanes will increase the attractiveness of travel by bicycle. Car pooling will become significantly easier as the computer-aided car pool matching system goes into operation. And, in the near future, the new subway system will have a very positive effect.

There will be other significant advantages to the plan announced today. Recent events have made clear how essential it is to economize on energy use. Transportation at present accounts for over a quarter of the energy consumed in this country. Automobiles consume three-quarters of the energy used for transportation, or about twenty percent of the total. Only about a quarter of the energy consumed by an automobile engine does useful work. The rest is wasted. Indeed, even the energy used to drive the vehicle is largely wasted in any functional sense, since most American cars are far larger and heavier than they need to be for their normal job of moving one or two people around. Our present auto-based transportation system using standard-sized cars moves

human beings about by moving two tons of metal along with each of them. There can be no better place to begin to end our exclusive reliance on the automobile than in the cities, where this step will not only save energy, but will also protect human health by cleaning up the air.

These measures are not expected to affect the shopping centers of downtown Washington, since the most significant of them—the parking surcharge and the bus lanes—will only affect those traveling during the commuting hours and parking most of the day in one location.

The inspection and maintenance program, which will be run as part of the present annual safety inspection program, is expected to cost an average of $2 per vehicle inspected. Maintenance on vehicles that fail a first test so that they can pass a retest will cost an average of $3 above normal maintenance costs. The additional maintenance which should result from this program will also improve the fuel economy of the inspected vehicles.

The controls on gasoline transfer will save energy as well as reduce emissions, since the gasoline that would otherwise have evaporated will be collected by the control mechanism and be put back into the distribution system. These controls are expected to conserve approximately 11 thousand gallons of gasoline per day. Controls on aircraft ground operations can also be expected to save energy.

The various retrofit measures vary in expense, from $20 for a VSAD system to an estimated $130 for a catalytic converter. Although such devices are effective in reducing emissions, there are no significant secondary benefits from their installation except to avoid the need for less desirable alternatives. The most costly of these devices—the catalytic converter—will be reserved for use on fleet vehicles and taxicabs.

In some instances, as noted above, measures have been promulgated that were not formally proposed as regulations. This was done because of the requirement of the court order that a plan applying all "reasonably available" measures be promulgated for the Region without further delay. EPA, however, invites public comment on these and other aspects of today's promulgation, and will revise the plan if revision seems appropriate in the light of the comments received. Comments should be submitted no later than December 31, 1973, to the Transportation Control Staff, Office of Air Programs, Room 937-W, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

It is the desire of the Environmental Protection Agency that the plan to attain and maintain the carbon monoxide and photochemical oxidant standards in the National Capital Interstate Air Quality Control Region be a Regional plan devised and carried out by the affected local jurisdictions or their representatives. The combination of strategies approved and promulgated today to a great extent form such plans. Furthermore, if the three local jurisdictions submit additional transportation control measures and these measures are approvable, portions of this plan can be rescinded. It should be noted, however, that this plan constitutes a final rulemaking and its provisions are enforceable under the Clean Air Act.

(Sec. 110(c) and 301(a), Clean Air Act (42 U.S.C. 1857c-5(c) and 1857g).)

Dated: November 20, 1973.

RUSSELL E. TRAIN,
Administrator.

Subpart J of Part 52 of 40 CFR Chapter I is amended as follows:

Subpart J—District of Columbia

1. In § 52.470 paragraphs (c)(2) and (c)(3) are revised to read as follows:

§ 54.470 Identification of plan.

* * * * *

(c) Supplemental information was submitted on:

* * * * *

(2) April 28, 1972, by the District of Columbia.

(3) April 19, July 9 and 16, 1973, by the District of Columbia.

* * * * *

2. Section 52.472 is amended to read as follows:

§ 52.472 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves the District of Columbia's plan for the attainment and maintenance of the national standards.

(b) With respect to the transportation control strategies submitted on April 19, July 9, and July 16, 1973, the Administrator approves the measures for parking surcharge, car pool locator, vehicle inspection, express bus lanes, increased bus fleet and service, elimination of free parking by private employers, with exceptions set forth in §§ 52.476, 52.483, 52.486, and 52.479.

(c) With respect to the transportation control strategies submitted on April 19, July 9, and July 16, 1973, the Administrator disapproves the strategies for heavy duty vehicle exclusion, as set forth in §§ 52.474 and 52.483.

3. Section 52.474 is revised to read as follows:

§ 52.474 Legal authority.

(a) The requirements of § 51.11(c) are not met with respect to the heavy duty vehicle restriction strategy because of lack of legal authority for the purposes claimed.

4. In Section 52.476 paragraphs (c) through (h) are added to read as follows:

§ 52.476 Compliance schedules.

* * * * *

(c) With respect to transportation control strategies submitted by the District of Columbia, the requirements of § 51.15 are not fully met for the measures for parking surcharge, elimination of free on-street commuter parking, elimination of free employee parking, increased bus fleet and service, and exclusive bus lanes. Provisions to implement the requirements of § 51.15 are promulgated in this section.

(d) With respect to the parking surcharge measure approved in §52.472:

(1) The District of Columbia shall no later than June 30, 1974, submit to the Administrator for his approval a precise description of areas within the District of Columbia which are at that time adequately served by mass transit, and those areas which in the judgment of the District of Columbia will be adequately served by mass transit by June 30, 1975. The documentation and policy assumptions used to select these areas shall be included with this submission.

(2) The District of Columbia shall by June 30, 1975, and each succeeding year submit to the Administrator for his approval a revised list of those areas which are adequately served by mass transit. Additional areas must be included as mass transit service is increased, unless the District of Columbia can affirmatively demonstrate that no additional areas can be included.

(3) The District of Columbia shall, no later than October 1, 1974, submit to the Administrator legally adopted regulations instituting the parking surcharge on all long-term (6 hours) parking in all commercial parking facilities (except to the extent they are used for residential parking) and all facilities subject to §§ 52.476(f) and 52.486 in those areas adequately served by mass transit within the District of Columbia portion of the National Capital Interstate AQCR. The parking surcharge shall be complemented and collected according to the following schedule:

June 30, 1975–Dec. 31, 1975	$0.50
January 1, 1976–June 30, 1976	1.00
July 1, 1976–Dec. 31, 1976	1.50
January 1, 1977	2.00

All monies collected under this program shall be turned over to the District of Columbia. All proceeds from this program shall be used for the expansion and operation of mass transit except for a reasonable amount for the costs of administration and collection of the surcharge. Any handicapped person who is unable to use mass transit shall not be subject to the surcharge. The parking surcharge shall not apply to any parking begun between the hours of 6 p.m. and 2 a.m.

(e) With respect to the measure for elimination of free on-street commuter parking approved in § 52.427:

(1) The District of Columbia shall, no later than June 30, 1974, submit to the Administrator for his approval a compliance schedule, including legally adopted regulations, enforcement procedures, and a description of resources available. The compliance schedule shall provide:

(i) For implementing the on-street commuter parking ban program in all areas within which a surcharge will be required by paragraph (d) of this section. The program shall prohibit all park-

ing for more than two hours by nonresidents of the area subject to the ban during the hours from 7 p.m., Monday through Friday (excepting holidays) on any street within such areas. The program shall also provide for a sticker system, under which residents of such an area may be exempted from the ban, and for a system (whether by notification to the enforcement authorities, or otherwise) for also exempting bona fide visitors to residents of such areas from the ban.

(ii) The precise resources that will be devoted to enforcing this measure, the method of enforcement to be used (for example, chalking tires), and the penalties for violation. The compliance schedule shall at a minimum provide that violators shall be subject to a $10.00 fine.

(f) With respect to the measure for elimination of free employee parking approved in § 52.472:

(1) For purposes of this paragraph "Commercial Parking Rate" shall mean the average daily rate charged by the three operators of parking facilities containing 25 or more commercial parking spaces that are closest in location to any employee parking space affected by this paragraph.

(2) The District of Columbia shall, no later than June 30, 1974, submit to the Administrator for his approval a precise description of areas within the District of Columbia which are at that time adequately served by mass transit, and those areas which in the judgment of the District of Columbia will be adequately served by mass transit by June 30, 1975. The documentation and policy assumptions used to select these areas shall be included with this submission.

(3) The District of Columbia shall by June 30, 1975, and each succeeding year, submit to the Administrator for his approval a revised list of those areas which are adequately served by mass transit. Additional areas must be included as mass transit service is increased, unless the District of Columbia affirmatively demonstrate that no additional areas can be included.

(4) The District of Columbia shall no later than October 1, 1974, submit to the Administrator legally adopted regulations instituting commercial parking rates by June 30, 1975, on all employers, public (excluding Federal Government) or private, with 25 or more employee spaces located in those areas adequately served by mass transit within the District of Columbia portion of the National Capital Interstate AQCR. Any handicapped person who is unable to use mass transit shall not be subject to the commercial parking rate. The commercial parking rate shall not apply to employee parking begun between the hours of 6 p.m. and 2 a.m.

(g) With respect to the measure for increased bus fleet and service approval in § 52.472: The District of Columbia shall no later than January 31, 1974, submit a compliance schedule to put the program into effect. The compliance schedule shall, at a minimum, provide that the District of Columbia shall, on or before March 1, 1974, submit to the Administrator a statement, signed both by a representative of the Washington Metropolitan Area Transit Authority (WMATA) indicating that, in the judgment of both of them, financial commitments have been made by the District of Columbia for the purchase of buses. This statement, taken in conjunction with the commitments made by the Commonwealth of Virginia and the State of Maryland, must be sufficient to enable WMATA to purchase in the fiscal year beginning the next July 1, the number of buses below:

Fiscal Year 1975—175 buses
Fiscal Year 1976—150 buses
Fiscal Year 1977—150 buses

The statement shall also indicate that WMATA has in fact committed to purchase that number of buses.

(h) With respect to the express bus lane measure approved in § 52.472:

(1) The District of Columbia shall no later than January 1, 1975, establish exclusive bus lanes in the following corridors:

(i) U.S. Route 50 from District of Columbia-Maryland boundary to Washington Central Business District (hereafter CBD).

(ii) Pennsylvania Avenue from the District of Columbia-Maryland boundary to the Washington CBD.

(iii) South Capitol Street from Bolling Air Force Base to Independence Avenue.

(iv) U.S. Route 50 from the District of Columbia-Virginia boundary to the Washington CBD.

(v) In the District of Columbia portion of a route connecting the Dulles Access Road from the Reston Interchange to the Washington CBD.

(vi) Georgia Avenue-13th Street from the District of Columbia-Maryland boundary to the Washington CBD.

(vii) U.S. Route 240 from the District of Columbia-Maryland boundary to Sheridan Circle.

(viii) New Hampshire Avenue from the District of Columbia-Maryland boundary to Grant Circle.

Such lanes shall be inbound during the morning peak and outbound during the evening peak period.

(2) The District of Columbia shall submit to the Administrator, no later than March 1, 1974, a schedule showing the steps which it will take to establish exclusive bus lanes in those corridors enumerated in paragraph (h)(1) of this section. Each schedule shall be subject to the approval by the Administrator and shall include as a minimum the following:

(i) Identification of streets or highways that shall have portions designated for exclusive bus lanes.

(ii) The date by which each street or highway shall be designated.

(3) Exclusive bus lanes must be prominently indicated by distinctively painted lines, pylons, overhead signs, or physical barriers.

(4) Application for substitution of a corridor for any of those listed in paragraph (h)(1) of this section shall be made by the District of Columbia for the Administrator's approval no later than March 1, 1974.

5. Section 52.479 is amended by adding paragraphs (b) and (c) to read as follows:

§ 52.479 Source surveillance.

* * * * *

(b) The requirements of § 51.19(d) are not met with respect to the strategies for parking surcharge, car pool locator, vehicle inspection, express bus lanes, increased bus fleet and service, elimination of free on-street parking, and elimination of free parking by employers.

(c) Monitoring transportation trends.

(1) This section is applicable in the District of Columbia portion of the National Capital Interstate Air Quality Control Region.

(2) In order to assure the effectiveness of the inspection and maintenance program approved in § 52.472 and the retrofit devices required pursuant to §§ 52.490, 52.492, 52.494, 52.495, and 52.496, the State shall monitor the actual per vehicle emissions reductions occurring as a result of such measures. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the State in accordance with § 51.7 of this chapter. The first quarterly report shall cover the period January 1 to March 31, 1976.

(3) In order to assure the effective implementation of the parking surcharge, car pool locator, express bus lanes, increased bus fleet and service, elimination of free on-street community parking and elimination of free parking by employers, the District of Columbia shall monitor vehicle miles traveled and average vehicle speeds for each area in which such measures are in effect and during such time periods as may be appropriate to evaluate the effectiveness of such a program. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the District of Columbia in accordance with § 51.7 of this chapter. The first quarterly report shall cover the period from July 1 to September 30, 1974. The vehicle miles traveled and vehicle speed data shall be collected on a monthly basis and submitted in a format similar to Table 1.

TABLE 1

Time period_____
Affected area_____

Roadway type	VMT or average vehicle speed	
	Vehicle type (1)	Vehicle type (2)[1]
Freeway		
Arterial		
Collector		
Local		

[1] Continue with other vehicle types as appropriate.

(4) No later than March 1, 1974, the District of Columbia shall submit to the Administrator a compliance schedule to implement this section. The program description shall include the following:

(i) The agency or agencies responsible for conducting, overseeing, and maintaining the monitoring program.

(ii) The administrative procedures to be used.

(iii) A description of the methods to be used to collect the emission data, VMT data, and vehicle speed data; a description of the geographical area to which the data applies; identification of the location at which the data will be collected; and the time periods during which the data will be collected.

§ 52.481 [Amended]

6. In § 52.481 the attainment date table is revised by replacing the date "May 31, 1975", for attainment of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) in the National Capital Interstate Region with the date "May 31, 1977."

§ 52.482 Transportation nd land use controls.

(a) To ensure implementation of the vehicle emission inspection program approved in § 52.472, the District of Columbia shall submit legally adopted regulations by March 1974, which contain the same elements as the proposed regulations contained in the July 9, 1973, submission on pages 19 and 20.

8. Section 52.483 is revised to read as follows:

§ 52.483 Control strategy: Carbon monoxide and photochemical oxidants (hydrocarbons).

(a) The requirements of § 51.14 (a) (2) (iv) are not met because the plan does not specify the date on which the elimination of on-street parking measures would become effective. The requirements of this section are partially met with respect to the increased bus fleet and service strategy since the plan does not identify secure, adequate commitments to insure that the fleet expansion and service will occur within the proposed schedule.

(b) The requirements of § 51.14(c) are not met because the approvable measures are not adequate to attain the national standards. With respect to the reduction in emissions claimed for control of aircraft taxiing operations, they are higher than those which the Administrator believes can be realistically and safely obtained, and no control measures are contained to implement them. With respect to the reduction claimed for heavy duty vehicle exclusion, there is not adequate authority to achieve the reductions claimed.

§ 52.484 [Reserved]

9. Section 52.484 is revoked and reserved.

§ 52.485 [Reserved]

10. Section 52.485 is revoked and reserved.

11. Section 52.486 is added to read as follows:

§ 52.486 Rules and regulations.

(a) The requirements of § 51.22 are not met because the plan does not contain adopted regulations for reducing evaporative losses from gas handling and dry cleaning. Substitute regulations are promulgated in §§ 52.487, 52.488, and 52.489.

12. Sections 52.486 through 52.496 are added to read as follows:

§ 52.486 Federal parking facilities.

(a) Definitions. For the purposes of this section,

(1) "Administrative Officer" means the Administrator of General Services, the Marshal of the Supreme Court of the United States, the Architect of the Capitol, and any other representative of a Federal Government entity designated as such for the purposes of this section by the Administrator.

(2) "Commercial value" means a value which approximates commercial charges for space and services for like facilities in the immediate vicinity of a Federal facility. In the absence of commercial facilities, commercial value should be established using the fair market value of a Federal facility and the cost of services being provided as a basis.

(3) "Designated area" means an area defined by § 52.476(d)(1).

(4) "Federal Government entity" means a Federal department, agency, bureau, board, office, commission, district, or an instrumentality of the executive, legislative, and judicial branches of the Federal Government. Foreign embassies are not subject to this regulation.

(5) "Parking facility" (also called "facility") means any lot, garage, building or structure, or any combination or portion thereof, in or on which motor vehicles are temporarily parked.

(6) "Residential parking space" means any parking space used primarily for the parking of vehicles of persons residing within one-half mile of the space.

(b) This section shall be applicable in the District of Columbia portion of the National Capital Interstate Air Quality Control Region.

(c) Commencing July 1, 1975, rates based upon the commercial value shall be charged employees for parking a motor vehicle in any facility which is owned, operated, leased, or otherwise controlled by any Federal Government entity and which is located in a designated area: *Provided, however*, That such commercial value shall not apply (1) to parking begun between the hours of 6 p.m. and 2 a.m., (2) to residential parking spaces contained in or on the facility, (3) to vehicles owned or leased by the Federal Government, and (4) to any vehicle exempted under subparagraph (d)(2) of this section.

(d)(1) Each Administrative Officer shall adopt a plan which shall require each Federal Government entity under his authority to which this section applies to implement paragraph (c) of this section.

(2) The plan may provide for exemption from the requirements of paragraph (c) of this section for space assigned to handicapped persons who are physically unable to use mass transit.

(3) The Administrator of the Environmental Protection Agency will promulgate such a plan by May 1, 1974, for any parking facility of any Federal Government entity to which this section applies which is not under the authority of an Administrative Officer. Any such Federal Government entity may apply to the Administrator before January 4, 1974, for designation of an "Administrative Officer" and permission to submit its own plan.

(4) Each Administrative Officer shall submit to EPA, no later than July 1, 1974, an outline of the plan required by this paragraph, and the effective date of the plan, which date shall be no later than July 1, 1975. The plan required by this paragraph covering all subject facilities of government entities which are part of the executive branch of the Federal Government shall be coordinated with the Administrator of General Services.

§ 52.487 Gasoline transfer vapor control.

(a) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the District of Columbia portion of the National Capital Interstate AQCR.

(c) No person shall transfer gasoline from any delivery vessel into any stationary storage container with a capacity greater than 250 gallons unless the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than 90 percent by weight of organic compounds in said vapors displaced from the stationary container location.

(1) The vapor recovery portion of the system shall include one or more of the following:

(i) A vapor-tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container.

(ii) Refrigeration-condensation system or equivalent designed to recover no less than 90 percent by weight of the organic compounds in the displaced vapor.

(2) If a "vapor-tight vapor return" system is used to meet the requirements of this section, the system shall be so constructed as to be readily adapted to retrofit with an adsorption system, refrigeration-condensation system, or equivalent vapor removal system, and so constructed as to anticipate compliance with § 52.488.

(3) The vapor-laden delivery vessel shall be subject to the following conditions:

(i) The delivery vessel must be so designed and maintained as to be vapor-tight at all times.

(ii) The vapor-laden delivery vessel may be refilled only at facilities equipped with a vapor recovery system or the equivalent, which can recover at least 90 percent by weight of the organic compounds in the vapors displaced from the delivery vessel during refilling.

(iii) Gasoline storage compartments of one thousand gallons or less in gasoline delivery vehicles presently in use on the promulgation date of this regulation will not be required to be retrofitted with a vapor return system until January 1, 1977.

(d) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Stationary containers having a capacity less than 550 gallons used exclusively for the fueling of implements of husbandry.

(2) Any container having a capacity less than 2,000 gallons installed prior to promulgation of this section.

(3) Transfers made to storage tanks equipped with floating roofs or their equivalent.

(e) Every owner or operator of a stationary storage container or delivery vessel subject to this section shall comply with the following compliance schedule:

(1) April 1, 1974—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the provisions of paragraph (c) of this section.

(2) May 1, 1974—Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) January 1, 1975—Initiate on-site construction or installation of emission control equipment.

(4) February 1, 1976—Complete on-site construction or installation of emission control equipment.

(5) March 1, 1976—Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(f) Paragraph (e) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by January 31, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator, by January 31, 1974, a proposed alternative schedule. No such schedule may provide for compliance after March 1, 1976. Any such schedule shall provide for certification to the Administrator, within 5 days after the deadline for each increment therein, as to whether or not that increment has been met. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application for the compliance schedule in paragraph (e) of this section fails to satisfy the requirements of § 51.15 (b) and (c).

(h) Any gasoline dispensing facility subject to this section which installs a storage tank after the effective date of this section shall comply with the requirements of paragraph (c) of this section by March 1, 1976, and prior to that date shall comply with paragraph (e) of this section as far as possible. Any facility subject to this section which installs a storage tank after March 1, 1976, shall comply with the requirements of paragraph (c) of this section at the time of installation.

§ 52.488 Control of evaporative losses from the filling of vehicular tanks.

(a) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the District of Columbia portion of the National Capital Interstate AQCR.

(c) A person shall not transfer gasoline to an automotive fuel tank from a gasoline dispensing system unless the transfer is made through a fill nozzle designed to:

(1) Prevent discharge of hydrocarbon vapors to the atmosphere from either the vehicle filler neck or dispensing nozzle;

(2) Direct vapor displaced from the automotive fuel tank to a system wherein at least 90 percent by weight of the organic compounds in displaced vapors are recovered; and

(3) Prevent automotive fuel tank overfills or spillage on fill nozzle disconnect.

(d) The system referred to in paragraph (c) of this section may consist of vapor-tight return line from the fill nozzle-filler neck interface to the dispensing tank or to an adsorption, absorption, incineration, refrigeration-condensation system or its equivalent.

(e) Components of the systems required by § 52.487 may be used for compliance with paragraph (c) of this section.

(f) If it is demonstrated to the satisfaction of the Administrator that it is impractical to comply with the provisions of paragraph (c) of this section as a result of vehicle fill neck configuration, location, or other design features of a class of vehicles, the provisions of this section shall not apply to such vehicles. However, in no case shall such configuration exempt any gasoline dispensing facility from installing and using in the most effective manner a system required by paragraph (c) of this section.

(g) Every owner or operator of a gasoline dispensing system subject to this section shall comply with the following compliance schedule.

(1) February 1, 1974—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the provisions of paragraph (c) of this section.

(2) June 1, 1974—Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) January 1, 1975—Initiate on-site construction or installation of emission control equipment.

(4) May 1, 1977—Complete on-site construction or installation of emission control equipment or process modification.

(5) May 31, 1977—Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(h) Paragraph (g) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by January 31, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator, by January 31, 1974, a proposed alternative schedule. No such schedule may provide for compliance after May 31, 1977. Any such schedule shall provide for certification to the Administrator, within 5 days after the deadline for each increment therein, as to whether or not that increment has been met. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(i) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (g) of this section fails to satisfy the requirements of § 51.15(b) and (c) of this chapter.

