

ingly, the Administrator finds good cause to make this regulation effective September 9, 1974.

(42 USC § 1857c-5)

Dated: August 29, 1974.

RUSSELL E. TRAIN,
Administrator.

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart XX—West Virginia

1. Section 52.2524(c) is amended by adding the paragraph as follows:

§ 52.2524 Compliance schedules.

(c) The compliance schedules for the sources identified below are approved as meeting the requirements of § 51.15 of this chapter. All regulations cited are air pollution control regulations of the State of West Virginia.

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Monongahela Power Co., Rivesville Station.	Fairmont.....	II	Dec. 14, 1972	Immediately..	Mar. 27, 1975
Chesapeake and Ohio Railway Co., Huntington Shops.	Huntington.....	II	Dec. 7, 1972	.....do.....	Oct. 31, 1974
Central Operating Co., Philip Sporn Plant.	New Haven.....	II	Dec. 14, 1972	.....do.....	June 30, 1975
E. I. DuPont de Nemours & Co., Inc., International Nickel Co., Inc., Huntington Alloy Products Division.	Parkersburg..... Huntington.....	II VII	July 12, 1973.....do.....	.....do..... .....do.....	Do. Dec. 31, 1974
Koppers Co., Inc.	Follansbee.....	II	July 5, 1973	.....do.....	May 30, 1975
PPG Industries Inc.	New Martinsville.....	II	Dec. 7, 1972	.....do.....	July 1, 1975
Quaker State Oil Refining Corp., Ohio Valley Plant.	St. Marys.....	II	July 5, 1973	.....do.....	June 1, 1975
Mercury Coal and Coke, Inc.	Morgantown.....	VII	Sept. 20, 1973	.....do.....	June 30, 1975
Mountaineer Carbon Co.	Moundsville.....	VII	Dec. 14, 1972	.....do.....	Do.
Weirton Steel Division, National Steel Corp.	Weirton.....	II	Oct. 26, 1972	.....do.....	Dec. 31, 1974
Union Carbide Corp., Ferroalloys Division.	Alloy.....	VII	Oct. 29, 1970	.....do.....	Jan. 1, 1975
Monongahela Power Co., Albright Station.	Albright.....	II	Dec. 14, 1972	.....do.....	Feb. 1, 1975
Owens-Illinois Glass Works, Fairmont Plant.	Fairmont.....	VII	Oct. 30, 1973	.....do.....	July 1, 1975
Owens-Illinois Glass Works, Huntington Plant.	Huntington.....	VII	.....do.....	.....do.....	Jan. 7, 1975
Johns-Manville Fiber Glass Plant.	Vienna.....	VII	Nov. 2, 1973	.....do.....	June 1, 1975
Quaker State Oil Refining Corp.	St. Marys.....	VII	July 5, 1973	.....do.....	Aug. 30, 1974
Sterling Faucet Co., Cast Products Plant.	Morgantown.....	VII	Dec. 14, 1972	.....do.....	Feb. 1, 1975
Sterling Faucet Co., Pittsburgh Valve Plant.	.....do.....	VII	.....do.....	.....do.....	Do.
Union Carbide Corp., Chemicals and Plastics Division.	Sistersville.....	II	.....do.....	.....do.....	Dec. 30, 1974
Wheeling Pittsburgh Steel Corp., Steubenville Plant, East Division, Byproduct Coke Plant.	Follansbee.....	II	Sept. 20, 1973	.....do.....	Sept. 30, 1974
Allied Chemical Corp., Industrial Chemical Division, South Plant.	Moundsville.....	II	Oct. 26, 1972	.....do.....	Mar. 1, 1975
American Cyanamid Co.	Willow Island.....	II	Dec. 7, 1972	.....do.....	Feb. 1, 1975

[FR Doc.74-20583 Filed 9-6-74; 8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19860; FCC 74-930]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, FM Broadcast Stations

1. The Commission here considers the notice of proposed rulemaking proposing amendment of the FM Table of Assignments (§ 73.202(b) of the Commission's rules and regulations) by substituting a channel assignment at Victorville, California, because of an error in the Table of Assignments (FCC 73-1190; 38 FR 32518). The only party commenting is the First Assembly of God of Victorville (First Assembly).

