

outlined § 51.7 of this chapter, for quarterly and semi-annual reports.

(4) *Administrative services.* The administrative services should support and provide direction for planning and developing policy for the achievement of agency outputs. These support activities may involve revisions to applicable implementation plans (including indirect source controls and significant deterioration policy); assessment and evaluation of accomplishments relating to implementation plan achievement; and development and implementation of transportation and land use control programs relating to planning and air quality considerations; intergovernmental activities, and liaison with other agencies; and the modification of resource projections. The outputs should provide for training of the agency personnel. Where appropriate, contractual arrangements with other units of the State in implementing provisions of the Clean Air Act should be provided. Plans should be developed and included as required for the attainment of legal authority and acquisition of ordinances, rules and regulations to carry out the applicable implementation plans and revisions.

§ 35.528 Agency program submission.

Each agency shall submit to the Regional Administrator, generally no later than 90 days prior to the end of its budget period, a program pursuant to § 35.526 which satisfies the requirements of these regulations and the narrative requirements of Part IV of the grant application. A reduction in the grant amount may be made in accordance with § 35.510-3 for programs submitted late.

§ 35.529 Program approval.

(a) The program submission shall be approved only if the program satisfies all terms, conditions, and limitations set forth in these regulations.

(b) The Regional Administrator may award a grant based on conditional approval of a program which requires minor changes to qualify for approval. In the event conditional approval is granted, the Regional Administrator shall include in the grant agreement a statement of the conditions which must be met to secure final approval and the date by which such conditions shall be met.

§ 35.530 Grant conditions.

In addition to any other requirements herein, each air pollution control grant shall be subject to the following conditions:

(a) Direct cost expenditures for the purchase of real estate or construction of a fixed structure are unallowable, except that costs of monitoring stations may be allowed as direct costs.

(b) The sum of the non-Federal recurrent expenditures by the grantee in the budget period for which the grant is awarded shall be equal to or greater than the sum of grantee's recurrent expenditures during the fiscal year im-

mediately preceding the beginning of the current budget period.

(c) The grantee shall provide such information as the Regional Administrator may from time to time require to carry out his functions. Such information may contain, but is not limited to: Air quality data, emission inventory data, data describing progress toward compliance with regulations by specific sources, data on variances granted, quality assurance information related to data collection and analysis and similar regulatory actions, source reduction plans and procedures, real time air quality and control activities and other data related to air pollution emergency episodes, and similar regulatory actions.

(d) The Regional Administrator may refuse to award a grant or may terminate in whole or in part, a grant awarded under this subpart pursuant to § 30.903 of this chapter when a period of federally assumed enforcement defined in section 113(a)(2) of the Clean Air Act is in effect with respect to such agency.

(e) The Regional Administrator may terminate a grant awarded under this subpart pursuant to § 30.903 of this chapter where the Administrator has not approved, or has revoked approval, of the applicable implementation plan and any other specific authorities delegated to the agency.

§ 35.535 Assignment of personnel.

(a) The Administrator may detail personnel of the Environmental Protection Agency to an air pollution control agency pursuant to section 301(b) of the Clean Air Act.

(b) The Regional Administrator, with the concurrence of the grantee, may reduce grant payments by the amount of pay, allowances, travel, training, and other expenses related to the detail of any EPA officer or employee pursuant to section 105(d) of the Clean Air Act. The amount of the reduction shall be deemed to have been paid to the grantee in determining the amount of any grant.

§ 35.538 Agency evaluation and reports.

§ 35.538-1 Agency evaluation.

Agency evaluation is primarily a grantee responsibility and should be continuous throughout the budget period. It is EPA policy to limit EPA evaluation to that which is necessary for responsible management of regional and national efforts to control air pollution. The Regional Administrator shall conduct an agency performance evaluation annually in accordance with § 35.410. The evaluation shall include the review and assessment of the agency's effectiveness in meeting objectives and outputs, and in carrying out related activities, as set forth in the grantee's approved program. An exit interview will be conducted following an agency evaluation to inform the grantee of preliminary findings and recommendations.

§ 35.538-2 Reports.

No later than 150 days prior to the beginning of a new budget period, the

Regional Administrator shall prepare a summary of evaluation findings. The report prepared by the Regional Administrator should outline deficiencies in program performance through the time of the evaluation. When appropriate, the report shall contain recommendations for upgrading current agency operations as well as provide guidance for the development of the upcoming grant application. The grantee shall be allowed 15 working days from the date of receipt to concur with or comment on the findings.

[FR Doc.74-4485 Filed 2-27-74; 8:45 am]

Title 41—Public Contracts and Property Management

AMENDMENT OF CHAPTER 5A AND CANCELLATION OF CHAPTER 5D

This change to the General Services Administration Procurement Regulations (GSPR) (1) incorporates into GSPR 5A the substance of Chapter 5D concerning distribution of transportation contracts and (2) cancels Chapter 5D.