(j) Any gasoline dispensing facility subject to this section which installs a gasoline dispensing system after the effective date of this section shall comply with the requirements of paragraph (c) of this section by May 31, 1977, and prior to that date shall comply with paragraph (g) of this section as far as possible. Any facility subject to this section which installs a gasoline dispensing system after May 31, 1977, shall comply with the requirements of paragraph (c) of this section at the time of installation.

§ 52.489 Control of dry cleaning solvent evaporation.

(a) Definitions:

(1) "Dry cleaning operation" means that process by which an organic solvent is used in the commercial cleaning of garments and other fabric materials.

(2) "Organic solvents" means organic materials, including diluents and thinners, which are liquids at standard conditions and which are used as dissolvers, viscosity reducers, or cleaning agents.

(3) "Photochemically reactive solvent" means any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, as applied to the total volume of solvent.

(i) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cycloolefinic type of unsaturation: 5 percent;

(ii) A combination of aromatic compounds with 8 or more carbon atoms to the molecule except ethylbenyenl: 8 percent;

(iii) A combination of ethylbenyene or ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

(b) This section is applicable to the District of Columbia portion of the National Capital Interstate Region.

(c) No person shall operate a dry cleaning operation using other perchloroethylene, 1,1,1-trichloroethane, or saturated halogenated hydrocarbons unless the uncontrolled organic emissions from such operation are reduced at least 85 percent; provided, that dry cleaning operations emitting less than 8 pounds per hour and less than 40 pounds per day of uncontrolled organic materials are exempt from the requirement of this section.

(d) If incineration is used as a control technique, 90 percent or more of the carbon in the organic emissions being incinerated must be oxidized to carbon dioxide.

(e) Any owner or operator of a source subject to this section shall achieve compliance with the requirements of paragraph (c) of this section by discontinuing the use of photochemically reactive solvents no later than January 31, 1974, or by controlling emissions as required by paragraphs (c) and (d) of this section no later than May 31, 1975.

§ 52.490 Inspection and maintenance program.

(a) Definition:

(1) "Inspection and maintenance program" means a program for reducing emissions from in-use vehicles through identifying vehicles that need emission control-related maintenance and requiring that such maintenance be performed.

(2) "Light-duty vehicle" means a gasoline-powered motor vehicle rated at 6,000 lb gross vehicle weight (GVW) or less.

(3) "Medium-duty vehicle" means a gasoline-powered motor vehicle rated at more than 6,000 lb GVW and less than 10,000 lb GVW.

(4) "Heavy-duty vehicle" means a gasoline-powered motor vehicle rated at 10,000 lb GVW or more.

(5) All other terms used in this section that are defined in Part 51, Appendix N, of this chapter are used herein with the meanings so defined.

(b) This section is applicable within the District of Columbia portion of the National Capital Interstate AQCR.

(c) In connection with the light duty vehicle inspection and maintenance program for the District of Columbia approved by the Administrator pursuant to § 52.472 the District shall establish an inspection and maintenance program applicable to all medium duty and heavy duty vehicles registered in the District that operate on public streets or highways over which it has ownership or control. The District may exempt any class or category of vehicles that the District finds is rarely used on public streets or highways (such as classic or antique vehicles). No later than April 1, 1974, the District shall submit legally adopted regulations to the Administrator establishing such a program. The regulations shall include:

(1) Provisions for inspection of all medium-duty and heavy-duty motor vehicles at periodic intervals not more than 1 year apart by means of a loaded emission test.

(2) Provisions for inspection failure criteria consistent with the failure of 30 percent of the vehicles in the first inspection cycle.

(3) Provisions to ensure that failed vehicles receive within two weeks the maintenance necessary to achieve compliance with the inspection standards. These shall include sanctions against individual owners and repair facilities, retest of failed vehicles following maintenance, use of a certification program to ensure that repair facilities performing the required maintenance have the necessary equipment, parts, and knowledgeable operators to perform the tasks satisfactorily, and use of such other measures as may be necessary or appropriate.

(4) A program of enforcement to ensure that vehicles are not intentionally readjusted or modified subsequent to the inspection and/or maintenance in such a way as would cause them to no longer comply with the inspection standards. This enforcement program might include spot checks of idle adjustment and/or a suitable type of physical tagging. This program shall include penalties for violation.

(5) Provisions for beginning the first inspection cycle by January 1, 1975, completing it by January 1, 1976.

(6) Designation of an agency or agencies responsible for conducting, overseeing, and enforcing the inspection and maintenance program.

(d) After January 1, 1976, the District shall not register or allow to operate on public streets or highways any medium-duty or heavy-duty vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (c) of this section. This shall not apply to the initial registration of a new motor vehicle.

(e) After January 1, 1976, no owner of a medium-duty or heavy-duty vehicle shall operate or allow the operation of such vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (c) of this section. This shall not apply to the initial registration of a new motor vehicle.

(f) The District shall submit, no later than February 1, 1974, a detailed compliance schedule showing the steps it will take to establish and enforce an inspection and maintenance program pursuant to paragraph (c) of this section.

§ 52.491 Bicycle lanes and bicycle storage facilities.

(a) Definitions:

(1) "Bicycle" means a two-wheel, nonmotor powered vehicle.

(2) "Bicycle lane" means a route for the exclusive use of bicycles, either constructed specifically for that purpose or converted from an existing lane.

(3) "Bicycle parking facility" means any storage facility for bicycles, which allows bicycles to be locked securely.

(4) "Parking space" means the area allocated by a parking facility for the temporary storage of one automobile.

(5) "Parking facility" means a lot, garage, building, or portion thereof, in or on which motor vehicles are temporarily parked.

(b) This section shall be applicable in the District of Columbia portion of the National Capital Interstate Air Quality Control Region.

(c) On or before July 1, 1976, the District of Columbia shall establish a network of bicycle lanes linking residential areas with employment, educational, and commercial centers in accordance with the following requirements:

(1) The network shall contain no less than 60 miles of bicycle lanes in addition to any in existence as of November 20, 1973.

(2) Each bicycle lane shall at a minimum:

(i) Be clearly marked by signs indicating that the lane is for the exclusive use of bicycles (and pedestrians, if necessary);

(ii) Be separated from motor vehicle traffic by appropriate devices, such as physical barriers, pylons, or painted lines;

(iii) Be regularly maintained and repaired;

(iv) Be of a hard, smooth surface suitable for bicycles;

(v) Be at least 5 feet wide for one-way traffic, or 8 feet wide for two-way traffic;

(vi) If in a street used by motor vehicles, be a minimum of 8 feet wide whether one-way or two-way; and

(vii) Be adequately lighted.

(3) Off-street bicycle lanes which are not reasonably suited for commuting to and from employment, educational, and

commercial centers shall not be considered a part of this network.

(4) On or before October 1, 1974, the District of Columbia shall establish 25 percent of the total mileage of the bicycle lane network; on or before June 1, 1975, 50 percent of the total mileage shall be established; on or before July 1, 1976, 100 percent of the total mileage shall be established.

(d) On or before June 1, 1974, the District of Columbia shall submit to the Administrator a comprehensive study of a bicycle lane and bicycle path network. The study shall include, but not be limited to the following:

(1) A bicycle user and potential user survey, which shall at a minimum determine:

(i) For present bicycle riders, the origin, destination, frequency, travel time, and distance of bicycle trips;

(ii) In high density employment areas, the present modes of transportation of employees and the potential modes of transportation, including the number of employees who would convert to the bicycle mode from other modes upon completion of the bicycle lane network described in paragraph (c) of this section.

(2) A determination of the feasibility and location of on-street bicycle lanes.

(3) A determination of the feasibility and location of off-street lanes.

(4) A determination of the special problems related to feeder lanes to bridges, on-bridge lanes, feeder lanes to METRO and railroad stations, and feeder lanes to fringe parking areas, and the means necessary to include such lanes in the bicycle lane network described in paragraph (c) of this section.

(5) A determination of the feasibility and location of various methods of safe bicycle parking.

(6) The study shall make provision for the receipt of public comments on any matter within the scope of the study, including the location of the bicycle lane network described in paragraph (c) of this section.

(e) By June 1, 1974, in addition to the comprehensive study required pursuant to paragraph (d) of this section, the District of Columbia shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish this network pursuant to paragraphs (c) and (h) of this section. The compliance schedule shall identify in detail the names of streets that will provide bicycle lanes and the location of any lanes to be constructed especially for bicycle use. It shall also include a statement indicating the source, amount, and adequacy of funds to be used in implementing this section, and the text of any needed statutory proposals and needed regulations which will be proposed for adoption.

(f) On or before October 1, 1974, the District of Columbia shall submit to the Administrator legally adopted regulations sufficient to implement and enforce all of the requirements of this section.

(g) On or before May 1, 1974, the District of Columbia shall establish a pilot bicycle lane from Key Bridge via Pennsylvania Avenue past the White House to the U.S. Capitol and from the Capitol along Pennsylvania Avenue to Alabama Avenue SE.

(h) On or before June 1, 1975, the District of Columbia shall require all owners and operators of parking facilities containing more than 50 parking spaces (including both free and commercial facilities) within the area specified in paragraph (b) of this section to provide spaces for the storage of bicycles in the following ratio: one automobile-sized parking space (with a bicycle parking facility) for the storage of bicycles for every 75 parking spaces for the storage of autos. The District shall also require that:

(1) Bicycle parking facilities shall be so located as to be safe from motor vehicle traffic and secure from theft. They shall be properly repaired and maintained.

(2) The METRO Subway System shall provide a sufficient number of safe and secure bicycle parking facilities at each station to meet the needs of its riders.

(3) All parking facilities owned, operated, or leased by the Federal Government shall be subject to this paragraph.

(4) Any owner or operator of a parking facility which charges a fee for the storage of motor vehicles shall store bicycles at a price per unit per hour which is no greater in relation to the cost of storing them than is the price of parking for a motor vehicle in relation to the cost of storing it. Unless the owner or operator makes an affirmative showing to the District of Columbia of different facts, and agrees to charge in conformity with that showing, the ratio in costs and prices shall be determined by the maximum number of bicycles that can be stored in a single standard-sized automobile parking space.

§ 52.492 Medium duty air/fuel control retrofit.

(a) Definitions:

(1) "Air/fuel Control Retrofit" means a system or device (such as modification to the engine's carburetor or positive crankcase ventilation system) that results in engine operation at an increased air/fuel ratio so as to achieve reduction in exhaust emissions of hydrocarbon and carbon monoxide from 1973 and earlier medium-duty vehicles of at least 15 and 30 percent, respectively.

(2) "Medium-duty vehicle" means a gasoline powered motor vehicle rated at more than 6,000 lb GVW and less than 10,000 lb GVW.

(3) All other terms used in this section that are defined in Part 51, Appendix N, of this chapter are used herein with meanings so defined.

(b) This section is applicable within the District of Columbia portion of the National Capital Interstate AQCR.

(c) The District of Columbia shall establish a retrofit program to ensure that on or before May 31, 1976, all medium-duty vehicles of model years prior to 1973 which are not required to be retrofitted with an oxidizing catalyst or other approved device pursuant to § 52.495 which are registered in the area specified in paragraph (b) of this section, are equipped with an appropriate air/fuel control device or other device as approved by the Administrator that will reduce exhaust emissions of hydrocarbons and carbon monoxide to the same extent as an air/fuel control device. No later than February 1, 1974, the District of Columbia shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish and enforce a retrofit program pursuant to this section. The compliance schedule shall include a date by which the District shall evaluate and approve devices for use in this program. Such date shall be no later than September 30, 1974.

(d) No later than April 1, 1974, the District shall submit legally adopted regulations to the Administrator establishing such a program. The regulations shall include:

(1) Designation of an agency responsible for evaluating and approving devices for use on vehicles subject to this section.

(2) Designation of an agency responsible for ensuring that the provisions of paragraph (d)(3) of this section are enforced.

(3) Provisions for beginning the installation of the retrofit devices by August 1, 1975, and completing the installation of the devices on all vehicles subject to this section no later than May 31, 1976.

(4) A provision that no later than May 31, 1976, no vehicle for which retrofit is required under this section shall pass the annual emission tests provided for by § 52.490 unless it has been first equipped with an approved air/fuel control device, or other device approved pursuant to this section, which the test has shown to be installed and operating correctly. The regulations shall include test procedures and failure criteria for implementing this provision.

(5) Methods and procedures for ensuring that those installing the retrofit devices have the training and ability to perform the needed tasks satisfactorily and have an adequate supply of retrofit components.

(6) Provision (apart from the requirements of any general program for periodic inspection and maintenance of vehicles) for emission testing at the time of device installation or some other positive assurance that the device is installed and operating correctly.

(e) After May 31, 1976, the District shall not register or allow to operate on its streets or highways any vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d) of this section.

(f) After May 31, 1976, no owner of a vehicle subject to this section shall operate or allow the operation of any such vehicle that does not comply with the applicable standards and procedures implemented by this section.

(g) The District may exempt any class or category of vehicles from this section which the District finds is rarely

used on public streets and highways (such as classic or antique vehicles) or for which the District demonstrates to the Administrator that air/fuel control devices or other devices approved pursuant to this section are not commercially available.

§ 52.494 Heavy duty air/fuel control retrofit.

(a) Definitions:

(1) "Air/Fuel Control Retrofit" means a system or device (such as modification to the engine's carburetor or positive crankcase ventilation system) that results in engine operation at an increased air/fuel ratio so as to achieve reduction in exhaust emissions of hydrocarbon and carbon monoxide from heavy-duty vehicles of at least 30 and 40 percent, respectively.

(2) "Heavy-duty vehicle" means a gasoline-powered motor vehicle rated at 10,000 lb gross vehicle weight (GVW) or more.

(3) All other terms used in this section that are defined in Part 51, Appendix N, of this chapter are used herein with meanings so defined.

(b) This section is applicable within the District of Columbia portion of the National Capital Interstate AQCR.

(c) The District of Columbia shall establish a retrofit program to ensure that on or before May 31, 1977, all heavy-duty vehicles registered in the area specified in paragraph (b) of this section are equipped with an appropriate air/fuel control device, or other device as approved by the Administrator that will reduce exhaust emissions of hydrocarbons and carbon monoxide to the same extent as an air/fuel control device. No later than April 1, 1974, the District of Columbia shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish and enforce a retrofit program pursuant to this section. The compliance schedule shall include a date by which the District shall evaluate and approve devices for use in this program. Such date shall be no later than January 1, 1975.

(d) No later than September 1, 1974, the District shall submit legally adopted regulations to the Administrator establishing such a program. The regulations shall include:

(1) Designation of an agency responsible for evaluating and approving devices for use on vehicles subject to this section.

(2) Designation of an agency responsible for ensuring that the provisions of paragraph (d) (3) of this section are enforced.

(3) Provisions for beginning the installation of the retrofit devices by January 1, 1976, and completing the installation of the devices on all vehicles subject to this section no later than May 31, 1977.

(4) A provision that starting no later than May 31, 1977, no vehicle for which retrofit is required under this section shall pass the annual emission tests provided for by § 52.490 unless it has been first equipped with an approved air/fuel control device, or other device approved pursuant to this section, which the test has shown to be installed and operating correctly. The regulations shall include test procedures and failure criteria for implementing this provision.

(5) Methods and procedures for ensuring that those installing the retrofit devices have the training and ability to perform the needed tasks satisfactorily and have an adequate supply of retrofit components.

(6) Provision (apart from the requirements of any general program for periodic inspection and maintenance of vehicles) for emissions testing at the time of device installation or some other positive assurance that the device is installed and operating correctly.

(e) After May 31, 1977, the District shall not register or allow to operate on its streets or highways any vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d) of this section.

(f) After May 31, 1977, no owner of a vehicle subject to this section shall operate or allow the operation of any such vehicle that does not comply with the applicable standards and procedures implementing this section.

(g) The District may exempt any class or category of vehicles from this section which the District finds is rarely used on public streets and highways (such as classic or antique vehicles) or for which the District demonstrates to the Administrator that air/fuel control or other devices approved pursuant to this section are not commercially available.

§ 52.495 Oxidizing catalyst retrofit.

(a) Definitions:

(1) "Oxidizing catalyst" means a device that uses a catalyst installed in the exhaust system of a vehicle (and if necessary includes an air pump) so as to achieve a reduction in exhaust emissions of hydrocarbon and carbon monoxide of at least 50 and 50 percent, respectively, from light-duty vehicles of 1971 through 1975 model years, and of at least 50 and 50 percent, respectively, from medium duty vehicles of 1971 through 1975 model years.

(2) "Light-duty vehicle" means a gasoline-powered motor vehicle rated at 6,000 lb gross vehicle weight (GVW) or less.

(3) "Medium-duty vehicle" means a gasoline-powered motor vehicle rated at more than 6,000 lb GVW and less than 10,000 lb GVW.

(4) "Fleet vehicle" means any of 5 or more light-duty vehicles operated by the same person(s), business, or governmental entity and used principally in connection with the same or related occupations or uses. This definition shall also include any taxicab (or other light-duty vehicle-for-hire) owned by any individual or business.

(5) All other terms used in this section that are defined in Part 51, Appendix N, are used herein with meanings so defined.

(b) This section is applicable within the District of Columbia portion of the National Capital Interstate AQCR.

(c) The District of Columbia shall establish a retrofit program to ensure that on or before May 31, 1977, all light-duty fleet vehicles of model years 1971 through 1975 and all medium-duty vehicles of model years 1971 through 1975 which are registered in the area specified in paragraph (b) of this section and are able to operate on 91RON gasoline are equipped with an appropriate oxidizing catalyst retrofit device or other device, as approved by the Administrator, that will reduce exhaust emissions of hydrocarbon and carbon monoxide to the same extent as an oxidizing catalyst retrofit device. No later than April 1, 1974, the District of Columbia shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish and enforce a retrofit program pursuant to this section. The compliance schedule shall include a date by which the District shall evaluate and approve devices for use in this program. Such date shall be no later than January 1, 1975.

(d) No later than September 1, 1974, the District shall submit legally adopted regulations to the Administrator establishing such a program.

The regulations shall include:

(1) Designation of an agency responsible for evaluating and approving devices for use on vehicles subject to this section.

(2) Designation of an agency responsible for ensuring that the provisions of paragraph (d) (3) of this section are enforced.

(3) Provisions for beginning the installation of the retrofit devices by January 1, 1976, and completing the installation of the devices on all vehicles subject to this section no later than May 31, 1977.

(4) A provision that starting no later than May 31, 1977, no vehicle for which retrofit is required under this section shall pass the annual emission tests provided for by §§ 52.472 and 52.490 unless it has been first equipped with an approved oxidizing catalyst device, or other device approved pursuant to this section, which the test has shown to be installed and operating correctly. The regulations shall include test procedures and failure criteria for implementing this provision.

(5) Methods and procedures for ensuring that those installing the retrofit devices have the training and ability to perform the needed tasks satisfactorily and have an adequate supply of retrofit components.

(6) Provision (apart from the requirements of any general program for periodic inspection and maintenance of vehicles) for emissions testing at the time of device installation or some other positive assurance that the device is installed and operating correctly.

(e) After May 31, 1977, the District shall not register or allow to operate on its streets or highways any vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d) of this section.

(f) After May 31, 1977, no owner of a vehicle subject to this section shall operate or allow the operation of any such

vehicle that does not comply with the applicable standards and procedures implementing this section.

(g) Any vehicle which is manufactured equipped with an oxidizing catalyst, or which is certified to meet the original 1975 light duty vehicle emissions standards set forth in section 202(b)(1)(a) of the Clean Air Act of 1970 (without regard to any suspension of such standards), shall be exempt from the requirements of this section.

§ 52.496 Vacuum spark advance disconnect retrofit.

(a) Definitions:

(1) "Vacuum spark advance disconnect retrofit" means a device or system installed on a motor vehicle that prevents the ignition vacuum advance from operating either when the vehicle's transmission is in the lower gears, or when the vehicle is traveling below a predetermined speed, so as to achieve reduction in exhaust emissions of hydrocarbon and carbon monoxide from 1967 and earlier light-duty vehicles of at least 25 and 9 percent, respectively.

(2) "Light-duty vehicle" means a gasoline-powered motor vehicle rated at 6,000 lb. gross vehicle weight (GVW) or less.

(3) All other terms used in this section that are defined in Part 51, Appendix N, are used herein with meanings so defined.

(b) This section is applicable within the District of Columbia portion of the National Capital Interstate AQCR.

(c) The District of Columbia shall establish a retrofit program to ensure that on or before January 1, 1976, all light-duty vehicles of model years prior to 1968 registered in the area specified in paragraph (b) of this section are equipped with an appropriate vacuum spark advance disconnect retrofit device or other device, as approved by the Administrator, that will reduce exhaust emissions of hydrocarbons and carbon monoxide to the same extent as a vacuum spark advance disconnect retrofit. No later than February 1, 1974, the District shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish and enforce a retrofit program pursuant to this section. The compliance schedule shall include a date by which the District shall evaluate and approve devices for use in this program. Such date shall be no later than September 30, 1974.

(d) No later than April 1, 1974, the District shall submit legally adopted regulations to the Administrator establishing such a program. The regulations shall include:

(1) Designation of an agency responsible for evaluating and approving devices for use on vehicles subject to this section.

(2) Designation of an agency responsible for ensuring that the provisions of paragraph (d)(3) of this section are enforced.

(3) Provisions for beginning the installation of the retrofit devices by January 1, 1975, and completing the installation of the devices on all vehicles subject to this section no later than January 1, 1976.

(4) A provision that starting no later than January 1, 1976, no vehicle for which retrofit is required under this section shall pass the annual emission tests provided for by § 52.472 unless it has been first equipped with an approved vacuum spark advance disconnect retrofit device, or other device approved pursuant to this section, which the test has shown to be installed and operating correctly. The regulations shall include test procedures and failure criteria for implementing this provision.

(5) Methods and procedures for ensuring that those installing the retrofit devices have the training and ability to perform the needed tasks satisfactorily and have an adequate supply of retrofit components.

(6) Provision (apart from the requirements of any general program for periodic inspection and maintenance of vehicles) for emissions testing at the time of device installation, or some other positive assurance that the device is installed and operating correctly.

(e) After January 1, 1976, the District shall not register or allow to operate on its streets or highways any light-duty vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d) of this section.

(f) After January 1, 1976, no owner of a vehicle subject to this section shall operate or allow the operation of any such vehicle that does not comply with the applicable standards and procedures implementing this section.

(g) The District may exempt any class or category of vehicles from this section which the District finds is rarely used on public streets and highways (such as classic or antique vehicles) or for which the State demonstrates to the Administrator that vacuum spark advance disconnect devices or other devices approved pursuant to this section are not commercially available.

Subpart V of 40 CFR Part 52 is amended as follows:

Subpart V—Maryland

1. In § 52.1070 paragraph (c) is revised to read as follows:

§ 52.1070 Identification of plans.