2. Victorville, population 10,845, is located in San Bernardino County, population 684,072. When the First Assembly and Albert S. Medlinsky tendered applications for Channel 252A, which is assigned to Victorville, it was ascertained that that channel assignment is short-spaced by 17 miles to co-channel Station KBOB(FM), at West Covina, Cali-

fornia. As a consequence, neither application could be accepted and the Commission proposed amendment of the Table of Assignments to substitute either Channel 276A or 280A. However, since Victorville is located in the 199-mile border area covered by the United States-Mexico FM Broadcasting Agreement (Agreement), effective August 9, 1973, it was also necessary to coordinate the proposed amendment with the United Mexican States under the procedure provided in the Agreement.

3. The United Mexican States has now indicated that it has no objection to assignment of either Channel 276A or 280A. The First Assembly has indicated that it is willing, ready, and able to proceed with its application and it will promptly construct a station, if its application is granted. We find that it would serve the public interest, convenience and necessity to substitute Channel 276A for Channel 252A at Victorville.

4. In view of the foregoing and pursuant to authority found in Sections 4(i), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, it is ordered, that effective

October 11, 1974, the Table of Assignments (§ 73.202(b) of the Commission's rules and regulations) is amended as concerns Victorville, California, to read as follows:

City Victorville, Calif. Channel No. 276A

5. 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: August 28, 1974.

Released: August 29, 1974.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.74-20724 Filed 9-6-74; 8:45 am]

[Docket No. 20050; Rm No. 2306; FCC 74-915]

PART 81—STATIONS ON LAND IN THE MARITIME SERVICES AND ALASKA—PUBLIC FIXED STATIONS

Nome, Alaska, Petition for Waiver of Rules

1. By a notice of proposed rulemaking and order, released May 17, 1974 (39 FR 18470) (FCC 74-513), the Commission proposed to amend § 81.713 of its rules to permit use of the frequency 5370 kHz at Nome, Alaska. The time for filing comments and reply comments has passed.

2. Comments were filed in this proceeding by RCA Alaska Communications, Inc. (RCA Alascom), the petitioner for rule making, in support of the amendment. Comments were also filed by the Division of Communications of the State of Alaska's Department of Public Works (Alaska DPW). RCA Alascom filed reply comments to those of Alaska DPW.

3. Alaska DPW does not oppose adoption of the rule amendment as such. Rather, Alaska DPW objects to the use of the frequency 5134.5 kHz proposed to be paired with 5370 kHz at Nome. In support of its opposition, Alaska DPW cites the fact that it is licensed to use the frequency 5135.0 kHz at nearby locations and that the one-half kilohertz separation from 5134.5 kHz threatens possible interference to its operations.

4. The frequency assignment list makes 5134.5 assignable in all zones in Alaska. Accordingly, Alaska DPW is not entitled as a matter of right to be protected from possible interference which might result from assignment of 5134.5 kHz. Nevertheless, and as a general principle, it is desirable to avoid interference wherever possible. Consequently, we shall select another frequency available for assignment in all zones in Alaska, namely 5207.5 kHz to be paired with 5370 kHz at Nome. This selection enjoys more than the desired 3 kilohertz separation from Alaska DPW's assigned frequency.

5. For the reasons set forth above, the frequency 5207.5 kHz will be paired with 5370 kHz for use at Nome, Alaska. Except for this modification, the rule should otherwise be amended. For editorial reasons, columns and dates reflecting fre-

quencies available before January 1, 1974, will be deleted, because those dates have passed.

6. Accordingly, pursuant to authority found in sections 4(i), 303 (g) and (r), of the Communications Act of 1934, as amended, it is ordered, That, § 81.713 of the rules is amended, effective October 11, 1974, to permit the use of frequency 5370 kHz and the paired frequency 5207.5 kHz at Nome, Alaska, in accordance with the attached Appendix.

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

(Secs. 4, 303, 48 Stat., as amended, 1006, 1082 (47 U.S.C. 154, 303).)

Adopted: August 28, 1974.

Released: August 30, 1974.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] VINCENT J. MULLINS,
Secretary.

In § 81.713, the paired frequencies 5370 kHz and 5207.5 are added, and the dates in the columns reflecting "Frequencies available" before 1-1-74 deleted to read as follows:

§ 81.713 Pairing of common carrier and Alaska-public fixed frequencies.

The pairing of frequencies available for communication between common carrier fixed stations (CCFS), as set forth in § 81.712, and Alaska-public fixed stations (APFS), as set forth in § 81.711, is given in the following table.