CHAPTER 5A—FEDERAL SUPPLY SERVICE, GENERAL SERVICES ADMINISTRATION

PART 5A-76—EXHIBITS

The table of contents for Part 5A-76 is amended to add the following new entry:

Sec. 5A-76.203 Distribution of transportation and related services contracts.

§ 5A-76.203 Distribution of transportation and related services contracts.

NOTE: A copy of the exhibit identified in § 5A-76.203 is filed with the original document.

CHAPTER 5D—TRANSPORTATION AND COMMUNICATIONS SERVICE, GENERAL SERVICES ADMINISTRATION [DELETED]

Chapter 5D is deleted in its entirety.

(Sec. 205(c), 63 Stat. 390; (40 U.S.C. 486(c)))

Effective date. These regulations are effective on the date shown below.

Dated: February 1, 1974.

M. J. TIMBERS,
Commissioner,
Federal Supply Service.

[FR Doc.74-4739 Filed 2-27-74; 8:45 am]

Title 45—Public Welfare

CHAPTER IX—ADMINISTRATION ON AGING, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 903—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING

Transition Provisions; Correction

Final regulations for Title III as amended by the Older Americans Comprehensive Services Amendments of 1973 (Pub. L. 93-29) were promulgated on October 11, 1973 and revised Part 903 (45 CFR Part 903, 38 FR 28040). Reference to § 903.0 promulgated under the

Interim Funding Regulations (45 CFR 903.0, 38 FR 17225, June 29, 1973) was inadvertently omitted. Revision of Part 903 was not intended to revoke § 903.0. This provision remains in full force in accordance with its terms and reads as follows:

§ 903.0 Transition provision.

(a) A State plan approved under this part shall remain in force and shall be subject to the provisions of this chapter until the approval of an amended State plan submitted after the publication of regulations implementing title III of the Act as amended by the Older Americans Comprehensive Services Amendments of 1973, but in no case may an existing State plan remain in force after May 3, 1974.

(b) Under a State plan remaining in force, States may continue Federal financial assistance for those activities permitted under such plan, except that with respect to the obligation of funds for area planning and social services activities, priority must be given to the establishment of new or the continuation of existing projects, which:

(1) Will contribute toward the achievement of the goals set forth in section 301 of the Act, as amended by Pub. L. 93-29;

(2) Will promote a smooth transition into the types of activities required under the new title III of the Act, under which 80 percent of the State allotment for this purpose must be utilized in keeping with plans developed for high priority planning and service areas; and

(3) Are designed to meet a service need that has been identified either by the State agency or as a result of local planning efforts conducted under title III of the Act.

(c) The Federal share of all costs under this authority must be in keeping with the matching provisions of title III of the Older Americans Act prior to its amendment by the Older Americans Comprehensive Services Amendments of 1973.

(Sec. 307, 87 Stat. 44 (42 U.S.C. 3021))

Dated: February 19, 1974.

ARTHUR S. FLEMING,
Commissioner on Aging.

Approved: February 19, 1974.

STANLEY B. THOMAS, Jr.,
Assistant Secretary for
Human Development.

Approved: February 26, 1974.

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

[FR Doc.74-4851 Filed 2-27-74; 8:45 am]

Title 46—Shipping

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION SUBCHAPTER D—TANK VESSELS [CGD 72-138]

PART 34—FIREFIGHTING EQUIPMENT

Deck Foam System; Details

FEBRUARY 19, 1974.

The purpose of this amendment to the firefighting equipment regulations is to

require at least one outlet for a hose line and foam nozzle at each foam station in the cargo area of tank ships. Hand-held appliances provide flexibility to reach cargo areas shielded from the mounted appliances and to complete final stages of fire extinguishment. Current regulations allow hand-held appliances to be optional, although no tank vessel is being built without such appliances.

The amendment also clarifies the number of hand-held devices required to be carried. The former requirements could be construed to require one hand-held device for each hose outlet at each monitor station. This amendment requires carriage of a sufficient number of hand-held appliances to outfit hose outlets at the two foam stations having the most hose outlets.

These amendments are based on a notice of proposed rulemaking which was published in the March 1, 1972 issue of the FEDERAL REGISTER (37 FR 4292) and the Marine Safety Council Hearing Agenda, dated March 27, 1972. The proposal appeared as Item 5 in the notice of proposed rulemaking and the agenda.

Interested persons were given the opportunity to submit written comments and to make oral comments at the public hearing. No comments, written or oral, were received. Nonetheless, the proposed amendment contained an ambiguity in the requirements for the required number of hand-held appliances and the required number of outlets for such appliances. There was further ambiguity regarding stowage of hand-held appliances. This amendment has been modified to remove these ambiguities without changing the substantive provisions of the amendment. Accordingly, the Coast Guard adopted the proposal with only editorial changes.