* * * * * *

(c) Supplemental information was submitted on:

(1) February 25, March 3, March 7, April 4, April 28, and May 8, 1972, by the Maryland Bureau of Air Quality Control; and

(2) April 16, May 5, June 15, June 22, June 28, and July 9, 1973.

2. Section 52.1072 is amended by revising paragraph (b) to read as follows:

§ 52.1072 Extensions.

* * * * *

(b) The Administrator hereby extends for two years the attainment dates for the national standards for carbon monoxide and photochemical oxidants in the Maryland portion of the National Capital Interstate Region.

3. Section 52.1073 is revised to read as follows:

§ 52.1073 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Maryland's plans for the attainment and maintenance of the national standards.

(b) With respect to the transportation control strategies submitted on April 16, May 5, June 15, June 22, June 28, and July 9, 1973, the Administrator approves the measures for the National Capital region for car pool locator, express bus lanes, increased bus fleet and service, elimination of free on-street commuter parking, elimination of free employee parking, parking surcharge, dry cleaning solvent use, and gasoline vapor recovery with the exceptions set forth in §§ 52.1074, 52.1077, 52.1080, 52.1081, 52.1082, and 52.1084.

(c) With respect to the transportation control strategies submitted on April 16, May 5, June 15, June 22, June 28, and July 9, 1973, the Administrator disapproves the measures for inspection programs, heavy duty vehicle inspection and retrofit, for the reasons set forth in § 52.1074. Rectifying provisions to require these programs to be implemented are promulgated in §§ 52.1089, 52.1091, and 52.1092.

4. Section 52.1074 is revised to read as follows:

§ 52.1074 Legal authority.

(a) The requirements of § 51.11(b) of this chapter are not met with respect to the vehicle inspection program and heavy duty vehicle inspection and retrofit because definite commitment to obtain legal authority was not made.

(b) The requirements of § 51.11(f) of this chapter are not fully met for the Maryland portion of the National Capital region because it is not clearly demonstrated that all local agencies have requisite legal authority, or that the State retains responsibility for implementing the transportation control measures.

5. In § 52.1077, paragraph (b) is amended by adding the following sentence at the end of the paragraph and paragraph (c) is added as follows:

§ 52.1077 Source surveillance.

* * * * *

(b) * * * Rectifying provisions are promulgated in this section.

(c) *Monitoring Transportation Sources.* (1) This section is applicable to the State of Maryland.

(2) In order to assure the effectiveness of the inspection and maintenance program and the retrofit devices required under §§ 52.1089, 52.1091, 52.1092, 52.1093, and 52.1094, State shall monitor the actual per-vehicle emissions reductions occurring as a result of such measures. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the

State in accordance with § 51.7 of this chapter. The first quarterly report shall cover the period January 1 to March 31, 1976.

(3) In order to assure the effective implementation of the car pool locator, express bus lanes, increased bus fleet and service, elimination of free on-street commuter parking, elimination of free employee parking, and the parking surcharge approved in § 52.1073, the State shall monitor vehicle miles travelled and average vehicle speeds for each area in which such sections are in effect and during such time periods as may be appropriate to evaluate the effectiveness of such a program. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the State of Maryland in accordance with § 51.7 of this chapter. The first quarterly report shall cover the period from July 1 to September 30, 1974. The vehicle miles travelled and vehicle speed data shall be collected on a monthy basis and submitted in a format similar to Table 1.

TABLE 1

Time period.....
Affected area.....

Roadway type	VMT or average vehicle speed	
	Vehicle type (1)	Vehicle type (2)[1]
Freeway.....		
Arterial.....		
Collector.....		
Local.....		

[1] Continue with other vehicle types as appropriate.

(4) No later than March 1, 1974, the State shall be submitted to the Administrator a compliance schedule to implement this section. The program description shall include the following:

(i) The agency or agencies responsible for conducting overseeing, and maintaining the monitoring program.

(ii) The administrative procedures to be used.

(iii) A description of the methods to be used to collect the emission data, VMT data, and vehicle speed data; a description of the geographical area to which the data apply; identification of the location at which the data will be collected; and the time periods during which the data will be collected.

§ 52.1078 [Amended]

6. In § 52.1078, the attainment date table is revised by replacing the date "May 31, 1975," for attainment of the national standards for carbon monoxide and photochemical oxidants in the Maryland portion of the National Capital Interstate Region with the date "May 31, 1977," and by deleting footnote "e".

§ 52.1079 [Reserved]

7. Section 52.1079 is revoked and reserved.

8. In § 52.1080, paragraphs (c) through (h) are added to read as follows:

§ 52.1080 Compliance schedule.

* * * * *

(c) With respect to the transportation control strategies submitted by the State, the requirements of § 51.15 of this chapter are not fully met for the measures for parking surcharge, elimination of free on-street commuter parking, elimination of free employee parking, increased bus fleet and service, and exclusive bus lanes. Provisions to implement the requirements of § 51.15 of this chapter are promulgated in this section.

(d) With respect to the parking surcharge measure approved in § 52.1073:

(1) The State of Maryland shall no later than June 30, 1974, submit to the Administrator for his approval a precise description of areas within the Maryland portion of the National Capital Interstate AQCR which are at the time adequately served by mass transit, and those areas which in the judgment of the State will be adequately served by mass transit by June 30, 1975. The documentation and policy assumptions used to select these areas shall be included with this submission.

(2) The State of Maryland shall by June 30, 1975, and each succeeding year submit to the Administrator for his approval a revised list of those areas which are adequately served by mass transit. Additional areas must be included as mass transit service is increased, unless the State can affirmatively demonstrate that no additional areas can be included.

(3) Each political subdivision of the State of Maryland which has jurisdiction over any area (or portion thereof) designated as adequately served by mass transit shall, not later than October 1, 1974, submit to the Administrator legally adopted regulations instituting the parking surcharge on all long-term (6 hours) parking in all commercial parking facilities (except to the extent they are used for residential parking) and all facilities subject to §§ 52.1080 (f) and 52.1085 in those areas adequately served by mass transit within the control of such political subdivision. The parking surcharge shall be implemented and collected according to the following schedule:

June 30, 1975–Dec. 31, 1975	$0.50
January 1, 1976–June 30, 1976	1.00
July 1, 1976–Dec. 31, 1976	1.50
January 1, 1977	2.00

All monies collected under this program shall be turned over to the appropriate political subdivision. All proceeds from this program shall be used for the expansion and operation of mass transit, except for a reasonable amount for the costs of administration and collection of the surcharge. Any handicapped person who is unable to use mass transit shall not be subject to the surcharge. The parking surcharge shall not apply to any parking begun between the hours of 6 p.m. and 2 a.m.

(e) With respect to the measure for elimination of free on-street commuter parking approved in § 52.1073:

(1) Each political subdivision of the State of Maryland within the National Capital Interstate AQCR shall, no later than June 30, 1974, submit to the Administrator for his approval a compliance schedule, including legally adopted regulations, enforcement procedures, and a description of resources available. The compliance schedule shall provide:

(i) For implementing the on-street parking ban in all areas within which a surcharge will be required by paragraph (d) of this section. This program shall prohibit all parking for more than two hours by non-residents of the area subject to the ban during the hours from 7 a.m. to 7 p.m. Monday through Friday (excepting holidays) on any street within such areas. The program shall also provide for a sticker system, under which residents of such area may also be exempted from the ban, and for a system (whether by notification to the enforcement authorities, or otherwise) for also exempting bona fide visitors to residents of such areas from the ban.

(ii) The precise resources that will be devoted to enforcing this measure, the method of enforcement to be used (for example, chalking tires), and the penalties for violation. The compliance schedule shall at a minimum provide that violators shall be subject to a $10.00 fine.

(f) With respect to the measure for elimination of free employee parking approved in § 52.1073:

(1) For purposes of this paragraph "Commercial Parking Rate" shall mean the average daily rate charged by the three operators of parking facilities containing 25 or more commercial parking spaces that are closest in location to any employee parking space affected by this paragraph.

(2) The State of Maryland shall, no later than June 30, 1974, submit to the Administrator for his approval a precise description of areas within the State which are at that time adequately served by mass transit, and those areas which in the judgment of the State will be adequately served by mass transit by June 30, 1975. The documentation and policy assumptions used to select these areas shall be included with this submission.

(3) The State of Maryland shall by June 30, 1975, and each succeeding year, submit to the Administrator for his approval a revised list of those areas which are adequately served by mass transit. Additional areas must be included as mass transit service is increased, unless the State can affirmatively demonstrate that no additional areas can be included.

(4) Each political subdivision of the State of Maryland which has jurisdiction over any area designated as adequately served by mass transit shall, no later than October 1, 1974, submit to the Administrator legally adopted regulations instituting commercial parking rates by June 30, 1975, on all employers, public (excluding federal government) or private, with 25 or more employee spaces located in those areas adequately served by mass transit within the Maryland portion of the National Capital Interstate AQCR. Any handicapped person who is unable to use mass transit shall not be subject to the commercial parking rate. The commercial parking rate shall not apply to employee parking begun between the hours of 6 p.m. and 2 a.m.

(g) With respect to the measure for increased bus fleet and service approved in § 52.1073: The State of Maryland shall no later than January 31, 1974, submit a compliance schedule to put the program into effect. The compliance schedule shall, at a minimum, provide that the State of Maryland shall, on or before March 1, 1974, submit to the Administrator a statement, signed both by a representative of the State of Maryland, and by a representative of the Washington Metropolitan Area Transit Authority (WMATA) indicating that, in the judgment of both of them, financial commitments have been made by the State of Maryland or by its local governments for the purchase of buses. This statement, when taken in conjunction with the commitments made by the District of Columbia and the Commonwealth of Virginia, must be sufficient to enable WMATA to purchase in the fiscal year beginning the next July 1 the number of buses indicated below:

Fiscal Year 1975—175 buses
Fiscal Year 1976—150 buses
Fiscal Year 1977—150 buses

The statement shall also indicate that WMATA has in fact committed to purchase that number of buses.

(h) With respect to the express bus lane measure approved in § 52.1073:

(1) The State of Maryland shall no later than January 1, 1975, establish exclusive bus lanes in the following corridors:

(i) U.S. Route 50 from New Carrollton to the Maryland-District of Columbia boundary.

(ii) Pennsylvania Avenue and Maryland Route 4 from Andrews Air Force Base to the Maryland-District of Columbia boundary.

(iii) U.S. Route 240 from Old Georgetown Road to the Maryland-District of Columbia boundary.

(iv) New Hampshire Avenue from U.S. Route 29 to the Maryland-District of Columbia boundary.

Such lanes shall be inbound during the morning peak and outbound during the evening peak periods.

(2) The State of Maryland shall submit to the Administrator, no later than March 1, 1974, a schedule showing the steps which it will take to establish exclusive bus lanes in those corridors enumerated in paragraph (h)(1) of this section. Each schedule shall be subject to approval by the Administrator and shall include as a minimum the following:

(i) Identification of streets or highways that shall have portions designated for exclusive bus lanes.

(ii) The date by which each street or highway shall be designated.

(3) Exclusive bus lanes must be prominently indicated by distinctively painted lines, pylons, overhead signs, or physical barriers.

(4) Application for substitution of a corridor for any of those listed in paragraph (h)(1) of this section shall be made by the State of Maryland for the Administrator's approval no later than March 1, 1974.

§ 52.1080 [Corrected]

9. Section 52.1080, "Control strategy: Carbon monoxide and photochemical oxidants (hydrocarbons)," as promulgated on June 22, 1973, (38 FR 16566), is corrected by renumbering it as § 52.1081, and is revised to read as follows:

§ 52.1081 Control strategy: Carbon monoxide and photochemical oxidants (hydrocarbons).

(a) With respect to the transportation control plan for the National Capital region submitted by the State, the requirements of § 51.14(a)(1) and (2) of this Chapter are not met because there are no proposed regulations, nor an adequate description of enforcement and administrative procedures for the strategies for express bus lanes, increased bus fleet and service, elimination of free on-street commuter parking, and elimination of free parking by employers.

(b) The requirements of § 51.14(c) of this chapter are not met with respect to the transportation control plans for the National Capital region because the strategies were not defined well enough to insure the claimed and required emission reductions. Inadequate technical justification was provided for the claimed reductions in aircraft emissions and no strategies were provided for these reductions.

10. Section 52.1082 is added to read as follows:

§ 52.1082 Rules and regulations.

(a) The requirements of § 51.22 of this chapter are not met for the National Capital Interstate Region because regulations necessary to implement proposed stationary control measures for gas handling and dry cleaning losses have not been adopted. Substitute regulations are promulgated in §§ 52.1086, 52.1087, and 52.1088.

11. Section 52.1084 is revised to read as follows:

§ 52.1084 Intergovernmental cooperation.

(a) The requirements of § 51.21 of this chapter are not met because local agencies and their responsibilities in carrying out transportation control measures are not adequately identified.

12. Sections 52.1085 through 52.1094 are added to read as follows:

§ 52.1085 Federal parking facilities.

(a) Definitions. For the purposes of this section;

(1) "Administrative Officer" means the Administrator of General Services, the Marshal of the Supreme Court of the United States, the Architect of the Capitol, and any other representative of a Federal Government entity designated as such for the purposes of this section by the Administrator.

(2) "Commercial value" means a value which approximates commercial charges for space and services for like facilities in the immediate vicinity of a Federal facility. In the absence of commercial facilities, commercial value should be established using the fair market value of a Federal facility and the cost of services being provided as a basis.

(3) "Designated area" means an area defined by § 52.1080(d)(1).

(4) "Federal Government entity" means a Federal department, agency, bureau, board, office, commission, district, or an instrumentality of the executive, legislative, and judicial branches of the Federal Government. Foreign embassies are not subject to this regulation.

(5) "Parking facility" (also called "facility") means any lot, garage, building or structure, or any combination or portion thereof, in or on which motor vehicles are temporarily parked.

(6) "Residential parking space" means any parking space used primarily for the parking of vehicles of persons residing within one-half mile of the space.

(b) This section shall be applicable in the State of Maryland portion of the National Capital Interstate Air Quality Control Region.

(c) Commencing July 1, 1975, rates based upon the commercial value shall be charged employees for parking a motor vehicle in any facility which is owned, operated, leased or otherwise controlled by any Federal Government entity and which is located in a designated area; provided, however, that such commercial value shall not apply (1) to parking begun between the hours of 6 p.m. and 2 a.m., (2) to residential parking spaces contained in or on the facility, (3) to vehicles owned or leased by the Federal Government, and (4) to any vehicle exempted under paragraph (d)(2) of this section.

(d)(1) Each Administrative Officer shall adopt a plan which shall require each Federal Government entity under his authority to which this section applies to implement paragraph (c) of this section.

(2) The plan may provide for exemption from the requirements of paragraph (c) of this section for space assigned to handicapped persons who are physically unable to use mass transit.

(3) The Administrator of the Environmental Protection Agency will promulgate such a plan by May 1, 1974, for any parking facility of any Federal Government entity to which this section applies which is not under the authority of an Administrative Officer. Any such Federal Government entity may apply to the Administrator before January 4, 1974, for designation of an "Administrative Officer" and permission to submit its own plan.

(4) Each Administrative Officer shall submit to EPA, no later than July 1, 1974, an outline of the plan required by this paragraph, and the effective date of the plan, which date shall be no later than July 1, 1975. The plan required by this paragraph covering all subject facilities of government entities which are part of the executive branch of the Federal Government shall be coordinated with the Administrator of General Services.

§ 52.1086 Gasoline transfer vapor control.

(a) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the Maryland portion of the National Capital Interstate AQCR.

(c) No person shall transfer gasoline from any delivery vessel into any stationary storage container with a capacity greater than 250 gallons unless the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than 90 percent by weight of organic compounds in said vapors displaced from the stationary container location.

(1) The vapor recovery portion of the system shall include one or more of the following:

(i) A vapor-tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container.

(ii) Refrigeration-condensation system or equivalent designed to recover no less than 90 percent by weight of the organic compounds in the displaced vapor.

(2) If a "vapor-tight vapor return" system is used to meet the requirements of this section, the system shall be so constructed as to be readily adapted to retrofit with an adsorption system, refrigeration-condensation system, or equivalent vapor removal system, and so constructed as to anticipate compliance with § 52.1087 of this chapter.

(3) The vapor-laden delivery vessel shall be subject to the following conditions:

(i) The delivery vessel must be so designed and maintained as to be vapor-tight at all times.

(ii) The vapor-laden delivery vessel may be refilled only at facilities equipped with a vapor recovery system or the equivalent, which can recover at least 90 percent by weight of the organic compounds in the vapors displaced from the delivery vessel during refilling.

(iii) Gasoline storage compartments of 1,000 gallons or less in gasoline delivery vehicles presently in use on the promulgation date of this regulation will not be required to be retrofitted with a vapor return system until January 1, 1977.

(d) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Stationary containers having a capacity less than 550 gallons used exclusively for the fueling of implements of husbandry.

(2) Any container having a capacity less than 2,000 gallons installed prior to promulgation of this section.

(3) Transfers made to storage tanks equipped with floating roofs or their equivalent.

(e) Every owner or operator of a stationary storage container or delivery vessel subject to this section shall comply with the following compliance schedule:

(1) April 1, 1974—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the provisions of paragraph (c) of this section.

(2) May 1, 1974—Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) January 1, 1975—Initiate on-site construction or installation of emission control equipment.

(4) February 1, 1976—Complete on-site construction or installation of emission control equipment.

(5) March 1, 1976—Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(f) Paragraph (e) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by January 31, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator sumbits to the Administrator, by January 31, 1974, a proposed alternative schedule. No such schedule may provide for compliance after March 1, 1976. Any such schedule shall provide for certification to the Administrator, within 5 days after the deadline for each increment therein, as to whether or not that increment has been met. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (e) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(h) Any gasoline dispensing facility subject to this section which installs a storage tank after the effective date of this section shall comply with the requirements of paragraph (c) of this section by March 1, 1976, and prior to that date shall comply with paragraph (e) of this section as far as possible. Any facility subject to this section which installs a storage tank after March 1, 1976, shall comply with the requirements of paragraph (c) of this section at the time of installation.

§ 52.1087 Control of evaporative losses from the filling of vehicular tanks.

(a) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the Maryland portion of the National Capital Interstate AQCR.

(c) A person shall not transfer gasoline to an automotive fuel tank from a gasoline dispensing system unless the transfer is made through a fill nozzle designed to:

(1) Prevent discharge of hydrocarbon vapors to the atmosphere from either the vehicle filler neck or dispensing nozzle;

(2) Direct vapor displaced from the automotive fuel tank to a system wherein at least 90 percent by weight of the organic compounds in displaced vapors are recovered; and

(3) Prevent automotive fuel tank overfills or spillage on fill nozzle disconnect.

(d) The system referred to in paragraph (c) of this section may consist of a vapor-tight return line from the fill nozzle-filler neck interface to the dispensing tank or to an adsorption, absorption, incineration, refrigeration-condensation system or its equivalent.

(e) Components of the systems required by § 52.1086 may be used for compliance with paragraph (c) of this section.

(f) If it is demonstrated to the satisfaction of the Administrator that it is impractical to comply with the provisions of paragraph (c) of this section as a result of vehicle fill neck configuration, location, or other design features of a class of vehicles, the provisions of this section shall not apply to such vehicles. However, in no case shall such configuration exempt any gasoline dispensing facility from installing and using in the most effective manner a system required by paragraph (c) of this section.

(g) Every owner or operator of a gasoline dispensing system subject to this section shall comply with the following compliance schedule.

(1) February 1, 1974—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the provisions of paragraph (c) of this section.

(2) June 1, 1974—Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) January 1, 1975—Initiate on-site construction or installation of emission control equipment.

(4) May 1, 1977—Complete on-site construction installation of emission control equipment or process modification.

(5) May 31, 1977—Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(h) Paragraph (g) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by January 31, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator, by January 31, 1974, a proposed alternative schedule. No such schedule may provide for compliance after May 31, 1977. Any such schedule shall provide for certification to the Administrator, within 5 days after the deadline for each increment therein, as to whether or not that increment has been met. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(i) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (g) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(j) Any gasoline dispensing facility subject to this section which installs a gasoline dispensing system after the effective date of this section shall comply with the requirements of paragraph (c) of this section by May 31, 1977, and prior to that date shall comply with paragraph (g) of this section as far as possible. Any facility subject to this section which installs a gasoline dispensing system after May 31, 1977, shall comply with the requirements of paragraph (c) of this section at the time of installation.

§ 52.1088 Control of dry cleaning solvent evaporation.

(a) Definitions:

(1) "Dry cleaning operation" means that process by which an organic solvent is used in the commercial cleaning of garments and other fabric materials.

(2) "Organic solvents" means organic materials, including diluents and thinners, which are liquids at standard conditions and which are used as dissolvers, viscosity reducers, or cleaning agents.

(3) "Photochemically reactive solvent" means any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, as applied to the total volume of solvent.

(i) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cyclo-olefinic type of unsaturation: 5 percent;

(ii) A combination of aromatic compounds with 8 or more carbon atoms to the molecule except ethylbenyenl: 8 percent;

(iii) A combination of ethylbenyene or ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

(b) This section is applicable to the Maryland portion of the National Capital Intrastate AQCR.

(c) No person shall operate a dry cleaning operation using other than perchloroethylene, 1,1,1-trichloroethane, or saturated halogenated hydrocarbons unless the uncontrolled organic emissions from such operation are reduced at least 85 percent; provided, that dry cleaning operations emitting less than 8 pounds per hour and less than 40 pounds per day of uncontrolled organic materials are exempt from the requirement of this section.

(d) If incineration is used as a control technique, 90 percent or more of the carbon in the organic emissions being incinerated must be oxidized to carbon dioxide.

(e) Any owner or operator of a source subject to this section shall achieve compliance with the requirements of paragraph (c) of this section by discontinuing the use of photochemically reactive solvents no later than January 31, 1974, or by controlling emissions as required by paragraphs (c) and (d) of this section no later than May 31, 1975.

§ 52.1089 Inspection and maintenance program.

(a) Definitions:

(1) "Inspection and maintenance program" means a program for reducing emissions from in-use vehicles through identifying vehicles that need emission control-related maintenance and requiring that such maintenance be performed.

(2) "Light-duty vehicle" means a gasoline-powered motor vehicle rated at 6,000 lb gross vehicle weight (GVW) or less.

(3) "Medium-duty vehicle" means a gasoline-powered motor vehicle rated at more than 6,000 lb GVW and less than 10,000 lb GVW.

(4) "Heavy-duty vehicle" means a gasoline-powered motor vehicle rated at 10,000 GVW or more.

(5) All other terms used in this section that are defined in Part 51, Appendix N, of this chapter are used herein with the meanings so defined.