For communication with common carrier stations located at	Frequencies available	
	CCFS transmit (kHz)	APFS transmit (kHz)
Anchorage.....	3183	2365 5137.5
Bellevue.....	2604	2253 2629
Cold Bay.....	3241	5204.5 2691
Cordova.....	2312	2632
Fairbanks.....	3167.5	3354 5207.5
Juneau.....	2784	2694
Ketchikan.....	3241	3357
King Salmon.....	2604	2256
Kodiak.....	3180	2776
Kotzebue.....	3164.5	2474
Nome.....	2781	2463
Unalakleet.....	2601	5207.5
	5370	2471
	2238	3362
	5370	5134.5

[FR Doc.74-20723 Filed 9-6-74; 8:45 am]

Title 49—Transportation
CHAPTER III—FEDERAL HIGHWAY AD-
MINISTRATION, DEPARTMENT OF
TRANSPORTATION

[Notice No. 74-19]

SUBCHAPTER B—FEDERAL MOTOR CARRIER
SAFETY REGULATIONS

MISCELLANEOUS TECHNICAL
AMENDMENTS

The Director of the Bureau of Motor Carrier Safety is making a number of technical, non-substantive amendments to the Federal Motor Carrier Safety Regulations. The amendments consist of (1) changing the term "Motor Carrier Safety Regulations" to read "Federal Motor Carrier Safety Regulations" wherever it appears; (2) changing the term "Motor Vehicle Safety Standards" to read "Federal Motor Vehicle Safety Standards" wherever it appears; and (3) changing two references to the "National Highway Safety Bureau" in footnotes to

§ 393.93 to read "National Highway Traffic Safety Administration."

The objective of the latter amendment is to reflect changes in the organizational structure and nomenclature within the U.S. Department of Transportation. The purpose of adding the word "Federal" before the term "Motor Carrier Safety Regulations" and the term "Motor Vehicle Safety Standards" is to avoid confusion between rules issued by Federal agencies and rules issued by the States.

In consideration of the foregoing, Parts 393-397 and appendices thereto in Subchapter B of Chapter III in title 49, CFR are amended as follows:

1. The term "Motor Carrier Safety Regulations" is amended to read "Federal Motor Carrier Safety Regulations" wherever it appears.

2. The term "Motor Vehicle Safety Standards" is amended to read "Federal Motor Vehicle Safety Standards" wherever it appears.

3. Footnote 1 to § 393.93 in Part 393 is revised to read as follows:

¹ Individual copies of Federal Motor Vehicle Safety Standards may be obtained from the National Highway Traffic Safety Administration, Nassif Building, 400 Seventh Street SW., Washington, D.C. 20590.

Since these amendments are non-substantive in character and do not affect the rights of any person, notice and public procedure thereon are unnecessary, and they are effective on the date of issuance set forth below.

(Sec. 204, Interstate Commerce Act (49 U.S.C. 304), sec. 6, Department of Transportation Act (49 U.S.C. 1655), delegations of authority at 49 CFR 1.48, 389.4)

Issued on August 29, 1974.

ROBERT A. KAYE,

Director,

Bureau of Motor Carrier Safety.

[FR Doc.74-20730 Filed 9-6-74; 8:45 am]

¹ Commissioners Lee, Reid, and Washburn absent.

proposed rules

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

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[29 CFR Part 1910]

CONVEYORS

Extension of Time for Comments; Hearing

On June 3, 1974, a notice of proposed rulemaking regarding a permanent occupational safety and health standard on conveyors used in general industry (29 CFR 1910.186), was published in the FEDERAL REGISTER (39 FR 19507). Interested persons were given until August 2, 1974, to submit written data, views, and arguments with respect to the proposal and to file objections and request a hearing thereon. Several requests for additional time to submit such materials were made. In view of the complexity of the issues raised and the breadth of application of the proposed standard, the period for the submission of written comments and for the filing of objections on the proposal is hereby extended until October 9, 1974. The written comments and objections should be submitted to the Docket Officer, Docket No. OSSH-1, Room 230, Occupational Safety and Health Administration, U.S. Department of Labor, 1726 M Street NW., Washington, D.C. 20210. Such data, views and arguments will be available for public inspection and copying at the above address.