In consideration of the foregoing, Part 34 of Title 46, Code of Federal Regulations, is amended as follows:

1. By revising § 34.20-15(c) to read as follows:

§ 34.20-15 Piping—T/ALL.

(c) The piping and outlet arrangement shall allow the required rate of applications as contained in § 34.20-5(b), to any portion of the open deck of the cargo area through the use of the mounted and hand-held appliances that are provided. At least 50 percent of the required rate of application shall be from the mounted appliances. One or more hose outlets for hand-held appliances shall be provided at each foam station. For enclosed spaces, application of at least 1.6 gallons per minute water rate for each 10 square feet of the enclosed area for 5 minutes is acceptable. For the purpose of this paragraph, all piping is assumed to be damaged in way of the fire and an adequate number of valves shall be fitted to prevent loss of foam by closing valves to damaged piping.

2. By amending § 34.20-20 by revising paragraph (b) and adding paragraph (c) to read as follows:

§ 34.20-20 Discharge outlets—T/ALL.

(b) At least one mounted foam appliance shall be provided for each station that is required in § 34.20-15(c).

(c) The number of hand-held appliances provided shall be at least equal to the number of hose outlets at the two foam stations having the most hose outlets. Hand-held appliances shall be stowed in a well marked, readily accessible position that cannot be isolated by a fire involving the cargo tanks.

(R.S. 4417a, as amended, sec. 6(b)(1), 80 Stat. 937 (46 U.S.C. 391a, 49 U.S.C. 1655(b)(1)); 49 CFR 1.46(b)).

Effective date. This amendment shall become effective on June 1, 1974.

C. R. BENDER,
Admiral, U.S. Coast Guard,
Commandant.

FEBRUARY 19, 1974.

[FR Doc.74-4744 Filed 2-27-74; 8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 73—RADIO BROADCAST SERVICES

FM Broadcast Stations; Table of Assignments

In the matter of amendment of § 73.202 (b), table of assignments, FM Broadcast Station. (Marion, Ohio), Docket No. 19837, RM-2099.

1. The Commission has before it the notice of proposed rulemaking adopted October 3, 1973 (FCC 73-1029, 38 FR 28574) proposing the amendment of § 73.202(b) of the Rules, the FM Table of Assignments. The rulemaking was instituted on the basis of a petition filed by Scantland Broadcasting Company for a second FM assignment to Marion, Ohio. There were no oppositions to the proposal. Supporting comments were filed by petitioner.

2. Marion is a city of 38,646 population,¹ and the seat of Marion County, population 64,724. It is located 40 miles north of Columbus, Ohio. There are two broadcast stations in Marion: WMRN, a Class IV AM station and WMRN-FM, a Class B FM station operating on Channel 295.

3. Petitioner states that Marion and Marion County have shown continued growth over the years: 1970 populations represent an increase of 7.5 percent for Marion County and 4.2 percent for the city of Marion over the 1960 Census figures. It adds that Marion is a large industrial center producing a wide variety of manufactured goods, which in 1969 employed 10,546 persons (over one-third of Marion's work force). It points out that agriculture is the second leading source of income in Marion County, the total cash receipts from all forms of farming having reached \$16.2 million in 1970. Petitioner states that Marion currently has only one AM (Class IV) and one FM station (Channel 295), both under common

¹ All population figures cited are from the 1970 U.S. Census unless otherwise stated.

ownership, and notes that there are no other stations in the immediate vicinity surrounding Marion, the closest broadcast stations being located at Bucyrus, Ohio, 17 miles distant, and of that city's two stations, only the FM station is audible in Marion. It also points out that a second FM channel to a city the size of Marion is called for by the Commission's FM Assignment Policy. Petitioner contends that a competing voice will not only provide an additional forum for news, public affairs and sports, but will provide an additional local mode of entertainment. It expresses an intent to apply for a radio facility to operate on Channel 232A if it is assigned to Marion, Ohio, and to promptly build such a facility in the event it is issued a construction permit.

4. The preclusion study shows that the proposed assignment would foreclose future assignment only on Channel 232A in a very limited area west of Marion. Although there are several communities located in or near this preclusion area, the largest community with a population of 867 persons does not appear large enough to warrant an assignment. As to intermixture of a Class A with a Class B channel at Marion, petitioner states, in his supporting comments, that he would prefer to build and operate a Class B facility but was unable to find a channel which would meet all of the Commission's separation requirements.