(b) This section is applicable within the Maryland portion of the National Capital Interstate AQCR.

(c) The State of Maryland shall establish an inspection and maintenance program applicable to all light-duty, medium-duty, and heavy-duty vehicles registered in the area specified in paragraph (b) of this section that operate on public streets or highways over which it has ownership or control. The State may exempt any class or category of vehicles that the State finds is rarely used on public streets or highways (such as classic or antique vehicles). No later than April 1, 1974, the State shall submit legally adopted regulations to the Administrator establishing such a program. The regulations shall include:

(1) Provisions for inspection of all light-duty, medium-duty, and heavy-duty motor vehicles at periodic intervals no more than 1 year apart by means of a loaded emission test.

(2) Provisions for inspection failure criteria consistent with the failure of 30 percent of the vehicles in the first inspection cycle.

(3) Provisions to ensure that failed vehicles receive within two weeks, the maintenance necessary to achieve compliance with the inspection standards. These shall include sanctions against individual owners and repair facilities, retest of failed vehicles following maintenance, use of a certification program to ensure that repair facilities performing the required maintenance have the necessary equipment, parts, and knowledgeable operators to perform the tasks satisfactorily, and use of such other measures as may be necessary or appropriate.

(4) A program of enforcement to ensure that vehicles are not intentionally readjusted or modified subsequent to the inspection and/or maintenance in such a way as would cause them to no longer comply with the inspection standards. This enforcement program might include spot checks of idle adjustments and/or a suitable type of physical tagging. This program shall include appropriate penalties for violation.

(5) Provisions for beginning the first inspection cycle by August 1, 1975, and completing it by July 31, 1976.

(6) Designation of an agency or agencies responsible for conducting, overseeing, and enforcing the inspection and maintenance program.

(d) After July 31, 1976, the State shall not register or allow to operate on public streets or highways any light-duty, medium-duty, or heavy-duty vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (c) of this section. This shall not apply to the initial registration of a new motor vehicle.

(e) After July 31, 1976, no owner of a light-duty, medium-duty, or heavy-duty vehicle shall operate or allow the operation of such vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (c) of this section. This shall not apply to the initial registration of a new motor vehicle.

(f) The State of Maryland shall submit, no later than February 1, 1974, a detailed compliance schedule showing the steps it will take to establish and enforce an inspection and maintenance program pursuant to paragraph (c) of this section, including:

(1) The text of needed statutory proposals and regulations that it will propose for adoption.

(2) The date by which the State will recommend needed legislation to the State legislature.

(3) The date by which necessary equipment will be ordered.

(4) A signed statement from the Governor or his designee identifying the sources and amounts of funds for the program. If funds cannot legally be obligated under existing statutory authority,

the text of needed legislation shall be submitted.

§ 52.1090 Bicycle lanes and bicycle storage facilities.

(a) Definitions:

(1) "Bicycle" means a two-wheel, nonmotor powered vehicle.

(2) "Bicycle lane" means a route for the exclusive use of bicycles, either constructed specifically for that purpose or converted from an existing lane.

(3) "Bicycle parking facility" means any storage facility for bicycles, which allows bicycles to be locked securely.

(4) "Parking space" means the area allocated by a parking facility for the temporary storage of one automobile.

(5) "Parking facility" means a lot, garage, building, or portion thereof, in or on which motor vehicles are temporarily parked.

(b) This section shall be applicable in the State of Maryland portion of the National Capital Interstate Air Quality Control Region.

(c) On or before July 1, 1976, the State of Maryland shall establish a network of bicycle lanes linking residential areas with employment, educational, and commercial centers in accordance with the following requirements:

(1) The network shall contain no less than 60 miles of bicycle lanes in addition to any in existence as of November 20, 1973.

(2) Each bicycle lane shall at a minimum:

(i) Be clearly marked by signs indicating that the lane is for the exclusive use of bicycles (and pedestrians, if necessary);

(ii) Be separated from motor vehicle traffic by appropriate devices, such as physical barriers, pylons, or painted lines;

(iii) Be regularly maintained and repaired;

(iv) Be of a hard, smooth surface suitable for bicycles;

(v) Be at least 5 feet wide for one-way traffic, or 8 feet wide for two-way traffic;

(vi) If in a street used by motor vehicles, be a minimum of 8 feet wide whether one-way or two-way; and

(vii) Be adequately lighted.

(3) Off-street bicycle lanes which are not reasonably suited for commuting to and from employment, educational, and commercial centers shall not be considered a part of this network.

(4) On or before October 1, 1974, the State of Maryland shall establish 25 percent of the total mileage of the bicycle lane network; on or before June 1, 1975, 50 percent of the total mileage shall be established; on or before July 1, 1976, 100 percent of the total mileage shall be established.

(d) On or before June 1, 1974, the State of Maryland shall submit to the Administrator a comprehensive study of a bicycle lane and bicycle path network. The study shall include, but not be limited to the following:

(1) A bicycle user and potential user survey, which shall at a minimum determine:

(i) For present bicycle riders, the origin, destination, frequency, travel time, and distance of bicycle trips;

(ii) In high density employment areas, the present modes of transportation of employees and the potential modes of transportation, including the number of employees who would convert to the bicycle mode from other modes upon completion of the bicycle lane network described in paragraph (c) of this section.

(2) A determination of the feasibility and location of on-street bicycle lanes.

(3) A determination of the feasibility and location of off-street lanes.

(4) A determination of the special problems related to feeder lanes to bridges, on-bridge lanes, feeder lanes to METRO and railroad stations, and feeder lanes to fringe parking areas, and the means necessary to include such lanes in the bicycle lane network described in paragraph (c) of this section.

(5) A determination of the feasibility and location of various methods of safe bicycle parking.

(6) The study shall make provision for the receipt of public comments on any matter within the scope of the study, including the location of the bicycle lane network described in paragraph (c) of this section.

(e) By June 1, 1974, in addition to the comprehensive study required pursuant to paragraph (d) of this section, the State of Maryland shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish this network pursuant to paragraphs (c) and (g) of this section. The compliance schedule shall identify in detail the names of streets that will provide bicycle lanes and the location of any lanes to be constructed especially for bicycle use. It shall also include a statement indicating the source, amount, and adequacy of funds to be used in implementing this section, and the text of any needed statutory proposals and needed regulations which will be proposed for adoption.

(f) On or before October 1, 1974, the State of Maryland shall submit to the Administrator legally adopted regulations sufficent to implement and enforce all of the requirements of this section.

(g) On or before June 1, 1975, the State of Maryland shall require all owners and operators of parking facilities containing more than 50 parking spaces (including both free and commercial facilities) within the area specified in paragraph (b) of this section to provide spaces for the storage of bicycles in the following ratio: one automobile-sized parking space (with a bicycle parking facility) for the storage of bicycles for every 75 parking spaces for the storage of autos.

(1) Bicycle parking facilities shall be so located as to be safe from motor vehicle traffic and secure from theft. They shall be properly repaired and maintained.

(2) The METRO Subway System shall provide a sufficient number of safe and secure bicycle parking facilities at each station to meet the needs of its riders.

(3) All parking facilities owned, operated, or leased by the Federal Government shall be subject to this paragraph.

(4) Any owner or operator of a parking facility which charges a fee for the storage of motor vehicles shall store bicycles at a price per unit per hour which is no greater in relation to the cost of storing them than is the price of parking for a motor vehicle in relation to the cost of storing it. Unless the owner or operator makes an affirmative showing to the State of Maryland of different facts, and agrees to charge in conformity with that showing, the ratio in costs and prices shall be determined by the maximum number of bicycles that can be stored in a single standard-sized automobile parking space.

§ 52.1091 Medium-duty air/fuel control retrofit.

(a) Definitions:

(1) "Air/Fuel Control Retrofit" means a system or device (such as modification to the engine's carburetor or positive crankcase ventilation system) that results in engine operation at an increased air/fuel ratio so as to achieve reduction in exhaust emissions of hydrocarbons and carbon monoxide from 1973 and earlier medium-duty vehicles of at least 15 and 30 percent, respectively.

(2) "Medium-duty vehicle" means a gasoline powered motor vehicle rated at more than 6,000 lb GVW and less than 10,000 lb GVW.

(3) All other terms used in this section that are defined in Part 51, Appendix N, of this chapter are used herein with meanings so defined.

(b) This section is applicable within the Maryland portion of the National Capital Interstate AQCR.

(c) The State of Maryland shall establish a retrofit program to ensure that on or before May 31, 1976, all medium-duty vehicles of model years prior to 1973 which are not required to be retrofitted with an oxidizing catalyst or other approved device pursuant to § 52.1093 of this chapter, which are registered in the area specified in paragraph (b) of this section, are equipped with an appropriate air/fuel control device or other device as approved by the Administrator that will reduce exhaust emissions of hydrocarbons and carbon monoxide to the same extent as an air/fuel control device. No later than February 1, 1974, the State of Maryland shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish and enforce a retrofit program pursuant to this section, including the text of statutory proposals, regulations, and enforcement procedures that the State proposes for adoption. The compliance schedule shall also include a date by which the State shall evaluate and approve devices for use in this program. Such date shall be no later than September 30, 1974.

(d) No later than April 1, 1974, the State shall submit legally adopted regulations to the Administrator establishing such a program. The regulations shall include:

(1) Designation of an agency responsible for evaluating and approving devices for use on vehicles subject to this section.

(2) Designation of an agency responsible for ensuring that the provisions of paragraph (d)(3) of this section are enforced.

(3) Provisions for beginning the installation of the retrofit devices by August 1, 1975, and completing the installation of the devices on all vehicles subject to this section no later than May 31, 1976.

(4) A provision that no later than May 31, 1976, no vehicle for which retrofit is required under this section shall pass the annual emission tests provided for by § 52.1089 unless it has been first equipped with an approved air/fuel control device, or other device approved pursuant to this section, which the test has shown to be installed and operating correctly. The regulations shall include test procedures and failure criteria for implementing this provision.

(5) Methods and procedures for ensuring that those persons installing the retrofit devices have the training and ability to perform the needed tasks satisfactorily and have an adequate supply of retrofit components.

(6) Provision (apart from the requirements of any general program for periodic inspection and maintenance of vehicles) for emissions testing at the time of device installation or some other positive assurance that the device is installed and operating correctly.

(e) After May 31, 1976, the State shall not register or allow to operate on its streets or highways any vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d) of this section.

(f) After May 31, 1976, no owner of a vehicle subject to this section shall operate or allow the operation of any such vehicle that does not comply with the applicable standards and procedures implemented by this section.

(g) The State may exempt any class or category of vehicles from this section which the State finds is rarely used on public streets and highways (such as classic or antique vehicles) or for which the State demonstrates to the Administrator that air/fuel control devices or other devices approved pursuant to this section are not commercially available.

§ 52.1092 Heavy-duty air/fuel control retrofit.

(a) Definitions:

(1) "Air/Fuel Control Retrofit" means a system or device (such as modification to the engine's carburetor or positive crankcase ventilation system) that results in engine operation at an increased air-fuel ratio so as to achieve reduction in exhaust emissions of hydrocarbon and carbon monoxide from heavy-duty vehicles of at least 30 and 40 percent, respectively.

(2) "Heavy-duty vehicle" means a gasoline-powered motor vehicle rated at 10,000 lb gross vehicle weight (GVW) or more.

(3) All other terms used in this section that are defined in Part 51, Appendix N, are used herein with meanings so defined.

(b) This section is applicable within the Maryland portion of the National Capital Interstate AQCR.

(c) The State of Maryland shall establish a retrofit program to ensure that on or before May 31, 1977, all heavy-duty vehicles registered in the areas specified in paragraph (b) of this section are equipped with an appropriate air/fuel control retrofit or other device as approved by the Administrator that will reduce exhaust emissions of hydrocarbons and carbon monoxide at least to the same extent as an air/fuel control retrofit. No later than April 1, 1974, the State of Maryland shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish and enforce a retrofit program pursuant to this section, including the text of statutory proposals, regulations, and enforcement procedures that the State proposes for adoption. The compliance schedule shall also include a date by which the State shall evaluate and approve devices for use in this program. Such date shall be no later than January 1, 1975.

(d) No later than September 1, 1974, the State shall submit legally adopted regulations to the Administrator establishing such a program. The regulations shall include:

(1) Designation of an agency responsible for evaluating and approving devices for use on vehicles subject to this section.

(2) Designation of an agency responsible for ensuring that the provisions of paragraph (d)(3) of this section are enforced.

(3) Provisions for beginning the installation of the retrofit devices by January 1, 1976, and completing the installation of the device on all vehicles subject to this section no later than May 31, 1977.

(4) A provision that starting no later than May 31, 1977, no vehicle for which retrofit is required under this section shall pass the annual emission tests provided for by § 52.1089 unless it has been first equipped with an approved air/fuel control retrofit, or other device approved pursuant to this section, which the test has shown to be installed and operating correctly. The regulations shall include test procedures and failure criteria for implementing this provision.

(5) Methods and procedures for ensuring that those installing the retrofit devices have the training and ability to perform the needed tasks satisfactorily and have an adequate supply of retrofit components.

(6) Provision (apart from the requirements of any general program for periodic inspection and maintenance of vehicles) for emissions testing at the time of device installation or some other positive assurance that the device is installed and operating correctly.

(e) After May 31, 1977, the State shall not register or allow to operate on its streets or highways any vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d) of this section.

(f) After May 31, 1977, no owner of a vehicle subject to this section shall operate or allow the operation of any such vehicle that does not comply with the applicable standards and procedures implementing this section.

(g) The State may exempt any class or category of vehicles from this section which the State finds is rarely used on public streets and highways (such as classic or antique vehicles) or for which the State demonstrates to the Administrator that air/fuel control retrofits or other devices approved pursuant to this section are not commercially available.

§ 52.1093 Oxidizing catalyst retrofit.

(a) Definitions:

(1) "Oxidizing catalyst" means a device that uses a catalyst installed in the exhaust system of a vehicle (and if necessary includes an air pump) so as to achieve a reduction in exhaust emissions of hydrocarbon and carbon monoxide of at least 50 and 50 percent, respectively, from light duty vehicles of 1971 through 1975 model years, and of at least 50 and 50 percent, respectively, from medium duty vehicles of 1971 through 1975 model years.

(2) "Light-duty vehicle" means a gasoline-powered motor vehicle rated at 6,000 lb gross vehicle weight (GVW) or less.

(3) "Medium-duty vehicle" means a gasoline-powered motor vehicle rated at more than 6,000 lb GVW and less than 10,000 lb GVW.

(4) "Fleet vehicle" means any of 5 or more light duty vehicles operated by the same person(s), business, or governmental entity and used principally in connection with the same or related occupations or uses. This definition shall also include any taxicab (or other light duty vehicle-for-hire) owned by any individual or business.

(5) All other terms used in this section that are defined in Part 51, Appendix N, of this chapter are used herein with meanings so defined.

(b) This section is applicable within the Maryland portion of the National Capital Interstate AQCR.

(c) The State of Maryland shall establish a retrofit program to ensure that on or before May 31, 1977, all light-duty fleet vehicles of model years 1971 through 1975, and all medium-duty vehicles of model years 1971 through 1975 which are registered in the area specified in paragraph (b) of this section and are able to operate on 91 RON gasoline are equipped with an appropriate oxidizing catalyst retrofit device, or other device, as approved by the Administrator, that will reduce exhaust emissions of hydrocarbons and carbon monoxide to the same extent as an oxidizing catalyst retrofit device. No later than April 1, 1974, the State of Maryland shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish and enforce a retrofit program

pursuant to this section, including the text of statutory proposals, regulations, and enforcement procedures that the State proposes for adoption. The compliance schedule shall also include a date by which the State shall evaluate and approve devices for use in this program. Such data shall be no later than January 1, 1975.

(d) No later than September 1, 1974, the State shall submit legally adopted regulations to the Administrator establishing such a program. The regulations shall include:

(1) Designation of an agency responsible for evaluating and approving devices for use on vehicles subject to this section.

(2) Designation of an agency responsible for ensuring that the provisions of paragraph (d)(3) of this section are enforced.

(3) Provisions for beginning the installation of the retrofit devices by January 1, 1976, and for completing the installation of the devices on all vehicles subject to this section no later than May 31, 1977.

(4) A provision that starting no later than May 31, 1977, no vehicle for which retrofit is required under this section shall pass the annual emission tests provided for by § 52.1089 unless it has been first equipped with an approved oxidizing catalyst device, or other device approved pursuant to this section, which the test has shown to be installed and operating correctly. The regulations shall include test procedures and failure criteria for implementing this provision.

(5) Methods and procedures for ensuring that those installing the retrofit devices have the training and ability to perform the needed tasks satisfactorily and have an adequate supply of retrofit components.

(6) Provision (apart from the requirements of any general program for periodic inspection and maintenance of vehicles) for emissions testing at the time of device installation, or some other positive assurance that the device is installed and operating correctly.

(e) After May 31, 1977, the State shall not register or allow to operate on its streets or highways any vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d) of this section.

(f) After May 31, 1977, no owner of a vehicle subject to this section shall operate or allow the operation of any such vehicle that does not comply with the applicable standards and procedures implementing this section.

(g) Any vehicle which is manufactured equipped with an oxidizing catalyst, or which is certified to meet the original 1975 light duty vehicle emissions standards set forth in section 202(b)(1)(a) of the Clean Air Act of 1970 (without regard to any suspension of such standards), shall be exempt from the requirements of this section.

§ 52.1094 Vacuum spark advance disconnect retrofit.

(a) Definitions:

(1) "Vacuum spark advance disconnect retrofit" means a device or system installed on a motor vehicle that prevents the ignition vacuum advance from operating either when the vehicle's transmission is in the lower gears, or when the vehicle is traveling below a predetermined speed, so as to achieve reduction in exhaust emissions of hydrocarbon and carbon monoxide from 1967 and earlier light-duty vehicles of at least 25 and 9 percent, respectively.

(2) "Light-duty vehicle" means a gasoline-powered motor vehicle rated at 6,000 lb gross vehicle weight (GVW) or less.

(3) All other terms used in this section that are defined in Part 51, Appendix N, of this chapter are used herein with meanings so defined.

(b) This section is applicable within the Maryland portion of the National Capital Interstate AQCR.

(c) The State of Maryland shall establish a retrofit program to ensure that on or before January 1, 1976, all light-duty vehicles of model years prior to 1968 registered in the area specified in paragraph (b) of this section are equipped with an appropriate vacuum spark advance disconnect retrofit device or other device, as approved by the Administrator, that will reduce exhaust emissions of hydrocarbons and carbon monoxide at least to the same extent as a vacuum spark advance disconnect retrofit. No later than February 1, 1974, the State of Maryland shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish and enforce a retrofit program pursuant to this section, including the text of statutory proposals, regulations, and enforcement procedures that the State proposes for adoption. The compliance schedule shall also include a date by which the State shall evaluate and approve devices for use in this program. Such date shall be no later than September 30, 1974.

(d) No later than April 1, 1974, the State shall submit legally adopted regulations to the Administrator establishing such a program. The regulations shall include:

(1) Designation of an agency responsible for evaluating and approving devices for use on vehicles subject to this section.

(2) Designation of an agency responsible for ensuring that the provisions of paragraph (d)(3) of this section are enforced.

(3) Provisions for beginning the installation of the retrofit devices by January 1, 1975, and completing the installation of the devices on all vehicles subject to this section no later than January 1, 1976.

(4) A provision that starting no later than January 1, 1976, no vehicle for which retrofit is required under this section shall pass the annual emission tests provided for § 52.1089 unless it has been first equipped with an approved vacuum spark advance disconnect retrofit device, or other device approved pursuant to this section, which the test has shown to be installed and operating correctly. The regulations shall include test procedures and failure criteria for implementing this provision.

(5) Methods and procedures for ensuring that those installing the retrofit devices have the training and ability to perform the needed tasks satisfactorily and have an adequate supply of retrofit components.

(6) Provision (apart from the requirements of any general program for periodic inspection and maintenance of vehicles) for emissions testing at the time of device installation or some other positive assurance that the device is installed and operating correctly.

(e) After January 1, 1976, the State shall not register or allow to operate on its streets or highways any light-duty vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d) of this section.

(f) After January 1, 1976, no owner of a vehicle subject to this section shall operate or allow the operation of any such vehicle that does not comply with the applicable standards and procedures implementing this section.

(g) The State may exempt any class or category of vehicles from this section which the State finds is rarely used on public streets and highways (such as classic or antique vehicles) or for which the State demonstrates to the Administrator that vacuum spark advance disconnect devices or other devices approved pursuant to this section are not commercially available.

Subpart VV of Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart VV—Virginia

1. In § 52.2420, paragraph (c) is revised to read as follows:

§ 52.2420 Identification of plan.

* * * * *

(c) Supplemental information was submitted on:

(1) May 4, 1972, by the Virginia Air Pollution Control Board;

(2) April 11, May 30, July 9, and July 11, 1973.

2. In § 52.2422, the first paragraph is labeled as "(a)" and paragraph (b) is added to read as follows:

§ 52.2422 Extensions.

* * * * *

(b) The Administrator hereby extends for two years the attainment dates for the national standards for carbon monoxide and photochemical oxidants in the Virginia portion of the National Capital Interstate Region.

3. Section 52.2423 is revised to read as follows:

§ 52.2423 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Virginia's plan for the attainment and maintenance of the national standards.

(b) With respect to the transportation control strategies submitted on April 11, May 30, July 9, and July 11, 1973, the Administrator approves the measures for the National Capital region for carpool locator, express bus lanes, increased bus fleet and service, elimination of free on-street commuter parking, elimination of free parking by private employers, parking surcharge, inspection of vehicles, dry cleaning solvent use, and gasoline vapor recovery, with the exceptions set forth in §§ 52.2424, 52.2427, 52.2430, 52.2431, 52.2435, and 52.2436. Rectifying provisions are promulgated in this subpart.

§ 52.2424 [Amended]

4. In § 52.2424, paragraph (b) is corrected by inserting the word "sufficient" before the words "interim control measures."

5. In § 52.2427, paragraphs (a) and (b) are labeled as "reserved," paragraph (c) is amended by adding the following sentence at the end of the paragraph, and paragraph (d) is added to read as follows:

§ 52.2427 Source surveillance.

(a) [Reserved]

(b) [Reserved]

(c) * * * Rectifying provisions are promulgated in this section.

(d) *Monitoring transportation sources.* (1) This section is applicable to the Commonwealth of Virginia.

(2) In order to assure the effectiveness of the inspection and maintenance program approved in § 52.2423 and required by § 52.2441, and the retrofit devices required under §§ 52.2444, 52.2445, 52.2446, and 52.2447 the Commonwealth shall monitor the actual per-vehicle emissions reductions occurring as a result of such measures. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the Commonwealth of Virginia in accordance with § 51.7 of this chapter. The first quarterly report shall cover the period January 1 to March 31, 1976.