Comments received by August 2, 1974, raised several objections to the proposal. It was argued, for example, that the proposed standard attempts to cover too broad a range of conveyor equipment with a limited number of specific requirements. Others felt that the proposal should exclude from its coverage certain types of conveyors. Finally, some commentators stated the proposal is too vague and does not cover all of the recognized hazards associated with conveyor use.

Also, as of August 2, 1974, seven requests for a hearing on the proposal had been received. Therefore, pursuant to section 6(b)(3) of the Occupational Safety and Health Act of 1970 (84 Stat. 1594; (29 U.S.C. 655)), Secretary of Labor's Order No. 12-71 (36 FR 8754), and 29 CFR 1911.11, an informal rulemaking hearing has been scheduled to begin at 10 a.m. on Tuesday, October 15, 1974, in the Commerce Auditorium of the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, D.C. The issues raised in the comments discussed above, together with the other issues raised or to be raised in the comments and objections, will be considered at the hearing. Oral

data, views, and arguments concerning the proposed standard will be received by an administrative law judge, to be appointed by the Chief Administrative Law Judge of the Department of Labor, at the informal hearing. The hearing shall be conducted in accordance with the rules of procedure in 29 CFR Part 1911.

Any interested person desiring to participate at the hearing must file a notice of intention to appear with the Docket Officer, Docket No. OSSH-1, Room 230, Occupational Safety and Health Administration, U.S. Department of Labor, 1726 M Street NW., Washington, D.C. 20210, no later than October 9, 1974. The notice must state the name and address of the person to appear, the capacity in which he will appear, and the approximate amount of time required for his presentation. In addition, the notice should include or be accompanied by a statement of the position to be taken with regard to any provision of the proposed standard and of the evidence to be adduced in support of the position.

Upon consideration of the record of the hearing, and any written data, views, or arguments received, a determination may be made to adopt the proposal with or without changes or to withdraw the proposal.

Signed at Washington, D.C., this 4th day of September 1974.

JOHN H. STENDER,
Assistant Secretary of Labor.

[FR Doc.74-20770 Filed 9-6-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 20]

FROZEN DESSERTS

Proposed Identity Standards; Extension of Time for Filing Comments

In the FEDERAL REGISTER of July 25, 1974 (39 FR 27144), the Commissioner of Food and Drugs, on his own initiative, issued a proposal to amend the identity standards for frozen desserts under 21 CFR Part 20 taking into consideration a petition to amend the frozen dessert standards which had been received from the International Association of Ice Cream Manufacturers (IAICM), 910 17th St. NW., Washington, DC 20006. Interested persons were invited to file comments regarding the proposal and the IAICM petition on or before September 23, 1974.

The Commissioner has received a request from the Department of Agricul-

ture and Commerce of the Commonwealth of Virginia for an extension of time to permit the filing of comments in this matter following the annual meeting of the National Association of State Departments of Agriculture which has been scheduled for September 22-26, 1974.

Good reason therefor appearing, the time for filing comments in this matter is extended to November 8, 1974.

(Secs. 401, 701, 52 Stat. 1046, 1055-1056 as amended by 70 Stat. 919 and 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: August 30, 1974.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.74-20712 Filed 9-6-74;8:45 am]

Social and Rehabilitation Service

[45 CFR Part 250]

PAYMENTS—MEDICAL ASSISTANCE PROGRAMS

Limitation on Federal Participation for Capital Expenditures

Notice is hereby given that the regulations set forth in tentative form below are proposed by the Administrator, Social and Rehabilitation Service, with the approval of the Secretary of Health, Education, and Welfare. The proposal amends regulations for the Medicaid program, title XIX of the Social Security Act, to implement section 221 of Pub. L. 92-603, which sets limits on Federal financial participation in capital expenditures.

The law requires that Federal funds appropriated under titles V, XVIII and XIX are not to be used to support unnecessary capital expenditures made by or on behalf of health care facilities or health maintenance organizations which are reimbursed under any of such titles and that, to the extent possible, reimbursement under such titles shall support planning activities with respect to health services and facilities in the various States. The Department's regulations on agreements with States and on determinations as to allowability of capital expenditures under section 1122 are set forth in 42 CFR Part 100, Subpart A (38 FR 31380, November 13, 1973). These proposed regulations set forth the conditions under which the Secretary may determine that the expenses associated with capital expenditures are not to be reimbursed with Federal funds. They also identify typical expense categories, appropriate amounts of which are to be excluded from Federal financial participa-