5. Although the requested assignment would intermix a Class A with a Class B channel the petitioner has expressed his conviction that a new Class A FM station can exist and prosper in the Marion, Ohio market place. In some circumstances we are hesitant to intermix channels; in others we have done so. Under our assignment criteria, Marion has a population the size of which would warrant its being assigned a second FM channel. Further, since the preclusionary effect of the proposed assignment would occur on only one channel in a very limited area, it would result in the efficient use of FM frequencies. After consideration of the pertinent facts in this proceeding, we are of the view that the subject proposal has merit and that its adoption would serve the public interest.

6. Authority for the action taken herein is contained in sections 4(i), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended.

7. Accordingly, It is ordered, That effective April 8, 1974, the Table of FM Assignments (§ 73.202(b)) is amended with respect to the city listed below as follows:

City	Channel
Marion, Ohio	No. 232A, 295.

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

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083 (47 U.S.C. 154, 303, 307))

Adopted: February 21, 1974.

Released: February 22, 1974.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc. 74-4751 Filed 2-27-74; 8:45 am]

Title 49—Transportation SUBTITLE A—OFFICE OF THE SECRETARY OF TRANSPORTATION

[OST Docket No. 1; Amdt. 1-87]

PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

Delegation of Authority

The purpose of this amendment is to delegate to the Federal Highway Administrator, the Federal Railroad Administrator, and the Assistant Secretary for Systems Development and Technology functions vested in the Secretary by the Noise Control Act of 1972 (October 27, 1972, Pub. L. 92-574, 86 Stat. 1234).

Since this amendment relates to Departmental management, procedures, and practices, notice and public procedures thereon are unnecessary and it may be made effective in fewer than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, Part 1 of Title 49 of the Code of Federal Regulations is amended as follows:

1. In § 1.48, there is added a new paragraph (p), to read as follows:

§ 1.48 Delegations to Federal Highway Administrator.

(p) Carry out the functions vested in the Secretary by subsections (b) (except as it relates to conducting consultations with the Administrator of the Environmental Protection Agency) and (c) of section 18 of the Noise Control Act of 1972 (Pub. L. 92-574).

2. In § 1.49, there is added a new paragraph (p), to read as follows:

§ 1.49 Delegations to Federal Railroad Administrator.

(p) Carry out the functions vested in the Secretary by subsection (b) (except as it relates to conducting consultations with the Administrator of the Environmental Protection Agency) and (c) of section 17 of the Noise Control Act of 1972 (Pub. L. 92-574).

3. In § 1.57, there is added a new paragraph (j), to read as follows:

§ 1.57 Delegations to Assistant Secretary for Systems Development and Technology.

(j) Carry out the functions vested in the Secretary by section 17 (a) and (b)

¹ Chairman Burch absent.

(as it relates to conducting consultations with the Administrator of the Environmental Protection Agency) and section 18 (a) and (b) (as it relates to conducting consultations with the Administrator of the Environmental Protection Agency) of the Noise Control Act of 1972 (Pub. L. 92-574).

Effective date. The effective date of this amendment is February 27, 1974.

(Sec. 9(e), Department of Transportation Act, (49 U.S.C. 1657(e))).

Issued in Washington, D.C., on February 21, 1974.

CLAUDE S. BRINEGAR,
Secretary of Transportation.

[FR Doc. 74-4638 Filed 2-27-74; 8:45 am]

CHAPTER V—NATIONAL HIGHWAY TRAF- FIC SAFETY ADMINISTRATION, DEPART- MENT OF TRANSPORTATION

PART 501—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

Delegation of Authority to Regional Administrators

The purpose of this notice is to amend § 501.8(h) of Chapter V of Title 49, Code of Federal Regulations, to delegate authority to Regional Administrators to approve or disapprove, under certain circumstances, revisions to previously approved State Highway Safety Program Comprehensive Plans. Comprehensive Plans are submitted every four years to the National Highway Traffic Safety Administrator to identify long range State Highway Safety Program requirements. Comprehensive Plans serve as resource material for the development of National Highway Safety Program goals and permit assessment of individual State efforts in attaining planned annual objectives.

Since this amendment relates to Departmental internal management, procedures, and practices, notice and public procedure thereon is unnecessary and it may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, effective February 28, 1974, § 501.8(h) of 49 CFR Ch. V, is amended by adding a new subparagraph (4) to read as follows:

§ 501.8 Regional Administrators.

(h) * * *

(4) Approve or disapprove proposed revisions of previously approved State Highway Safety Program Comprehensive Plans, except that proposed revisions to those portions of Comprehensive Plans that have been approved conditionally by the Administrator or the Deputy Administrator are reserved for the approval or disapproval of the Administrator or Deputy Administrator.

(Sec. 9, Pub. L. 89-670, 80 Stat. 944 (49 U.S.C. 1657); Delegation of Authority at 49 CFR 1.51)