(3) In order to assure the effective implementation of the car pool locator, express bus lanes, increased bus fleet and service, elimination of free on-street commuter parking, elimination of free employee parking, and the parking surcharge approved in § 52.2423, the Commonwealth shall monitor vehicle miles traveled and average vehicle speeds for each area in which such sections are in effect and during such time periods as may be appropriate to evaluate the effectiveness of such a program. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the Commonwealth of Virginia in accordance with § 51.7 of this chapter. The first quarterly report shall cover the period from July 1 to September 30, 1974. The vehicle miles traveled and vehicle speed data shall be collected on a monthly basis and submitted in a format similar to Table 1.

TABLE 1

Time period.....
Affected area.....

Roadway type	VMT or average vehicle speed	
	Vehicle type (1)	Vehicle type (2)[1]
Freeway.....		
Arterial.....		
Collector.....		
Local.....		

[1] Continue with other vehicle types as appropriate.

(4) No later than March 1, 1974, the Commonwealth shall submit to the Administrator a compliance schedule to implement this section. The program description shall include the following:

(i) The agency or agencies responsible for conducting, overseeing, and maintaining the monitoring program.

(ii) The administrative procedures to be used.

(iii) A description of the methods to be used to collect the emission data, VMT data, and vehicle speed data; a description of the geographical area to which the data apply; identification of the location at which the data will be collected; and the time periods during which the data will be collected.

§ 52.2429 [Amended]

6. In § 52.2429, the attainment date table is amended by replacing the date "May 31, 1975" for attainment of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) in the National Capital Interstate region with the date "May 31, 1977."

7. Section 52.2430 is revised to read as follows:

§ 52.2430 Legal authority.

(a) The requirements of § 51.11(c) of this chapter are not fully met because the plan does not adequately identify or provide copies of all laws or regulations necessary for implementing the transportation control measures.

(b) The requirements of § 51.11(f) of this chapter are not fully met because it is not clearly demonstrated that all local agencies have requisite legal authority, or that the State retains responsibility for implementing the transportation control measures.

8. Section 52.2431 is revised to read as follows:

§ 52.2431 Control strategy: Carbon monoxide and photochemical oxidants (hydrocarbons).

(a) The requirements of § 51.14(a)(1)(b) and (c) of this chapter are not met because the approvable measures in the transportation control plan are not adequate to attain the national standards in the National Capital region. Inadequate technical justification was provided for the claimed reductions in aircraft emissions, and no strategies were provided for these reductions.

(b) The requirements of § 51.14(a)(2)(iii) of this chapter are not fully met with respect to the expansion of the bus fleet and service because of lack of detail or agreements which will result in the expansion.

(c) The requirements of § 51.14(a)(2)(iv) of this chapter are not fully met because of the lack of an adequate schedule for bus acquisitions, for elimination of employee free parking, and for elimination of free on-street commuter parking.

§ 52.2432 [Reserved]

9. Section 52.2432 is revoked and reserved.

§ 52.2434 [Reserved]

10. Section 52.2432 is revoked and reserved.

11. Section 52.2435 is added to read as follows:

§ 52.2435 Compliance schedules.

(a) The requirements of § 51.15 are not met for the measures for parking surcharge, elimination of free on-street commuter parking, elimination of free employee parking, increased bus fleet and service, and exclusive bus lanes. Provisions to implement the requirements of § 51.15 are promulgated in this section.

(b) With respect to the parking surcharge measure approved in § 52.2423:

(1) The Commonwealth of Virginia shall no later than June 30, 1974, submit to the Administrator for his approval a precise description of areas within the Virginia portion of the National Capital AQCR which are at that time adequately served by mass transit, and those areas which in the judgment of the Commonwealth will be adequately served by mass transit by June 30, 1975. The documentation and policy assumptions used to select these areas shall be included with this submission.

(2) The Commonwealth of Virginia shall by June 30, 1975, and each succeeding year submit to the Administrator for his approval a revised list of those areas which are adequately served by mass transit. Additional areas must be included as mass transit service is increased, unless the Commonwealth of Virginia can affirmatively demonstrate that no additional areas can be included.

(3) Each political subdivision of the Commonwealth of Virginia which has jurisdiction over any area (or portion thereof) designated as adequately served by mass transit shall, no later than October 1, 1974, submit to the Administrator legally adopted regulations instituting the parking surcharge on all long term (6 hour) parking in all commercial parking facilities (except to the extent they are used for residential parking) and all facilities subject to §§ 52.2435(d) and 52.2437 in those areas adequately served by mass transit within the control of each such political subdivision. The parking surcharge shall be implemented and collected according to the following schedule:

June 30, 1975–Dec. 31, 1975	$0.50
January 1, 1976–June 30, 1976	1.00
July 1, 1976–Dec. 31, 1976	1.50
January 1, 1977	2.00

All monies collected under this program shall be turned over to the appropriate political subdivision. All proceeds from this program shall be used for the expansion and operation of mass transit. Any handicapped person who is unable to use mass transit shall not be subject to the surcharge. The parking surcharge shall not apply to any parking begun between the hours of 6 p.m. and 2 a.m.

(c) With respect to the measure for elimination of free on-street commuter parking approved in § 52.2423:

(1) Each potential subdivision of the Commonwealth of Virginia within the National Capital AQCR shall, no later than June 30, 1974, submit to the Administrator for his approval a compliance schedule, including legally adopted regulations, enforcement procedures, and a description of resources available. The compliance schedule shall provide:

(i) For implementing the on-street parking ban in all areas within which a surcharge will be required by paragraph (b) of this section. This program shall prohibit all parking for more than two hours by non-residents of the area subject to the ban during the hours from 7 a.m. to 7 p.m. Monday through Friday (excepting holidays) on any street within such areas. The program shall also provide for a sticker system, under which residents of such area may also be exempted from the ban, and for a system (whether by notification to the enforcement authorities, or otherwise) for also exempting bona fide visitors to residents of such areas from the ban.

(ii) The precise resources that will be devoted to enforcing this measure, the method of enforcement to be used (for example, chalking tires), and the penalties for violation. The compliance schedule shall at a minimum provide that violators shall be subject to a $10.00 fine.

(d) With respect to the measure for elimination of free employee parking approved in § 52.2423:

(1) For purposes of this paragraph "Commercial Parking Rate" shall mean the average daily rate charged by the three operators of parking facilities containing 25 or more commercial parking spaces that are closest in location to any employee parking space affected by this paragraph.

(2) The Commonwealth of Virginia shall, no later than June 30, 1974, submit to the Administrator for his approval a precise description of areas within the Commonwealth of Virginia which are at that time adequately served by mass transit, and those areas which in the judgment of the Commonwealth of Virginia will be adequately served by mass transit by June 30, 1975. The documentation and policy assumptions used to select these areas shall be included with this submission.

(3) The Commonwealth of Virginia shall by June 30, 1975, and each succeeding year, submit to the Administrator for his approval a revised list of those areas which are adequately served by mass transit. Additional areas must be included as mass transit service is increased, unless the Commonwealth of Virginia can affirmatively demonstrate that no additional areas can be included.

(4) Each political subdivision of the Commonwealth of Virginia which has jurisdiction over any area designated as adequately served by mass transit shall, no later than October 1, 1974, submit to the Administrator legally adopted regulations instituting commercial parking rates by June 30, 1975, on all employers, public (excluding federal government) or private with 25 or more employee spaces located in those areas adequately served by mass transit within the Virginia portion of the National Capital Interstate AQCR. Any handicapped person who is unable to use mass transit shall not be subject to the commercial parking rate. The commercial parking rate shall not apply to any employee parking begun between the hours of 6 p.m. and 2 a.m.

(e) With respect to the measure for increased bus fleet and service approved in § 52.2423, The Commonwealth of Virginia shall no later than January 31, 1974, submit a compliance schedule to put the program in effect. The compliance schedule shall, at a minimum, provide that the Commonwealth of Virginia shall, on or before March 1, 1974, submit to the Administrator a statement, signed both by a representative of the Commonwealth of Virginia and by a representative of the Washington Metropolitan Area Transit Authority (WMATA) indicating that, in the judgment of both of them, financial commitments have been made by the Commonwealth of Virginia or by its local governments for the purchase of buses. This statement, when taken in conjunction with the commitments made by the District of Columbia and the State of Maryland, must be sufficient to enable WMATA to purchase in the fiscal year beginning the next July 1 the number of buses indicated below:

Fiscal Year 1975—175 buses
Fiscal Year 1976—150 buses
Fiscal Year 1977—150 buses

The statement shall also indicate that WMATA has in fact committed to purchase that number of buses.

(f) With respect to the express bus lane measure approved in § 52.2423:

(1) The Commonwealth of Virginia shall no later than January 1, 1975, establish exclusive bus lanes in the following corridors:

(i) George Washington Parkway—Washington Street—Jefferson Davis Highway from Fort Hunt to National Airport.

(ii) U.S. Route 50 from Seven Corners to the Virginia-District of Columbia boundary.

Such lanes shall be inbound during the morning peak period and outbound during the evening peak period.

(2) The Commonwealth of Virginia shall submit to the Administrator, no later than March 1, 1974, a schedule showing the steps which it will take to establish exclusive bus lanes in those corridors enumerated in paragraph (f)(1) of this section. Each schedule shall be subject to approval by the Administrator and shall include as a minimum the following:

(i) Identification of streets or highways that shall have portions designated for exclusive bus lanes.

(ii) The date by which each street or highway shall be designated.

(3) Exclusive bus lanes must be prominently indicated by distinctively painted lines, pylons, overhead signs, or physical barriers.

(4) Application for substitution of a corridor for any of those listed in paragraph (f)(1) of this section shall be made by the Commonwealth of Virginia for the Administrator's approval no later than March 1, 1974.

12. Section 52.2436 is added to read as follows:

§ 52.2436 Rules and regulations.

(a) The requirements of § 51.22 are not met because regulations have not been adopted and submitted for the stationary source measures aimed at reducing gasoline handling and dry cleaning losses. Substitute regulations are promulgated in §§ 52.2438, 52.2439, and 52.2440.

13. Sections 52.2437 through 52.2447 are added to read as follows:

§ 52.2437 Federal parking facilities.

(a) Definitions. For the purposes of this section,

(1) "Administrative Officer" means the Administrator of General Services, the Marshal of the Supreme Court of the United States, the Architect of the Capitol, and any other representative of a Federal Government entity designated as such for the purposes of this section by the Administrator.

(2) "Commercial value" means a value which approximates commercial charges for space and services for like facilities in the immediate vicinity of a Federal facility. In the absence of commercial facilities, commercial value should be established using the fair market value of a Federal facility and the cost of services being provided as a basis.

(3) "Designated area" means an area defined by § 52.2435(b)(1).

(4) "Federal Government entity" means a Federal department, agency, bureau, board, office, commission, district, or an instrumentality of the executive, legislative, and judicial branches of the Federal Government. Foreign embassies are not subject to this regulation.

(5) "Parking facility" (also called "facility") means any lot, garage, building or structure, or any combination or portion thereof, in or on which motor vehicles are temporarily parked.

(6) "Residential parking space" means any parking space used primarily for the parking of vehicles of persons residing within one-half mile of the space.

(b) This section shall be applicable in the Commonwealth of Virginia portion

of the National Capital Interstate Air Quality Control Region.

(c) Commencing July 1, 1975, rates based upon the commercial value shall be charged employees for parking a motor vehicle in any facility which is owned, operated, leased or otherwise controlled by any Federal Government entity and which is located in a designated area; provided, however, that such commercial value shall not apply (1) to parking begun between the hours of 6:00 p.m. and 2 a.m., (2) to residential parking spaces contained in or on the facility, (3) to vehicles owned or leased by the Federal Government, and (4) to any vehicle exempted under paragraph (d)(2) of this section.

(d)(1) Each Administrative Officer shall adopt a plan which shall require each Federal Government entity under his authority to which this section applies to implement paragraph (c) of this section.

(2) The plan may provide for exemption from the requirements of paragraph (c) of this section for space assigned to handicapped persons who are physically unable to use mass transit.

(3) The Administrator of the Environmental Protection Agency will promulgate such a plan by May 1, 1974, for any parking facility of any Federal Government entity to which this section applies which is not under the authority of an Administrative Officer. Any such Federal Government entity may apply to the Administrator before January 4, 1974, for designation of an "Administrative Officer" and permission to submit its own plan.

(4) Each Administrative Officer shall submit to EPA, no later than July 1, 1974, an outline of the plan required by this paragraph, and the effective date of the plan, which date shall be no later than July 1, 1975. The plan required by this paragraph covering all subject facilities of government entities which are part of the executive branch of the Federal Government shall be coordinated with the Administrator of General Services.

§ 52.2438 Gasoline transfer vapor control.

(a) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the Virginia portion of the National Capital Interstate AQCR.

(c) No person shall transfer gasoline from any delivery vessel into any stationary storage container with a capacity greater than 250 gallons unless the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than 90 percent by weight of organic compounds in said vapors displaced from the stationary container location.

(1) The vapor recovery portion of the system shall include one or more of the following:

(i) A vapor tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container.

(ii) Refrigeration-condensation system or equivalent designed to recover no less than 90 percent by weight of the organic compounds in the displaced vapor.

(2) If a "vapor-tight vapor return" system is used to meet the requirements of this section, the system shall be so constructed as to be readily adapted to retrofit with an adsorption system, refrigeration-condensation system, or equivalent vapor removal system, and so constructed as to anticipate compliance with § 52.2439.

(3) The vapor-laden delivery vessel shall be subject to the following conditions:

(i) The delivery vessel must be so designed and maintained as to be vapor-tight at all times.

(ii) The vapor-laden delivery vessel may be refilled only at facilities equipped with vapor recovery systems or the equivalent, which can recover at least 90 percent by weight of the organic compounds in the vapors displaced from the delivery vessel during refilling.

(iii) Gasoline storage compartments of one thousand gallons or less in gasoline delivery vehicles presently in use on the promulgation date of this regulation will not be required to be retrofitted with a vapor return system until January 1, 1977.

(d) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Stationary containers having a capacity less than 550 gallons used exclusively for the fueling of implements of husbandry.

(2) Any container having a capacity less than 2,000 gallons installed prior to promulgation of this section.

(3) Transfers made to storage tanks equipped with floating roofs or their equivalent.

(e) Every owner or operator of a stationary storage container or delivery vessel subject to this section shall comply with the following compliance schedule:

(1) April 1, 1974—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the provisions of paragraph (c) of this section.

(2) May 1, 1974—Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) January 1, 1975—Initiate on-site construction or installation of emission control equipment.

(4) February 1, 1976—Complete on-site construction or installation of emission control equipment.

(5) March 1, 1976—Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(f) Paragraph (e) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by January 31, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator, by January 31, 1974, a proposed alternative schedule. No such schedule may provide for compliance after March 1, 1976. Any such schedule shall provide for certification to the Administrator, within 5 days after the deadline for each increment therein, as to whether or not that increment has been met. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (e) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(h) Any gasoline dispensing facility subject to this section which installs a storage tank after the effective date of this section shall comply with the requirements of paragraph (c) of this section by March 1, 1976, and prior to that date shall comply with paragraph (e) of this section as far as possible. Any facility subject to this section which installs a storage tank after March 1, 1976, shall comply with the requirements of paragraph (c) of this section at the time of installation.

§ 52.2438 Control of evaporative losses from the filling of vehicular tanks.

(a) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the Virginia portion of the National Capital Interstate AQCR.

(c) A person shall not transfer gasoline to an automotive fuel tank from a gasoline dispensing system unless the transfer is made through a fill nozzle designed to:

(1) Prevent discharge of hydrocarbon vapors to the atmosphere from either the vehicle filler neck or dispensing nozzle;

(2) Direct vapor displaced from the automotive fuel tank to a system wherein at least 90 percent by weight of the organic compounds in displaced vapors are recovered; and

(3) Prevent automotive fuel tank overfills or spillage on fill nozzle disconnect.

(d) The system referred to in paragraph (c) of this section may consist of a vapor-tight return line from the fill nozzle-filler neck interface to the dis-

pensing tank or to an adsorption, absorption, incineration, refrigeration-condensation system or its equivalent.

(e) Components of the systems required by § 52.2439 may be used for compliance with paragraph (c) of this section.

(f) If it is demonstrated to the satisfaction of the Administrator that it is impractical to comply with the provisions of paragraph (c) of this section as a result of vehicle fill neck configuration, location, or other design features of a class of vehicles, the provisions of this section shall not apply to such vehicles. However, in no case shall such configuration exempt any gasoline dispensing facility from installing and using in the most effective manner a system required by paragraph (c) of this section.

(g) Every owner or operator of a gasoline dispensing system subject to this section shall comply with the following compliance schedule:

(1) February 1, 1974—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the provisions of paragraph (c) of this section.

(2) June 1, 1974—Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) January 1, 1975—Initiate on-site construction or installation of emission control equipment.

(4) May 1, 1977—complete on-site construction installation of emission control equipment or process modification.

(5) May 31, 1977—Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of prograss, whether or not the required increment of progress has been met.

(h) Paragraph (g) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by January 31, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator, by January 31, 1974, a proposed alternative schedule. No such schedule may provide for compliance after May 31, 1977. Any such schedule shall provide for certification to the Administrator, within 5 days after the deadline for each increment therein, as to whether or not that increment has been met. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(i) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (g) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(j) Any gasoline dispensing facility subject to this section which installs a gasoline dispensing system after the effective date of this section shall comply with the requirements of paragraph (c) of this section by May 31, 1977, and prior to that date shall comply with paragraph (g) of this section as far as possible. Any facility subject to this section which installs a gasoline dispensing system after May 31, 1977, shall comply with the requirements of paragraph (c) of this section at the time of installation.

§ 52.2440 Control of dry cleaning solvent evaporation.

(a) Definitions:

(1) "Dry cleaning operation" means that process by which an organic solvent is used in the commercial cleaning of garments and other fabric materials.

(2) "Organic solvents" means organic materials, including diluents and thinners, which are liquids at standard conditions and which are used as dissolvers, viscosity reducers, or cleaning agents.

(3) "Photochemically reactive solvent" means any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, as applied to the total volume of solvent.

(i) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cyclo-olefinic type of unsaturation: 5 percent;

(ii) A combination of aromatic compounds with 8 or more carbon atoms to the molecule except ethylbenyenl: 8 percent;

(iii) A combination of ethylbenyene or ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

(b) This section is applicable to the Virginia portion of the National Capital Interstate Region.

(c) No person shall operate a dry cleaning operation using other than perchloroethylene, 1,1,1-trichloroethane, or saturated halogenated hydrocarbons unless the uncontrolled organic emissions from such operation are reduced at least 85 percent; provided, that dry cleaning operations emitting less than 8 pounds per hour and less than 40 pounds per day of uncontrolled organic materials are exempt from the requirement of this section.

(d) If incineration is used as a control technique, 90 percent or more of the carbon in the organic emissions being incinerated must be oxidized to carbon dioxide.

(e) Any owner or operator of a source subject to this section shall achieve compliance with the requirements of paragraph (c) of this section by discontinuing the use of photochemically reactive solvents no later than January 31, 1974, or by controlling emissions as required by paragraphs (c) and (d) of this section no later than May 31, 1975.

§ 52.2441 Inspection and maintenance program.

(a) Definitions:

(1) "Inspection and maintenance program" means a program for reducing emissions from in-use vehicles through identifying vehicles that need emission control related maintenance and requiring that such maintenance be performed.

(2) "Light-duty vehicle" means a gasoline-powered motor vehicle rated at 6,000 lb gross vehicle weight (GVW) or less.

(3) "Medium-duty vehicle" means a gasoline-powered motor vehicle rated at more than 6,000 lb GVW and less than 10,000 lb GVW.

(4) "Heavy-duty vehicle" means a gasoline-powered motor vehicle rated at 10,000 lb GVW or more.

(5) All other terms used in this section that are defined in Part 51, Appendix N, are used herein with the meanings so defined.

(b) This section is applicable within the Virginia portion of the National Capital Interstate AQCR.

(c) In connection with the light-duty vehicle inspection and maintenance program for the area specified in paragraph (b) of this section approved by the Administrator pursuant to § 52.2423, the Commonwealth of Virginia shall establish an inspection and maintenance program applicable to all medium-duty and heavy-duty vehicles registered in any area specified in paragraph (b) of this section that operate on public streets or highways over which it has ownership or control. The Commonwealth may exempt any class or category of vehicles that the Commonwealth finds is rarely used on public streets or highways (such as classic or antique vehicles). No later than April 1, 1974, the Commonwealth shall submit legally adopted regulations to the Administrator establishing such a program. The regulations shall include:

(1) Provisions for inspection of all medium-duty and heavy-duty motor vehicles at periodic intervals no more than 1 year apart by means of an idle emission test.

(2) Provisions for inspection failure criteria consistent with the failure of 30 percent of the vehicles in the first inspection cycle.

(3) Provisions to ensure that failed vehicles receive, within two weeks, the maintenance necessary to achieve compliance with the inspection standards. These shall include sanctions against individual owners and repair facilities, retest of failed vehicles following maintenance, use of a certification program to ensure that repair facilities performing the required maintenance have the necessary equipment, parts, and knowledgeable operators to perform the tasks satisfactorily, and use of such other measures as may be necessary or appropriate.

(4) A program of enforcement to ensure that vehicles are not intentionally readjusted or modified subsequent to the inspection and/or maintenance in such a way as would cause them to no longer comply with the inspection standards. This enforcement program might include spot checks of idle adjustments and/or a suitable type of physical tagging. This program shall include appropriate penalties for violation.

(5) Provisions for beginning the first inspection cycle by January 1, 1975, and completing it by January 1, 1976.

(6) Designation of an agency or agencies responsible for conducting, overseeing, and enforcing the inspection and maintenance program.

(d) After January 1, 1976, the Commonwealth shall not register or allow to operate on public streets or highways any medium-duty or heavy-duty vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (c) of this section. This shall not apply to the initial registration of a new motor vehicle.

(e) After January 1, 1976, no owner of a medium-duty or heavy-duty vehicle shall operate or allow the operation of such vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (c) of this section. This shall not apply to the initial registration of a new motor vehicle.

(f) The Commonwealth of Virginia shall submit, no later than February 1, 1974, a detailed compliance schedule showing the steps it will take to establish and enforce an inspection and maintenance program pursuant to paragraph (c) of this section, including:

(1) The text of needed statutory proposals and regulations that it will propose for adoption.

(2) The date by which the Commonwealth will recommend needed legislation to the legislature.

(3) The date by which necessary equipment will be ordered.

(4) A signed statement from the Governor or his designee identifying the sources and amounts of funds for the program. If funds cannot legally be obligated under existing statutory authority, the text of needed legislation shall be submitted.

§ 52.2442 Bicycle lanes and bicycle storage facilities.

(a) Definitions:

(1) "Bicycle" means a two-wheel, nonmotor powered vehicle.

(2) "Bicycle lane" means a route for the exclusive use of bicycles, either constructed specifically for that purpose or converted from an existing lane.

(3) "Bicycle parking facility" means any storage facility for bicycles, which allows bicycles to be locked securely.

(4) "Parking space" means the area allocated by a parking facility for the temporary storage of one automobile.

(5) "Parking facility" means a lot, garage, building, or portion thereof, in or on which motor vehicles are temporarily parked.

(b) This section shall be applicable in the Commonwealth of Virginia portion of the National Capital Interstate Air Quality Control Region.

(c) On or before July 1, 1976, the Commonwealth of Virginia shall establish a network of bicycle lanes linking residential areas with employment, educational, and commercial centers in accordance with the following requirements:

(1) The network shall contain no less than 60 miles of bicycle lanes in addition to any in existence as of November 20, 1973.

(2) Each bicycle lane shall at a minimum:

(i) Be clearly marked by signs indicating that the lane is for the exclusive use of bicycles (and pedestrians, if necessary);

(ii) Be separated from motor vehicle traffic by appropriate devices, such as physical barriers, pylons, or painted lines;

(iii) Be regularly maintained and repaired;

(iv) Be of a hard, smooth surface suitable for bicycles;

(v) Be at least 5 feet wide for one-way traffic, or 8 feet wide for two-way traffic;

(vi) If in a street used by motor vehicles, be a minimum of 8 feet wide whether one-way or two-way; and

(vii) Be adequately lighted.

(3) Off-street bicycle lanes which are not reasonably suited for commuting to and from employment, educational, and commercial centers shall not be considered a part of this network.

(4) On or before October 1, 1974, the Commonwealth of Virginia shall establish 25 percent of the total mileage of the bicycle lane network; on or before June 1, 1975, 50 percent of the total mileage shall be established; on or before July 1, 1976, 100 percent of the total mileage shall be established.

(d) On or before June 1, 1974, the Commonwealth of Virginia shall submit to the Administrator a comprehensive study of a bicycle lane and bicycle path network. The study shall include, but not be limited to the following:

(1) A bicycle user and potential user survey, which shall at a minimum determine:

(i) For present bicycle riders, the origin, destination, frequency, travel time, and distance of bicycle trips;

(ii) In high density employment areas, the present modes of transportation of employees and the potential modes of transportation, including the number of employees who would convert to the bicycle mode from other modes upon completion of the bicycle lane network described in paragraph (c) of this section.

(2) A determination of the feasibility and location of on-street bicycle lanes.

(3) A determination of the feasibility and location of off-street lanes.

(4) A determination of the special problems related to feeder lanes to bridges, on-bridge lanes, feeder lanes to METRO and railroad stations, and feeder lanes to fringe parking areas, and the means necessary to include such lanes in the bicycle lane network described in paragraph (c) of this section.

(5) A determination of the feasibility and location of various methods of safe bicycle parking.

(6) The study shall make provision for the receipt of public comments on any matter within the scope of the study, including the location of the bicycle lane network described in paragraph (c) of this section.

(e) By June 1, 1974, in addition to the comprehensive study required pursuant to paragraph (d) of this section, the Commonwealth of Virginia shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish this network pursuant to paragraphs (c) and (g) of this section. The compliance schedule shall identify in detail the names of streets that will provide bicycle lanes and the location of any lanes to be constructed especially for bicycle use. It shall also include a statement indicating the source, amount, and adequacy of funds to be used in implementing this section, and the text of any needed statutory proposals and needed regulations which will be proposed for adoption.

(f) On or before October 1, 1974, the Commonwealth of Virginia shall submit to the Administrator legally adopted regulations sufficient to implement and enforce all of the requirements of this section.

(g) On or before June 1, 1975, the Commonwealth of Virginia shall require all owners and operators of parking facilities containing more than 50 parking spaces (including both free and commercial facilities) within the area specified in paragraph (b) of this section to provide spaces for the storage of bicycles in the following ratio: one automobile-size parking space (with a bicycle parking facility) for the storage of bicycles for every 75 parking spaces for the storage of autos. The Commonwealth shall also require that:

(1) Bicycle parking facilities shall be so located as to be safe from motor vehicle traffic and secure from theft. They shall be properly repaired and maintained.

(2) The METRO Subway System shall provide a sufficient number of safe and secure bicycle parking facilities at each station to meet the needs of its riders.

(3) All parking facilities owned, operated, or leased by the Federal Government shall be subject to this paragraph.

(4) Any owner or operator of a parking facility which charges a fee for the storage of motor vehicles shall store bicycles at a price per unit per hour which is no greater in relation to the cost of storing them than is the price of parking for a motor vehicle in relation to the cost of storing it. Unless the owner or operator makes an affirmative showing to the Commonwealth of Virginia of different facts, and agrees to charge in conformity with that showing, the ratio in costs and prices shall be determined by the maximum number of bicycles that can be

stored in a single standard-sized automobile parking space.

§ 52.2444 Medium duty air/fuel control retrofit.

(a) Definitions:

(1) "Air/Fuel Control Retrofit" means a system or device (such as modification to the engine's carburetor or positive crankcase ventilation system) that results in engine operation at an increased air-fuel ratio so as to achieve reductions in exhaust emissions of hydrocarbon and carbon monoxide from 1973 and earlier medium-duty vehicles of at least 15 and 30 percent, respectively.

(2) "Medium-duty vehicle" means a gasoline powered motor vehicle rated at more than 6,000 lb GVW and less than 10,000 lb GVW.

(3) All other terms used in this section that are defined in Part 51, Appendix N, of this chapter are used herein with meanings so defined.

(b) This section is applicable within the Virginia portion of the National Capital Interstate AQCR.

(c) The Commonwealth of Virginia shall establish a retrofit program to ensure that on or before May 31, 1976, all medium-dfity vehicles of model years prior to 1973 which are not required to be retrofitted with an oxidizing catalyst or other approved device pursuant to § 52.2446, which are registered in the area specified in paragraph (b) of this section, are equipped with an appropriate Air/Fuel Control device or other device as approved by the Administrator that will reduce exhaust emissions of hydrocarbon and carbon monoxide to the same extent as an air/fuel control device. No later than February 1, 1974, the Commonwealth of Virginia shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish and enforce a retrofit program pursuant to this section, including the text of statutory proposals, regulations, and enforcement procedures that the Commonwealth proposes for adoption. The compliance schedule shall also include a date by which the Commonwealth shall evaluate and approve devices for use in this program. Such date shall be no later than September 30, 1974.

(d) No later than April 1, 1974, the Commonwealth shall submit legally adopted regulations to the Administrator establishing such a program. The regulations shall include:

(1) Designation of an agency responsible for evaluating and approving devices for use on vehicles subject to this section.

(2) Designation of an agency responsible for ensuring that the provisions of paragraph (d)(3) of this section are enforced.

(3) Provisions for beginning the installation of the devices by August 1, 1975, and completing the installation of the devices on all vehicles subject to this section no later than May 31, 1976.

(4) A provision that no later than May 31, 1976, no vehicle for which retrofit is required under this section shall pass the annual emission tests provided for by § 52.2441 unless it has been first equipped with an approved air/fuel control device, or other device approved pursuant to this section, which the test has shown to be installed and operating correctly. The regulations shall include test procedures and failure criteria for implementing this provision.

(5) Methods and procedures for ensuring that those persons installing the retrofit device have the training and ability to perform the needed tasks satisfactorily and have an adequate supply of retrofit components.

(6) Provision (apart from the requirements of any general program for periodic inspection and maintenance of vehicles) for emissions testing at the time of device installation or some other positive assurance that the device is installed and operating correctly.

(e) After May 31, 1976, the Commonwealth shall not register or allow to operate on its streets or highways any vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d) of this section.

(f) After May 31, 1976, no owner of a vehicle subject to this section shall operate or allow the operation of any such vehicle that does not comply with the applicable standards and procedures implemented by this section.

(g) The Commonwealth may exempt any class or category of vehicles from this section which the Commonwealth finds is rarely used on public streets and highways (such as classic or antique vehicles) or for which the Commonwealth demonstrates to the Administrator that air/fuel control devices or other devices approved pursuant to this section are not commercially available.

§ 52.2445 Heavy duty air/fuel control retrofit.

(a) Definitions:

(1) "Air/Fuel Control Retrofit" means a system or device (such as modification to the engine's carburetor or positive crank case ventilation system) that results in engine operation at an increased air/fuel ratio so as to achieve reduction in exhaust emissions of hydrocarbon and carbon monoxide from heavy-duty vehicles of at least 30 and 40 percent, respectively.

(2) "Heavy duty vehicle" means a gasoline-powered motor vehicle rated at 10,000 lb gross vehicle weight or more.

(3) All other terms used in this section that are defined in Part 51, Appendix N, of this chapter are used herein with meanings so defined.

(b) This section is applicable within the Virginia portion of the National Capital Interstate AQCR.

(c) The Commonwealth of Virginia shall establish a retrofit program to ensure that on or before May 31, 1977, all heavy duty vehicles registered in the area specified in paragraph (b) of this section are equipped with an appropriate air/fuel control device or other device as approved by the Administrator that will reduce exhaust emissions of hydrocarbons and carbon monoxide to the same extent as an air/fuel control device. No later than April 1, 1974, the Commonwealth of Virginia shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish and enforce a retrofit program pursuant to this section, including the text of statutory proposals, regulations, and enforcement procedures that the Commonwealth proposes for adoption. The compliance schedule shall also include a date by which the Commonwealth shall evaluate and approve devices for use in this program. Such date shall be no later than January 1, 1975.

(d) No later than September 1, 1974, the Commonwealth shall submit legally adopted regulations to the Administrator establishing such a program. The regulations shall include:

(1) Designation of an agency responsible for evaluating and approving devices for use on vehicles subject to this section.

(2) Designation of an agency responsible for ensuring that the provisions of paragraph (d)(3) of this section are enforced.

(3) Provisions for beginning the installation of the retrofit devices by January 1, 1976, and completing the installation of the devices on all vehicles subject to this section no later than May 31, 1977.

(4) A provision that starting no later than May 31, 1977, no vehicle for which retrofit is required under this section shall pass the annual emission tests provided for by § 52.2441 unless it has been first equipped with an approved air/fuel control device, or other device approved pursuant to this section, which the test has shown to be installed and operating correctly. The regulations shall include test procedures and failure criteria for implementing this provision.

(5) Methods and procedures for ensuring that those installing the retrofit devices have the training and ability to perform the needed tasks satisfactorily and have an adequate supply of retrofit components.

(6) Provision (apart from the requirements of any general program for periodic inspection and maintenance of vehicles) for emissions testing at the time of device installation or some other positive assurance that the device is installed and operating correctly.

(g) The Commonwealth may exempt any class or category of vehicles from this section which the Commonwealth finds is rarely used on public streets and highways (such as classic or antique vehicles) or for which the Commonwealth demonstrates to the Administrator that air/fuel control device or other devices approved pursuant to this section are not commercially available.

§ 52.2446 Oxidizing catalyst retrofit.

(a) Definitions:

(1) "Oxidizing catalyst" means a device that uses a catalyst installed in the exhaust system of a vehicle (and if necessary includes an air pump) so as to achieve reduction in exhaust emissions

of hydrocarbon and carbon monoxide of at least 50 and 50 percent, respectively, from light duty vehicles of 1971 through 1975 model years, and of at least 50 to 50 percent, respectively, from medium duty vehicles of 1971 through 1975 model years.

(2) "Light-duty vehicle" means a gasoline-powered motor vehicle rated at 6,000 lb gross vehicle weight (GVW) or less.

(3) "Medium-duty vehicle" means a gasoline-powered motor vehicle rated at more than 6,000 lb GVW and less than 10,000 lb GVW.

(4) "Fleet vehicle" means any of 5 or more light-duty vehicles operated by the same person(s), business, or governmental entity and used principally in connection with the same or related occupations or uses. This definition shall also include any taxicab (or other light-duty vehicle-for-hire) owned by any individual or business.

(5) All other terms used in this section that are defined in Part 51, Appendix N, are used herein with meanings so defined.

(b) This section is applicable within the Virginia portion of the National Capital Interstate AQCR.

(c) The Commonwealth of Virginia shall establish a retrofit program to ensure that on or before May 31, 1977, all light-duty fleet vehicles of model years 1971 through 1975 and medium-duty vehicles of model years 1971 through 1975 which are registered in the area specified in paragraph (b) of this section and are able to operate on 91 RON gasoline, are equipped with an appropriate oxidizing catalyst retrofit device or other device, as approved by the Administrator, that will reduce exhaust emissions of hydrocarbons and carbon monoxide to the same extent as an oxidizing catalyst retrofit device. No later than April 1, 1974, the Commonwealth of Virginia shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish and enforce a retrofit program pursuant to this section, including the text of statutory proposals, regulations, and enforcement procedures that the Commonwealth proposes for adoption. The compliance schedule shall also include a date by which the Commonwealth shall evaluate and approve devices for use in this program. Such date shall be no later than January 1, 1975.

(d) No later than September 1, 1974, the Commonwealth shall submit legally adopted regulations to the Administrator establishing such a program. The regulation shall include:

(1) Designation of an agency responsible for evaluating and approving devices for use on vehicles subject to this section.

(2) Designation of an agency responsible for ensuring that the provisions of paragraph (d)(3) of this section are enforced.

(3) Provisions for beginning the installation of the retrofit devices by January 1, 1976, and completing the installation of the devices on all vehicles subject to this section no later than May 31, 1977.

(4) A provision that starting no later than May 31, 1977, no vehicle for which retrofit is required under this section shall pass the annual emission test provided for by §§ 52.2423 and 52.2441 unless it has been first equipped with an approved oxidizing catalyst device, or other device approved pursuant to this section, which the test has shown to be installed and operating correctly. The regulations shall include test procedures and failure criteria for implementing this provision.

(5) Methods and procedures for ensuring that those installing the retrofit devices have the training and ability to perform the needed tasks satisfactorily and have an adequate supply of retrofit components.

(6) Provision (apart from the requirements of any general program for periodic inspection and maintenance of vehicles) for emissions testing at the time of device installation or some other positive assurance that the device is installed and operating correctly.

(e) After May 31, 1977, the Commonwealth shall not register or allow to operate on its streets or highways any vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d) of this section.

(f) After May 31, 1977, no owner of a vehicle subject to this section shall operate or allow the operation of any such vehicle that does not comply with the applicable standards and procedures implementing this section.

(g) Any vehicle which is manufactured equipped with an oxidizing catalyst, or which is certified to meet the original 1975 light-duty vehicle emission standards set forth in section 202(b)(1)(A) of the Clean Air Act of 1970 (without regard to any suspension of such standards), shall be exempt from the requirements of this section.

§ 52.2447 Vacuum spark advance disconnect retrofit.

(a) Definitions:

(1) "Vacuum spark advance disconnect retrofit" means a device or system installed on a motor vehicle that prevents the ignition vacuum advance from operating either when the vehicle's transmission is in the lower gears, or when the vehicle is traveling below a predetermined speed so as to achieve reduction in exhaust emissions of hydrocarbon and carbon monoxide from 1967 and earlier light-duty vehicles of at least 25 and 9 percent, respectively.

(2) "Light-duty vehicle" means a gasoline-powered motor vehicle rated at 6,000 lb gross vehicle weight (GVW) or less.

(3) All other terms used in this section that are defined in Part 51, Appendix N, are used herein with meanings so defined.

(b) This section is applicable within the Virginia portion of the National Capital Interstate AQCR.

(c) The Commonwealth of Virginia shall establish a retrofit program to ensure that on or before January 1, 1976, all light-duty vehicles of model years prior to 1968 registered in the area specified in paragraph (b) of this section are equipped with an appropriate vacuum spark advance disconnect retrofit device or other device, as approved by the Administrator, that will reduce exhaust emissions of hydrocarbons and carbon monoxide to the same extent as a vacuum spark advance disconnect retrofit. No later than February 1, 1974, the Commonwealth of Virginia shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish and enforce a retrofit program pursuant to this section, including the text of statutory proposals, regulations, and enforcement procedures that the Commonwealth proposes for adoption. The compliance schedule shall also include a date by which the Commonwealth shall evaluate and approve devices for use in this program. Such date shall be no later than September 30, 1974.

(d) No later than April 1, 1974, the Commonwealth shall submit legally adopted regulations to the Administrator establishing such a program. The regulations shall include:

(1) Designation of an agency responsible for evaluating and approving devices for use on vehicles subject to this section.

(2) Designation of an agency responsible for ensuring that the provisions of paragraph (d)(3) of this section are enforced.

(3) Provisions for beginning the installation of the retrofit devices by January 1, 1975, and completing the installation of the devices on all vehicles subject to this section no later than January 1, 1976.

(4) A provision that starting no later than January 1, 1976, no vehicle for which retrofit is required under this section shall pass the annual emission tests provided for by § 52.2423 unless it has been first equipped with an approved vacuum spark advance disconnect retrofit device, or other device approved pursuant to this section, which the test has shown to be installed and operating correctly. The regulations shall include test procedures and failure criteria for implementing this provision.

(5) Methods and procedures for ensuring that those installing the retrofit devices have the training and ability to perform the needed tasks satisfactorily and have an adequate supply of retrofit components.

(6) Provision (apart from the requirements of any general program for periodic inspection and maintenance of vehicles) for emissions testing at the time of device installation, or some other positive assurance that the device is installed and operating correctly.

(e) After January 1, 1976, the Commonwealth shall not register or allow

to operate on its streets or highways any light-duty vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d) of this section.

(f) After January 1, 1976, no owner of a vehicle subject to this section shall operate or allow the operation of any such vehicle that does not comply with the applicable standards and procedures implementing this section.

(g) The Commonwealth may exempt any class or category of vehicles from this section which the Commonwealth finds is rarely used on public streets and highways (such as classic or antique vehicles) or for which the Commonwealth demonstrates to the Administrator that vacuum spark advance disconnect devices or other devices approved pursuant to this section are not commercially available.

[FR Doc.73-25119 Filed 12-5-73;8:45 am]

federal register

THURSDAY, DECEMBER 6, 1973
WASHINGTON, D.C.

Volume 38 ■ Number 234

PART III

ENVIRONMENTAL PROTECTION AGENCY

■

FUEL REGULATIONS

Control of Lead Additives in Gasoline

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

PART 80—REGULATION OF FUELS AND FUEL ADDITIVES

Control of Lead Additives in Gasoline

On February 23, 1972 (37 FR 3882), the Administrator proposed regulations providing for the general availability of lead-free gasoline by July 1, 1974 and a reduction in the lead content of leaded gasoline to 1.25 grams per gallon by 1977. The lead-free gasoline regulations were proposed primarily to ensure the availability of lead-free fuel for use in automobiles designed to meet Federal emission standards with lead-sensitive emission control devices. The Agency recognized that these regulations would also result in a reduction in lead emissions from the new automobile segment of the vehicle population, which would be equipped with those devices. However, based on public health consideration, it was considered necessary, to propose a reduction in the lead content of leaded gasoline as well.

After consideration of the information provided during public hearings and an extended comment period, as well as additional information on the health effects of airborne lead and the adverse effects of lead on emission control devices, the Administrator determined that the two regulations should be dealt with separately. On January 10, 1973, the regulations providing for lead-free gasoline were promulgated, and the regulatory sections providing for a reduction in the lead content of leaded gasoline were reproposed. (38 FR 1255 and 38 FR 1258)

The leaded gasoline regulations were reproposed because the Agency's position on the health effects associated with lead emissions changed substantially. The Administrator had originally proposed the regulations based on the conclusions that airborne lead levels exceeding 2 micrograms per cubic meter were associated with a sufficient risk of adverse physiological effects to endanger public health. After evaluation of the public comment and additional information on this issue, the Administrator determined that it was difficult, if not impossible, to establish a precise level of airborne lead as an acceptable basis for a control strategy. The original health effects analysis was revaluated in view of this finding. The resulting new health position paper concluded that airborne lead can either be directly absorbed through the lungs as people breathe, or can settle out of the air to contaminate dirt which may be consumed by children. Strong evidence existed which supported the view that through these routes airborne lead contributes to excessive lead exposure in urban adults and children. In light of this evidence of health risks, the Administrator concluded that it would be prudent to reduce preventable lead exposure.

The reproposed regulations provided for a reduction in the average lead content of leaded gasolines to 1.25 grams per gallon over a four year period as follows: 2.00 grams per gallon in 1975, 1.70 grams per gallon in 1976, 1.5 grams per gallon in 1977, and 1.25 grams per gallon in 1978. The specified average lead levels referred to the average lead levels of leaded gasoline produced by an individual refinery during any quarter of the specified year.

The final regulations contain a revised lead-reduction schedule based on the Administrator's determination that averaging over all grades of gasoline, including lead-free grades, is preferable to averaging over the leaded grades alone. The schedule has been adjusted to moderate the impact in the early years and to extend it for an additional year. This is discussed in greater detail below. The revised schedule prescribes lower allowable lead content levels, but the overall amount of lead used in gasoline would equal the lead usage expected to result from the reproposed leaded grade reduction schedule in 1979. The reduction schedule under this total pool averaging approach is 1.7 grams per gallon in 1975, 1.4 grams per gallon in 1976, 1.0 grams per gallon in 1978, and 0.5 grams per gallon in 1979. The various averaging alternatives considered by the Administrator are discussed below.

The reproposed reduction schedule was designed to accomplish a 60–65 percent decrease in lead usage from base 1971 by supplementing the projected increasing use beginning in 1974 of lead-free gasoline by new automobiles with catalytic (lead-sensitive) emission control systems. The schedule promulgated below also is designed to achieve the targeted decrease, and generally maintain the reproposed average lead contents for the leaded grades of gasoline.

The Administrator's judgment is that the promulgated reduction schedule is reasonable from the standpoint of protection of health and from the standpoint of economic and technological feasibility. While implementation of this schedule is reducing lead content of gasoline, a joint effort will be made by the Agency and the Department of Health, Education and Welfare to further examine lead emissions from automobile exhausts, to determine whether additional regulation is necessary.

Statutory basis. Section 211(c)(1) of the Clean Air Act authorizes EPA to "control or prohibit the manufacture, introduction into commerce, offering for sale, or sale of any fuel or fuel additive for use in a motor vehicle or motor vehicle engine * * * if any emission products of such fuel or fuel additive will endanger the public health or welfare". The scheduled reduction in the use of lead additives in gasoline to achieve a significant reduction in lead emissions from motor vehicles by 1978 is based on the finding that lead particle emissions from motor vehicles present a significant risk of harm to the health of urban populations, particularly to the health of city children. It is the Administrator's view that the statutory language quoted above does not require a determination that automobile emissions alone create the endangerment on which controls may be based. Rather, the Administrator believes that in providing this authority, the Congress was aware that the public's exposure to harmful substances results from a number of sources which may have varying degrees of susceptibility to control.

Health implications of airborne lead—Introduction. The issue concerning the contribution of automobile lead exhausts to the country's lead exposure problem is complex and controversial. In order to complete a fair assessment of this problem, EPA has made a concentrated effort to obtain and review all the medical and scientific evidence. The Agency has repeatedly requested information and comments from the medical and scientific communities as well as the general public. Since the reproposal of the regulations, information gathered through the comment period on the reproposed regulations, earlier comment periods on the originally proposed regulations, and surveys of relevant studies by EPA personnel have been thoroughly reviewed and evaluated by a task force of EPA medical experts and scientists. A paper entitled "EPA's Position on the Health Implications of Airborne Lead" sets forth in detail the Agency's evaluation that there is a health basis for reducing the use of lead in gasoline. A copy of this paper is available from the Publications Section, Environmental Protection Agency, 401 M Street SW, Room 238W, Washington, D.C. 20460.

General summary of health issue. Environmental lead exposure is a major health problem in this country. A small but significant portion of the urban adult population and up to 25 percent of children in urban areas are over-exposed to lead. The lead exposure problem is caused by a combination of sources including food, water, air, leaded paint, and dust. The aggregate contribution of lead from all these sources poses a significant threat to health. However, it is extremely difficult to determine what percentage of the problem each separate environmental factor contributes. Since these are additive sources whose importance varies considerably among individuals it is likewise difficult to determine what impact would be achieved by partial or total reduction of lead from any source. Should the lead in all sources be reduced, however, it seems clear that the situation would be substantially improved. Leaded gasoline is a source of air and dust lead which can be readily and significantly reduced in comparison to these other sources. It is also one of the few lead sources not yet subject to any controls other than EPA's lead-free gasoline regulations.

Lead from gasoline accounts for approximately 90 percent of airborne lead, total lead additive usage being well over 200,000 tons a year. Lead from stationary sources and deteriorating leaded paint from buildings, combined with lead from gasoline cause high lead levels in dirt and dust. Of these sources, lead from gasoline is the most ubiquitous source of lead found in both the air and the dirt and dust in urban areas. Human exposure to this lead takes place by in-

halation and by ingestion of dirt and dust contaminated by air lead fallout. Since exposure to lead among the general population is widespread, it is reasonable that efforts be made to reduce preventable sources of lead exposure including lead emissions resulting from lead in gasoline.

Many of those disagreeing with the reproposed regulations based their comments on EPA's failure to show sufficient evidence of adverse health effects specifically caused by the use of lead additives in gasoline. While most agree that the combustion of leaded gasoline causes an increase in the amount of lead in the environment, they do not believe that lead in gasoline represents a sufficient endangerment to health or a sufficient risk to the environment to warrant promulgation of controls. The arguments against the position set forth in EPA's reproposed regulations include the following: (1) EPA has failed to show a clear correlation between lead levels in the air and those in the blood of exposed individuals; (2) lead from dust and dirt does not represent a significant threat to body burden of lead; (3) leaded paint is the primary cause of childhood lead poisoning and lead in gasoline does not play an important role in lead poisoning or excessive lead exposure; (4) lead in food and water and not airborne lead are the principal sources of lead to the general population.

A discussion of the four major areas of criticism and a summary of the significant new information received since the regulations were reproposed are provided below.

I. *Is there a correlation between air lead levels and blood lead levels?* A portion of the comments received were critical of EPA's reproposed regulation on the basis that consistently strong correlations have not been found between air lead and blood lead levels. The conclusion expressed by many comments is that except for persons whose occupations bring them in close contact with environmental lead, exposure to airborne lead does not contribute to increased blood lead levels and does not pose a significant threat to health.

These comments cite several studies which did not demonstrate a strong correlation between air lead and blood lead levels. For example, The Seven Cities Study did not show a close correlation between increase in blood lead levels and simultaneous increases in air lead exposures. Blood lead levels were lower among the New York City residents studies than the Philadelphia residents, despite the fact that air lead exposures among the New York residents were actually greater than those in Philadelphia. Also cited as evidence against EPA's position is the observation that despite significant increases in the use of lead in gasoline in recent years there have been no discernible increases in blood lead levels of populations so exposed.

Residential differences in blood leads levels have also not always corresponded to differences in air lead exposures. For example, studies of primitive populations, as well as studies of rural U.S. populations, have shown that the blood lead levels in some of these groups are as high or higher than those of persons living in industrial areas, even though the air lead levels in those rural areas should have been much lower. A comparison between London day and night taxi drivers has also shown no significant differences in blood lead levels but did find differences in exposure to carbon monoxide suggesting that despite the possibility that air lead exposure in the day may have been higher than at night, this was not reflected in blood lead increases. However, differences in smoking intensity, as well as actual differences in air lead exposure between groups, could explain these results and neither were measured.

In summary, a number of comments have criticized EPA's position on the basis that there is not a good correlation between air lead exposure and blood lead levels.

The Agency has weighed against these criticisms studies which have shown that airborne lead does contribute significantly to lead exposure in the general population. For example, using a pilot lead isotope approach, preliminary data show that airborne lead at 2 $\mu g/m^3$ can contribute as much as ⅓ to total lead exposure in man. This result is consistent with data concerning the deposition of lead particles in the pulmonary tract and the absorption of such particles into the blood stream.

An unpublished study in Japan similar to the Seven Cities Study, but which has not yet been completely analyzed, has preliminarily demonstrated that airborne lead exposures below 2 $\mu g/m^3$ affect blood lead levels.

Chamber studies in carefully controlled environments, have shown significant increases in blood lead of men exposed to air lead slightly greater than 3 $\mu g/m^3$.

Differences in the blood lead levels between urban and suburban residents in the same geographic area have been found. When comparable groups with similar lead intakes from other sources besides air were studied, blood leads were consistently higher in urban areas and near highways where air lead concentrations were greatest. Thus while correlations between blood leads and air lead at lower exposure levels are not always good, the evidence indicates that air lead does contribute to general population lead exposure.

Failure to find consistent correlations does not in the Administrator's judgement invalidate the above conclusions. Studies which have come to contrary conclusions have generally failed to take into account the influence of other sources of lead on blood lead levels in people being studied. In the Seven Cities Study, for example, these other sources of lead influencing blood lead levels were not adequately considered in the blood lead-air lead comparisons. EPA has reanalyzed the Seven Cities Study and has found that air lead was a significant, though not the most influential factor affecting blood lead levels. Further, in the Seven Cities Study, urban-suburban differences in blood leads between comparable groups were consistently found which at least in part reflect differences in air lead exposure.

In summary, absorption of air lead does contribute to total lead exposure and when added to lead from other sources such as food and water results in total exposure that is excessive. Thus, the partial removal of lead from the air will help to reduce the degree of excess lead exposure which currently exists among adults and children in the United States.

II. *Does dust lead contribute to lead poisoning in children?* Many comments received by the Agency express the viewpoint that the primary cause of lead poisoning in children is ingestion of lead-based peeling paint. Investigations of cases of clinical lead poisoning in children have repeatedly demonstrated peeling leaded paint as the major source of exposure. Since peeling leaded paint has consistently been observed in the environment of lead poisoned children, many commentors thought it unlikely that lead in dust and dirt could make a significant contribution to this problem. They also point out that lead in dust could be caused by peeling or erosion of leaded paint in or near a home.

One commentor cites X-ray studies of the abdomen among children with lead-poisoning as showing paint chips in the majority of instances. Another argues that differences in blood lead levels between Black and Puerto Rican children could not be explained by exposure to different quantities of lead in dust. Further, studies have shown that animals do not absorb lead from dust as readily as they absorb lead from paint.

Commentors have criticized the Agency for considering that the El Paso Study supports the dustfall hypothesis related to lead in gasoline. In the El Paso Study, children living near a leadsmelter were examined for blood lead levels and for sources of lead in their environment. These results showed that children living nearest the smelter had the highest blood lead levels and that dust lead was a probable major cause. Many commentators, however, considered the El Paso Study applicable only to stationary lead sources and not to lead in gasoline which is different in particle size and chemical composition from smelter-emitted lead.

EPA recognizes the importance of leaded paint as a source of lead exposure for children and that it is the primary cause of clinical lead poisoning. However, based on the evidence available to it, EPA does not believe that leaded paint is the only significant source of lead contributing to excessive lead exposures in children. The Agency's position is that numerous sources contribute to childhood exposure including lead in food, water, air, dust, and dirt as well as paint. Among these sources, contaminated dust and dirt from motor vehicles exhausts are believed to be important exposure routes.

Currently, the contention that lead contamination of dust and dirt by automotive emissions is a significant source of lead exposure is a hypothesis consistent with information provided by a vari-

ety of studies. However, at this time, not all links in the argument have been established beyond dispute and no single study has collectively inter-related all steps in the exposure process to conclusively inter-related all steps in the exposure process to conclusively prove or disprove the hypothesis. Despite the existing uncertainties, comments received from the majority of scientists not affiliated with industrial or environmental groups support the contention that dust is an important source of exposure. This is based on the following evidence:

A. Environmental sampling in a number of cities has demonstrated the ubiquitous presence of lead contaminated dust in urban areas. These measurements were taken inside and outside of buildings including homes and schools. Dust lead measurements outside homes commonly ranged from 0.1 to 0.5 percent lead by weight. Measurements well in excess of 0.5 percent have also been recorded. Inside homes, samples were found to contain lead contents ranging from 0.05 to 0.2 percent and in some instances as high as 0.5 percent. Current Federal regulations have already established that lead concentrations in paint in excess of 0.5 percent represent a definite hazard to children and serious consideration is being given to reducing the allowable level to 0.06 percent. In testimony before the United States Senate, Dr. Merlin DuVal, at the time Assistant Secretary for Health and Scientific Affairs at HEW, commented on an appropriate safe level for lead in paint:

> Based on information now available to us, we are satisfied that it is technologically feasible, and desirable from a health viewpoint to move toward the .06 percent standard recommended by the American Academy of Pediatrics.

B. As was stated above, high lead concentrations in dust are prevalent in urban areas. It is not clear in all instances, which sources are contributing most to this contamination. Comments received by the agency point out that high lead levels in some cases may be caused by the chipping or peeling of leaded paint from interior and exterior surfaces. EPA agrees that this is true. In other cases, the lead dust content is clearly the result of lead emission from stationary sources such as smelters. However, EPA believes an important and the most ubiquitous source of lead in dust is the exhaust of automobiles using leaded gasoline. Annually, over 200,000 tons of lead are used as additives in gasoline. The vast majority of this lead is emitted into the environment. Although significant amounts of lead remain airborne for extended periods of time, evidence indicates that a large quantity of the exhaust lead rapidly settles to the ground within several hundred feet of the source. Measurements of lead in dust and soil further indicate that lead content decreases with increased distance from the roadway. It has also been found that dust lead levels in homes near heavily traveled roadways are significantly higher than in comparable homes located along side streets. It should be noted that the majority of studies reporting high levels of lead in dust and dirt did not associate sources of peeling leaded paint or stationary lead sources with the lead dust measurements. Accordingly, the Agency believes that in most circumstances lead from automobile exhaust is the primary source of lead in dust and soil in urban areas.

C. The general environment of urban children commonly includes dirt and dust contaminated with lead. A large percentage of children, especially between the ages of one and three years, are known to ingest non-food objects in their mouths. It has been demonstrated that children living in high dust lead environments have greater quantities of lead on their hands than children living in less contaminated environments. The existence of leaded dust on the hands of urban children has been highlighted by the common occurrence of inadvertent lead contamination of finger prick blood lead specimens taken from these children.

D. Children who ingest leaded dust and dirt can be expected to absorb some of the lead into their bodies. Though it is difficult to determine the precise amount of lead that would be absorbed, animal experiments suggest that appreciable quantities of this lead, whether from smelters, paint or gasoline exhaust, are absorbed. Further, it has also been shown that at least some children residing in environments heavily contaminated by leaded dust and dirt absorb enough to suffer from subclinical and even clinical effects of lead overexposure. This was particularly true in the case of El Paso, mentioned above. Though the lead source was a smelter, animal studies indicate that lead in dust due to leaded gasoline would be absorbed in quantities comparable to that emitted by the smelter. Another study from Charleston, South Carolina indicates that children residing in homes near high soil lead concentrations had a greater frequency of lead poisoning than children residing in less contaminated areas. This study suggests that lead from soil was absorbed, although it is not clear what sources were primarily responsible for those high soil lead levels. It should be further noted that instances such as those above, coupled with known high levels of lead in dirt and dust, indicate that children could easily ingest enough lead by this route to be significant.

E. Various studies indicate that cases of lead poisoning and significant overexposure are not always associated with urban home environments in which sources of peeling or chipping leaded paint were observed. These studies include children residing primarily in inner city areas. Admittedly children may be exposed to peeling or chipping leaded paint in environments away from their own homes. However, since several recent studies indicate that up to 50 percent of children with excessive lead exposure are known to not reside in homes where peeling lead based paint can be found, it is unlikely that peeling paint exposure away from the homes accounts totally for this difference. Furthermore, extension of blood lead screening programs outside of slum areas indicates that the lead exposure problem is found in children residing in higher income areas where peeling paint is not frequent and exposure to this source away from the home is less likely. In conjunction with these findings, residence near roadways have been found to contain higher quantities of lead than those measured away from the road. Findings such as these indicate that in some circumstances dust lead is an important factor and at times may be the primary factor contributing to excessive lead exposure associated with subclinical if not clinical effects.

F. Clinical symptoms resulting from very high lead exposure in children are known to be associated with permanent neurologic damage. It has also long been suspected, but not proven beyond doubt, that lead exposures below those sufficient to cause clinical symptoms in children are also harmful. In particular it has been observed that physiologically significant biochemical changes occur in children with excessive exposures below clinical toxicity and it has been proposed that these changes are reflective of subclinical changes that precede overt disease. Recently available scientific information, though far from completely resolving this issue, supports the view that adverse effects due to lead in children are not confined only to situations in which overt clinical symptoms of lead poisoning occur. Included in these findings are increased subtle neurological impairments among children more highly exposed to lead below levels known to cause clinical disease.

III. *Will a reduction of lead in gasoline reduce the incidence of clinical lead poisoning in children?* Ingestion of peeling paint has long been recognized as the primary cause of clinical lead poisoning in children. This position has been expressed in many comments received by the Agency including those from several noted authorities in the field of lead poisoning. For this reason, numerous comments have questioned the need to reduce lead in gasoline on the basis that this action would have little if any impact on reducing the incidence of clinical lead poisoning in children.

While EPA recognizes the importance of leaded paint as a source of lead for children and has supported governmental efforts to reduce this risk, the findings of several studies suggest that lead poisoning can develop in the absence of significant sources of leaded paint. Though this possibility does not affirm that reducing lead in gasoline will reduce the incidence of lead poisoning in children it indicates that lead in gasoline may, in conjunction with other nonpaint sources, contribute to the development of lead poisoning. Whatever the impact this reduction may have upon clinical lead poisoning, the action will significantly reduce lead exposure among children.

EPA is also concerned about the probability that children exposed to lead at

levels below those associated with clinical poisoning are also being adversely affected. Several effects identified as subclinical lead effects include impairment of fine motor functions, and altered behavior.

It is noteworthy that in a significantly large percentage of excessive lead exposure cases (up to 50 percent in some instances) peeling lead based paint in the home cannot be identified as a source of the exposure. Thus, while leaded paint is recognized as the major cause of childhood lead poisoning, it is not clear that leaded paint is singly responsible for the large degree of excess childhood lead exposure in this country.

IV. *Excess lead exposure among the general population could result from a combination of lead sources, not one of which by itself is sufficient to be a problem. Under these circumstances, would it not be preferable to formulate a control strategy based upon reducing lead levels among those sources that contribute the most to this total exposure?* It is generally agreed that food is the major source of lead to the general population. A World Health Organization expert committee reports that according to the results of total diet studies in industrialized countries, the total intake of lead from food generally ranges from 200–300 ug per person per day. WHO further states that based upon available data, these levels are similar to those found in the past 30–40 years and that no upward trend in lead levels in food is evident.

This information suggests that the level of lead in food has remained relatively constant in recent times. Though lead in food would certainly contribute to total lead exposure for the general population, lead in food is probably not the source that is most readily reduced in the event that total exposure to lead is excessive. According to WHO, "Any increase in the amount of lead derived from drinking water or inhaled from the atmosphere will reduce the amount that can be tolerated in food. The lead in air is probably the contribution that is most accessible to action for reducing the total body burden of lead, especially where this fraction is large compared with that absorbed from food."

V. *What new information has become available since reproposal of the regulation and as a result of the additional comment period?* The majority of comments addressed the evidence presented by EPA in support of its proposed regulation and did not introduce new evidence. The number of comments received were approximately evenly divided between those in favor and those against. The bulk of comments critical of EPA's health position was submitted by industry or industry affiliated scientists. Independent scientists who commented, not affiliated directly with the industry or environmental groups, were in favor of the regulation by approximately 2/1. Most favorable comments, though often from scientists knowledgeable in the field of lead, provided testimonial support rather than new evidence. Most new data that either was presented in comments or which subsequently became available to EPA does support the need to reduce lead emissions from automobiles. Among these latest data are the following:

(1) Studies of subclinical lead effects in children continue to suggest that fine motor function and behavior are affected. Though this issue is not completely resolved, the new data emphasize the potential subclinical risk.

(2) It has been reaffirmed that high dust lead levels, up to 1% lead content, have been found in children's play areas, inside schools and in homes.

(3) New evidence reaffirms that high dust lead levels can be caused by leaded gasoline. A recent study in Rochester, New York, demonstrates that high dust lead levels in homes are not always associated with peeling paint and that house dust lead levels are higher in urban than suburban homes. A study in Vermont has shown that higher concentrations of lead in house dust are found in homes located near busy roads compared to homes on sidestreets. This latter point is consistent with the previously known fact that air lead fallout decreases with increased distance from roadways. A study by EPA in New York City indicates that higher household dust and soil lead levels are found in areas with greater dust lead fallout from the air as compared to areas with little lead fallout.

(4) Young children living in homes with high dust lead contents have been found to have more lead on their hands than children in homes with low dust lead content. This finding provides an important link in the dust fall lead hypothesis. The finding is consistent with observations that finger prick blood-lead specimen taken from children are routinely contaminated by lead that is present on the fingers.

(5) Studies continue to indicate that a high degree of exposure to environmental lead is not confined to inner city areas. Cases of over-exposure continue to be reported from areas in which leaded paint would not be expected to be the predominant factor.

(6) Studies from Newark, New Jersey, observed that the frequency of lead poisoning and undue lead exposure is doubled among childern living close to major roadways compared to children living farther away.

Other means of achieving lead reductions. Before prescribing regulations based on public health consideration, the Administrator must consider "other technological or economically feasible means of achieving emission standards under section 202." Thus, if EPA determined that a reduction of lead emissions from motor vehicles is necessary for protection of public health or welfare, the feasibility of achieving such a reduction under section 202 (new motor vehicle emission standards) must be considered.

The primary alternative to the use of lead additive regulations to achieve reduction in lead emissions would be to impose a lead emissions standard which would result in the installation of "lead-traps" on motor vehicles. The possibilities of incorporating this alternative, however, are limited by the existing legal and technical realities.

EPA does have the authority to impose a lead emissions standard on new vehicles which would result in the use of lead traps. The earliest that such a regulation could be imposed, however, would be the 1976 model year. Most motor vehicle manufacturers are expected to use lead sensitive emissions control systems to meet the Federal emissions standards which are applicable to new vehicles in 1976. Lead traps cannot adequately protect these systems because they are not capable of trapping all of the lead emitted. Lead-free gasoline will be required in most new vehicles based on the information now before the Agency. See Aerospace Report, PB–205–981, available from National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22151. Accordingly, the use of lead traps is relevant principally with regard to in-use vehicles. EPA realizes that lead-tolerant emission control systems may be used on a progressively greater number of new vehicles in the future. However, many of the new technology lead tolerant control systems are expected to operate on low octane gasoline which may not require lead additives. Nevertheless, the Agency is continuing to study the feasibility of using lead traps on new vehicles in the future.

The Clean Air Act does not authorize EPA to establish national emission standards on in-use vehicles. Since lead traps cannot be used successfully on the vast majority of new vehicles and the Agency is legally incapable of requiring them on all in-use vehicles, the use of lead traps is really not a feasible alternative at this time in the Administrator's judgment.

Despite the legal authority obstacle EPA has examined the technological capabilities and costs of lead traps and has determined the regulation of lead additive use is the preferable method of controlling lead emissions.

Other emissions. Concern has been expressed that the control of lead additives may result in the use of other gasoline components or additives which may also have an adverse impact on health. EPA has evaluated the potential use of other additives or greater percentages of certain gasoline components in conjunction with the lower lead levels. This evaluation has been performed in recognition of the Agency's responsibility to assess the environmental consequences of its actions. (See Judge Leventhal's opinion in Portland Cement V. Ruckelshaus, 5 ERC 1593, 1599, U.S. App. D.C. (1973).)

Lead additives are used as efficient octane boosters in gasoline. If the use of lead is restricted, the refiner must use greater quantities of blending stocks with high aromatic hydrocarbon concentrations, or substitute anti-knock additives, to increase gasoline octane levels. Consequently, the Administrator has considered the effects of increased aromatic hydrocarbon content of gasoline or the use of manganese additives on emis-

sions from the general motor vehicle population and the effects of these emissions on health. EPA has also considered the impact of the regulations on particulate emissions.

A. *Impact due to increased use of aromatics.* The implementation of the promulgated and reproposed lead regulations is projected to result in a 5 to 7 percent increase in the average aromatics content of gasoline. Concern has been expressed that this increase will cause a complementary increase in the reactivity of automobile exhaust and in the quantity of polynuclear aromatic emissions from the motor vehicle population. EPA has determined that neither the reactivity of automobile exhaust or the emissions of polynuclear aromatics will increase above current levels due to the lead regulations.

Emissions reactivity. Gasoline is composed of three general types of hydrocarbon: aromatics, olefins, and paraffins. Aromatics and olefins are highly reactive and facilitate the formation of photochemical smog. Assuming no hydrocarbon emission controls, aromatics emissions are linearly related to the aromatic content of gasoline. Olefin emissions are directly related to the olefin and paraffin content of gasoline. An increase in the aromatic content of gasoline is accompanied by a decrease in the paraffin and olefin content. Consequently, reactive aromatic emissions increases resulting from an increase in the aromatic content of gasoline are generally offset by a decrease in the reactive olefin emissions due to a complementary reduction in the olefin and paraffin content of the specified gasoline. Accordingly, the increase in the aromatics content in gasoline will not have a significant impact on automobile emissions reactivity.

The lack of increase in exhaust reactivity due to increased use of aromatics has been verified in smog chamber studies completed by the Bureau of Mines as well as EPA. It should also be noted that aromatic emissions from the automobile population will continue to decrease as vehicles with increasingly stringent hydrocarbon emission control systems replace older uncontrolled vehicles on the road.

A detailed analysis estimating exhaust reactivity and the effect of the EPA fuel regulations has been conducted and reported by Dr. A. P. Altshuller in "Effects of Reduced Use of Lead in Gasoline on Vehicle Emissions and Photochemical Reactivity," February, 1972. This paper is available from the Environmental Protection Agency's Office of Public Affairs, Publications Section, Room 238 W, 401 M Street, SW., Washington, D.C. 20460.

Polynuclear aromatic emissions. Polynuclear aromatic hydrocarbons (PNA) are carcinogenic and are primarily caused by hydrocarbon emissions from stationary sources such as petroleum refineries and coke ovens. Currently automobile emissions account for less than 2 percent of total PNA emissions.

Polynuclear aromatic emissions from the general automobile population have been steadily declining since the introduction of hydrocarbon emission controls in 1968. Due to the continued attrition of older uncontrolled vehicles from the road and the introduction of new vehicles with stringent hydrocarbon controls, PNA emissions should be reduced by more than 75 percent from current levels by 1980. This assumes the implementation of both the promulgated lead-free and reproposed low-lead regulations will have a very slight impact on the rate of decrease in PNA emissions. According to a recent EPA analysis, PNA emissions will be reduced by 78 percent by 1980 assuming the implementation of the 1976 hydrocarbon emission standards. If the lead regulations are implemented, PNA emissions will decrease by 76 percent. (An analysis of this problem is contained in a paper entitled "Lead in Gasoline, Impact of Removal on Current and Future Automotive Emissions".) EPA concludes that the current use of lead additives endangers the public health to a greater degree than this difference of 2 percent in the rate of decrease of PNA emissions.

This relative endangerment judgment is based upon the following line of reasoning. Lead additive emissions from automobiles have been determined to pose a sufficient endangerment to health to warrant regulatory action. Mobile sources contribute less than 2 percent of the total polynuclear aromatics emissions. Implementation of the Federal emission standards without the lead additive emissions will result in an approximately 78 percent decrease in polynuclear aromatic emissions from current levels of automobile emissions. Implementation of the lead regulations will slow the rate of emissions decrease by about 2 percent. Assuming automobiles account for the same relative contribution of aromatics in 1980, implementation of the emission standards with the regulations as compared to without the regulations would only cause a 0.04 percent difference in reduction rate in total PNA emissions. In view of the continual decline in PNA emissions and any associated health risk, from stationary sources through particulate controls and from mobile sources through hydrocarbon controls, the health implication of the slight difference in PNA emissions due to the lead regulations is considered negligible.

Although the indication is that the lead regulations will not produce an aromatics or a PNA emission problem, EPA nevertheless has the authority to regulate the aromatic content of gasoline should such action become necessary.

B. *Particulate emissions from unleaded fuel.* Exhaust particulate resulting from the use of leaded and lead-free gasoline has been extensively examined. The examination concluded that since lead additives account for a major portion of exhaust particulates, the use of fuel without lead additives substantially decreases particulates emissions. This conclusion is true for vehicles equipped with emission control devices as well as uncontrolled automobiles.

C. *Use of substitute anti-knock additives.* Various anti-knock additives have been developed, but as is explained in the paper, "Lead in Gasoline" referred to above, the effectiveness of almost all of these additives is severely limited. Manganese is the only fuel additive besides lead which is now recognized as being a cost effective octane booster. While manganese additives are not currently in widespread use in gasoline, manganese may be used as a partial replacement for lead in gasoline. EPA has been examining the impact the use of manganese additives might have on control devices and on the public health.

One automobile manufacturer has recently completed tests using fuel containing 0.25 grams per gallon manganese in vehicles equipped with catalytic emission control systems. While no chemical poisoning was observed, a very high back pressure developed after several thousand miles. This back pressure was due to manganese oxides plugging the catalyst. Apparently, manganese oxides, unlike lead halides, are nonvolatile and physically destroy catalyst functioning by plugging. The 0.25 grams per gallon manganese is above the levels that would be used in fuel by only a factor of two. Accordingly, the plugging problem would eventually occur if manganese is used in lead-free gasoline. Furthermore, deterioration of catalyst performance would occur soon after an individual began using gasoline containing manganese additives. At the present time, the auto manufacturers have not requested that manganese additives be controlled. This may reflect the industry's expectation that manganese additives will not be used in lead-free gasoline. If it is used, EPA would have to consider regulating manganese additives under the authority of section 211(c)(1)(B) of the Clean Air Act.

Occupational experience indicates that airborne manganese at sufficiently high levels of exposure can cause damage to the central nervous system with symptoms similar to that in Parkinson's disease, and can cause manganese pneumonia. Available evidence indicates that dosages required to produce these adverse effects are several orders of magnitude above those that would be present in the ambient air as a result of even the widespread use of manganese as a gasoline additive. Thus, while there presently appears to be a reasonable margin of safety with use of manganese in gasoline, the health implications of this use require continued study. An EPA position paper on manganese is currently being prepared which will be available in the near future. This document will be based upon a comprehensive review of the information available on manganese directed by the National Academy of Sciences.

If regulation of manganese in gasoline for health reasons is found to be necessary, EPA has authority to do so under the Clean Air Act. Though the Agency does not currently have enough evidence to definitely say that manganese in gasoline would pose a threat to health, EPA would not favor the use of manganese in

gasoline until additional studies are completed. However, at this time, the use of manganese additives is judged not to pose as significant a risk to health as that from lead additives.

Cost and energy impacts. Recently EPA has worked with Bonner and Moore Associates to complete a study based on updated information of the impacts associated with the reproposed leaded grade regulations. This study separates the various costs according to two assumptions concerning the portions of the vehicle population which will use lead-free gasolines. The first case assumed all motor vehicles manufactured after 1975 will be equipped with lead sensitive catalytic emission control systems and will thus need lead-free gasoline. The second case assumed an ever increasing portion of the vehicles produced during model years after 1975 will be equipped with emission control systems capable of tolerating leaded gasoline. The second case assumed that by the 1985 model year, all new vehicles will have emissions control systems which can tolerate lead.

Based on this new data, EPA has calculated the annual consumer costs attributable to the low-lead regulations. This calculation includes the increased costs of raw stocks, as well as operating and production costs at the refinery. During 1980, capital investment in the refinery industry is predicted to be roughly $1.5 billion. The low-lead regulation will force the industry to invest an additional $82 million. If a lead-tolerant technology is gradually phased in and thus more leaded gasoline is used, the incremental investment impact of the low-lead regulation will be $113 million. This figure will increase the cost of producing gasoline by less than .1¢ per gallon.

Recently, much concern has been expressed about the potential impact lead regulations would have on the nation's crude oil supply. The low-lead regulations will not go into effect until 1975 and will have a minimal impact on crude oil requirements during this decade. Modeling studies completed by Bonner and Moore Associates demonstrated no positive impact in either 1975 or 1977 on crude usage. If it is assumed that additional leaded gasoline is required to fuel new vehicles equipped with lead tolerant emission control systems which might be partially phased in between 1976 and the end of the decade the impact represents less than a .4 percent increase in crude usage by 1980. If one assumes catalysts are used on all future model vehicles and consequently the quantity of leaded gasoline produced continues to decline, the low-lead regulations never have a significant impact on crude requirements.

It is instructive to compare these numbers with the energy impact of air conditioners in automobiles. Air conditioners have been estimated to have a 13 percent impact on fuel economy. In 1980 if 75 percent of the automobiles are equipped with air conditioners, the impact on crude oil requirements will be approximately 800 thousand barrels per day or roughly 4.4 percent of the nation's needs.

Averaging strategy. The lead regulations proposed on January 10, 1973, would permit each refinery (not company) to average its lead usage over quarterly production of leaded gasoline so long as the average lead content per gallon did not exceed the applicable standard. Leaded pool averaging was proposed for comment based upon the determination that this approach afforded optimum refining flexibility consistent with attainment of the Agency's goal of 60–65 percent reduction in lead usage.

In light of additional information and views received during the comment period, EPA has reviewed the merits of two alternatives to leaded pool averaging. These are (1) a system of total pool averaging, permitting a refinery to average its lead usage over all grades of gasoline produced including the unleaded grade, and (2) permitting each refinery a choice between leaded pool averaging and total pool averaging. Analysis of the impacts and practicalities of the alternative averaging approaches has led EPA to conclude that total pool averaging should be adopted.

Comparing the effects of leaded pool averaging and total pool averaging shows that refiners who market two grades of gasoline, one leaded and one unleaded grade, are significantly penalized by leaded pool averaging. Because two grade marketers are unable to count production of unleaded gasoline in computing the average, a leaded pool standard exerts pressure to market three grades of gasoline, including two leaded grades, to maximize allowable lead usage. Leaded pool averaging similarly tends to penalize three grade marketers who produce more than the industry average proportion of unleaded gasoline. It benefits refiners who produce little or no unleaded gasoline.

Total pool averaging is not expected to induce three-grade marketers to opt for two grades, but does not tend to discourage production of unleaded gasoline. A total pool standard permits each refiner to use the same amount of lead for equivalent gasoline production and is more neutral in its effect upon industry marketing decisions.

The alternative of allowing each refinery a choice between leaded pool and total pool averaging would permit each refinery to choose the system that maximizes lead usage. The price of this flexibility is that lead reduction goals would not be achieved. It is not possible under an option system to predict what reductions in lead usage would be achieved under the regulations. The reductions achievable under an option system would depend on the mix of leaded and unleaded gasoline sales, the sales volumes, and the marketing plans of all gasoline refiners. The option alternative does not permit reasonable estimates of the reductions in lead usage attainable under any given pair of standards.

A majority of the refiners who commented on the regulations recommended that total pool averaging be adopted. The Administrator finds that total pool averaging is in fact the fairest workable mechanism for accomplishing the necessary reduction in lead usage.

Computation of total pool standard. The promulgation of a total pool average standard requires that the reproposed leaded pool standard be adjusted to take account of projected sales of all gasoline. The method of computation is to multiply the numerical leaded pool standard by the percentage of leaded gasoline sales estimated for the particular year. For example, 2 grams per gallon × the percentage of 1975 sales of leaded gasoline= the total pool standard for 1975.

Future sales of unleaded and leaded gasoline cannot be predicted with complete assurance. Actual sales of unleaded gasoline will depend upon the number of vehicles requiring it to meet emission standards, the extent to which owners of vehicles not requiring unleaded gasoline will buy it, and the projected miles driven and fuel consumption of vehicles in the various model year classes.

A study entitled "Alternative Proposals for the Regulation of Lead Additives in Gasoline" prepared for EPA by the firm of Turner, Mason, and Solomon in June, 1972, sets forth estimates based on different assumptions affecting sales of leaded and unleaded gasoline. The estimates selected by EPA as most consistent with present trends in unleaded gasoline sales are provided in case I of the Turner, Mason and Solomon Report. Case I assumes no extension of the 1975 standards, eliminating the need for unleaded gasoline, but that owners of pre-1975 model year motor vehicles will purchase little or no unleaded gasoline.

EPA recognizes that the assumption that owners of pre-1975 vehicles will purchase little or no unleaded gasoline results in conservative estimates of unleaded gasoline sales, but this assumption is offset by the fact that not all 1975 vehicles will require unleaded gasoline.

Using the Case I estimates of future sales of leaded and unleaded gasoline, the conversion of the proposed leaded pool standard to a total pool standard is as follows:

Year	Leaded pool std.	Percent of sales unleaded	Total pool std.
1975	2.0	82.2/17.8	1.644=1.6
1976	1.7	69.8/30.2	1.186=1.2
1977	1.5	59.5/40.5	.89 = .9
1978	1.25	50.9/49.1	.63 = .6
1979	1.25	43.6/56.7	.54 = .5

The promulgated reduction schedule is derived from the table above, but the schedule has been adjusted to moderate the economic and technological impacts of the regulations during the period over which the reductions would be accomplished. To achieve the targeted 60–65% reduction in lead usage requires that the schedule be extended to include 1979. The total pool standard corresponding to the proposed leaded pool standard for 1979 is .5 gram per gallon. As stated above, the schedule promulgated is as follows:

January 1, 1975	1.7 grams per gallon.
January 1, 1976	1.4 grams per gallon.
January 1, 1977	1.0 grams per gallon.
January 1, 1978	.8 grams per gallon.
January 1, 1979	.5 grams per gallon.

This reduction schedule will achieve the 60–65 percent reduction in lead usage and emissions as planned and will also assure that industry's lead usage under total pool standards is approximately the same as the lead usage projected under the leaded pool standards previously proposed.

The standard will have to be evaluated in 1978 to determine what further reductions in the lead standard, if any, are necessary to maintain lead emissions at the desired level. Presumably no further reductions will be required if unleaded gasoline remains the fuel required for new motor vehicles. If unleaded gasoline is no longer required for new vehicles, the 1978 standard will be reexamined in light of increasing gasoline demand.

Combining refineries for purposes of averaging. Two refiners have requested that the regulations be changed to authorize EPA to approve combinations of refineries for purposes of computing the average instead of requiring averaging at each refinery. This approval would be requested to enable a company to concentrate production of leaded or unleaded gasoline at particular refineries.

EPA proposed averaging at each refinery instead of each company in order to mitigate any regional variation in lead emissions due to averaging. Regional variation could result from the mix of gasoline grades sold in a particular market if a company used its lead allotment mainly in one grade or from a company's decision to produce high-lead gasoline at an old southeast refinery and low-lead gasoline at a newer west coast facility, each serving different markets. Requiring lead levels to be moderated at each source is a reasonable effective means of minimizing variation in the area where the gasoline is actually sold.

Although one company has suggested that the location of the refineries in a particular EPA region might serve as a basis for approving combinations, this criterion does not provide assurance that the areas served by those refineries and other refineries would not be subject to variation in lead emissions. There is no necessary correlation between the location of the refineries and their service areas. The Administrator has concluded that there are no workable criteria for assessing the impact of combinations for purposes of averaging and that the refiners' desire for added flexibility in lead usage cannot be accommodated without compromising the objective of minimal variation in reduction in lead emissions in all parts of the country.

Averaging period. Many refiners requested an annual or semiannual averaging period instead of the quarterly period proposed. A longer averaging period would accommodate seasonal variations in lead usage. Because high volatility, high octane blending stocks are used in the winter season to facilitate cold starts, less lead is needed in winter blends. The refiners would like to be free to put more lead in summer blends, and a longer averaging period would make this possible.

The summer season is also the period of maximum exposure to airborne and dustborne lead for both children and adults. For this reason, EPA is unable to agree to the change proposed in the averaging period.

Small refiners. The reproposed regulations provided for a one-year delay of the requirement to comply with the lead reduction schedule for small refiners, as defined in § 80.20(b), in recognition of special lead-time problems faced by this group. EPA has reviewed the lead-time requirements of the small business refiners with particular reference to the effect on lead-time, if any, of the change to a standard based on total pool averaging. The Agency recognizes that under the reproposed leaded pool standard, refiners producing little or no unleaded gasoline received the benefit of a higher average lead level per gallon of leaded gasoline. Some small refiners fall into this category, and would have been able to use more lead under a leaded pool standard taking account of production of unleaded gasoline by other refiners.

EPA's evaluation of the small refiners' situation has led to the conclusion that these refiners require additional lead-time for compliance beyond the one year deferment previously proposed. This appears to be the case regardless of the averaging strategy adopted. Industry and consultants' estimates of time required by small refiners to plan, finance, and construct upgraded refining facilities range from two to three years from the date of promulgation of final standards. Accordingly, the Administrator has determined that it is reasonable and necessary to defer the requirement for compliance by small refiners until January 1, 1977. On this date, small refiners are required to comply with the 1977 standard.

Review of lead reduction program. In the January 10, 1973, reproposal of the regulations, the Administrator stated his intention to reduce the lead content in gasoline as much as possible, giving consideration (a) to the degree of reduction achieved by introduction of unleaded gasoline and (b) evidence on the feasibility of reducing lead from other environmental sources. It is too early to state whether unleaded gasoline sales will expand steadily through the seventies. Studies of potential reduction in lead from other sources are in progress. Accordingly, the Administrator has determined that it would be premature to announce a decision on the need for further reductions in lead in gasoline. EPA will review progress under the regulation as well as additional studies every three years, beginning in 1977. This review will afford a firmer basis for a decision on whether further action is necessary to regulate lead in gasoline to protect public health and welfare.

Reporting by lead additive manufacturers. The January 10, 1973 reproposal included a requirement that lead additive manufacturers would report quarterly to the Administrator on their shipments of lead to each refinery. No comments were received on this proposal, which is promulgated below as proposed. The basis for the requirement—that it is determined to be necessary for verification of lead additive usage reports by refineries—has not changed.

Prevention of violations by refiners. As a complementary measure to the January 10, 1973 promulgation of a strict liability provision in § 80.23 applicable to refiners, the Agency on that date proposed a provision specifying that it is the refiner's duty to prevent violations of § 80.22(a). Two refiners and one petroleum trade association commented that practical and legal considerations made the regulation unreasonable, particularly as regards the requirement on permitting violations. One other refiner commented that if the requirement was to be adopted, it should provide for a showing by the refiner that he in fact did not cause or permit a given violation.

The issue of vicarious liability under § 80.23 is now in litigation and the Agency is engaged in negotiations with refiners which may lead to revision of the provision. Accordingly, no action is being taken on the proposed § 80.20(c), but it is not being withdrawn.

Control of lead under Title I. One commentator has contended that the Clean Air Act requires the Administrator to establish a national ambient air-quality standard for lead under Title I or, at least, to impose controls under § 211 that would achieve results which would be as protective of health on as expeditious a timetable as could have been achieved under Title I. The commentator, an environmental group, concludes that the reproposed lead reduction schedule would achieve "far less effective and timely results than action under Title I because the reproposed schedule is so weak," and petitioned EPA for the issuance of national ambient air quality standards for lead.

It is clear from Agency actions to date that the Administrator has chosen to regulate lead emissions under section 211 of the Act. No action on lead under Title I is currently planned.

It is the Administrator's judgment that he may regulate a substance under section 211 without necessarily tailoring his action to what could have been accomplished under sections 108, 109, and 110, since section 211 is a co-equal grant of regulatory authority. The determination whether to issue a criteria document for a substance and thereby set Title I actions in motion is discretionary with the Administrator. Section 108 expressly recognizes this, inasmuch as it required the Administrator to list for action under Title I only those air pollutants "for which air quality criteria had not been issued before the date of enactment of the Clean Air Amendments of 1970, but for which he plans to issue air quality criteria. (emphasis added) This falls considerably short of a statutory directive to issue criteria for lead.

and may be contrasted readily with the requirements of section 202(b) of the Act specifically identifying carbon monoxide, hydrocarbons, and oxides of nitrogen for regulatory action. While, as the commentator points out, language in the Senate Report on its version of the 1970 Clean Air Act amendments stated that the bill would require issuance of a criteria document for lead, this must be construed as only a statement of the Committee's preference, since no such requirement appeared either in the language of the Senate or the conferees' bill.

The regulations promulgated below shall be effective on January 7, 1973.

(42 U.S.C. 1857f–6c, 1857g(a))

Dated: November 28, 1973.

JOHN QUARLES,
Acting Administrator,
Environmental Protection Agency.

Part 80 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

1. In § 80.1, the second sentence is revised to read as follows:

§ 80.1 Scope.

* * * These regulations are based upon a determination by the Administrator that the emission product of a fuel or additive will endanger the public health, or will impair to a significant degree the performance of a motor vehicle emission control device in general use or which the Administrator finds has been developed to a point where in a reasonable time it would be in general use were such regulations promulgated; and certain other findings specified by the Act.

2. In § 80.2, a new paragraph (m) is added as follows:

§ 80.2 Definitions.

* * * * *

(m) "Lead additive manufacturer" means any person who produces a lead additive or sells a lead additive under his own name.

3. A new § 80.20 is added as follows:

§ 80.20 Controls applicable to gasoline refiners.

(a)(1) In the manufacture of gasoline at any refinery, no gasoline refiner shall exceed the average lead content per gallon specified below for each 3-month period (January through March, April through June, July through September, October through December):

(i) 1.7 grams of lead per gallon, after January 1, 1975;

(ii) 1.4 grams of lead per gallon, after January 1, 1976;

(iii) 1.0 grams of lead per gallon, after January 1, 1977;

(iv) 0.8 grams of lead per gallon, after January 1, 1978;

(v) 0.5 grams of lead per gallon, after January 1, 1979.

(2) For each 3-month period (January through March, April through June, July through September, October through December) the average lead content per gallon shall be computed by dividing total grams of lead used at a refinery in the manufacture of gasoline by total gallons of gasoline manufactured at such refinery.

(3) For each 3-month period (January through March, April through June, July through September, October through December) commencing with the period January 1, 1975 through March 31, 1975, each refiner shall submit to the Administrator a report showing for each refinery (i) the total grams of lead in lead additive inventory on the first day of the period, (ii) the total grams of lead received during the period, (iii) the total grams of lead in lead additive inventory on the last day of the period, (iv) the total gallons of gasoline produced by such refinery during the period, and (v) the average lead content in each gallon of gasoline produced during the period. Reports shall be submitted within 15 days after the close of the reporting period, on forms supplied by the Administrator upon request.

(b) The provisions of paragraph (a)(1)(i) and (ii) of this section shall not be applicable to any refiner which does not have more than 30,000 barrels per day crude oil or bona fide feed stock capacity from owned or leased facilities or from facilities made available to such refiner under an arrangement such as, but not limited to, an exchange agreement (except one on a refined product for refined product basis), or a throughput or other form of processing agreement, with the same effects as though such facilities had been leased.

4. A new § 80.25 is added as follows:

§ 80.25 Controls applicable to lead additive manufacturers.

For each 3-month period (January through March, April through June, July through September, October through December) commencing with the period January 1, 1975 through March 31, 1975, each lead additive manufacturer shall submit to the Administrator a report showing the total grams of lead shipped to each refinery by such lead additive manufacturer during the period. Reports shall be submitted within 15 days after the close of the reporting period, on forms supplied by the Administrator upon request.

5. A new § 80.26 is added as follows:

§ 80.26 Confidentiality of information.

Information obtained by the Administrator or his representatives pursuant to this part shall be treated, in so far as its confidentiality is concerned, in accordance with the provisions of 40 CFR Part 2.

[FR Doc.73-25766 Filed 12-5-73;8:45 am]