

Title 28—Judicial Administration
CHAPTER I—DEPARTMENT OF JUSTICE

[Order No. 641-76]

**PART 0—ORGANIZATION OF THE
 DEPARTMENT OF JUSTICE**

Subpart Q—Bureau of Prisons

**APPROVAL OF OPERATION OF FACILITIES BY
 PRETRIAL SERVICES AGENCIES**

This order assigns to the Director of the Bureau of Prisons the Attorney General's authority to approve the operation or contracts for the operation of facilities by pretrial services agencies, under section 201 of the Speedy Trial Act of 1974, 88 Stat. 2087-8 (18 U.S.C. 3154 (4)).

By virtue of the authority vested in me by 28 U.S.C. 509, 510 and 5 U.S.C. 301, § 0.96 of Subpart Q of Part 0 of Chapter I of Title 28, Code of Federal Regulations, is amended by adding at the end thereof the following new paragraph (r):

§ 0.96 Delegations.

(r) The approval of the operation or contracts for the operation, by pretrial services agencies with the cooperation of the Administrative Office of the United States Courts, of appropriate facilities for the custody or care of persons released pursuant to the Speedy Trial Act of 1974. (18 U.S.C. 3154 (4))

Dated: February 19, 1976.

EDWARD H. LEVI,
Attorney General.

[FR Doc. 76-5411 Filed 2-25-76; 8:45 am]

Title 29—Labor
**CHAPTER XXVI—PENSION BENEFIT
 GUARANTY CORPORATION**
**PART 2609—LIMITATION ON
 GUARANTEED BENEFITS**

Correction

In FR Doc. 76-3997, appearing at page 6194 in the issue for Wednesday, February 11, 1976, in the third column, on page 6195, "paragraph (3)" should read as set forth below.

(3) The next step is to determine the monthly amount of the benefit provided under the plan subsequent to the amendment which has the same value as of the date of the amendment as the monthly amount of the benefit provided under the plan prior thereto, § 2609.5(c)(3). This is accomplished by multiplying the monthly amount of the benefit which would have been payable under the plan prior to the increase based on service credited to the participant as of the date he retired by a fraction comprised of the factors computed in Step 2. The numerator of this fraction is the factor applicable to the benefit provided subsequent to the amendment and the denominator is the factor applicable to the benefit provided prior to the amendment. In this example, a \$300 per month single life annuity payable at age 65 (based on the participant's 30 years credited service) is multiplied by the fraction .9/1. This results in an equivalent joint and survivor

(contingent basis) 50% annuity payable at age 65 of \$270 per month.

Title 40—Protection of Environment
 [FRL 494-3]

**CHAPTER I—ENVIRONMENTAL
 PROTECTION AGENCY**

SUBCHAPTER C—AIR PROGRAMS

**PART 60—STANDARDS OF PERFORMANCE
 FOR NEW STATIONARY SOURCES**

**Primary Copper, Zinc, and Lead Smelters;
 Correction**

In FR Doc. 76-733 appearing at page 2331 in the FEDERAL REGISTER of January 15, 1976, the ninth line of paragraph (a) in § 60.165 is corrected to read as follows: "total smelter charge and the weight."

Dated: February 20, 1976.

ROGER STRELON,
*Assistant Administrator
 for Air and Waste Management.*

[FR Doc. 76-5398 Filed 2-25-76; 8:45 am]

[FRL 495-4]

**PART 60—STANDARDS OF PERFORMANCE
 FOR NEW STATIONARY SOURCES**

**Delegation of Authority to Commonwealth
 of Virginia**

Pursuant to the delegation of authority for the standards of performance for new stationary sources (NSPS) to the Commonwealth of Virginia on December 30, 1975, EPA is today amending 40 CFR 60.4, Address, to reflect this delegation. A Notice announcing this delegation is published today at 41 FR 8416 in the FEDERAL REGISTER. The amended § 60.4, which adds the address of the Virginia State Air Pollution Control Board to which all reports, requests, applications, submittals, and communications to the Administrator pursuant to this part must also be addressed, is set forth below.

The Administrator finds good cause for foregoing prior public notice and for making this rulemaking effective immediately in that it is an administrative change and not one of substantive content. No additional substantive burdens are imposed on the parties affected. The delegation which is reflected by this administrative amendment was effective on December 30, 1975, and it serves no purpose to delay the technical change of this addition of the State address to the Code of Federal Regulations.

This rulemaking is effective immediately, and is issued under the authority of section 111 of the Clean Air Act, as amended, 42 U.S.C. 1857c-6.

42 U.S.C. 1857c-6.

Dated: February 21, 1976.

STANLEY W. LEGRO,
*Assistant Administrator
 for Enforcement.*

Part 60 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

1. In § 60.4, paragraph (b) is amended by revising subparagraph (VV) to read as follows:

§ 60.4 Address.

(b) * * *
 (A)-(UU) * * *

(VV) Commonwealth of Virginia, Virginia State Air Pollution Control Board, Room 1106, Ninth Street Office Building, Richmond, Virginia 23219.

[FR Doc. 76-5504 Filed 2-25-76; 8:45 am]

[FRL 495-5]

**PART 61—NATIONAL EMISSION STANDARDS
 FOR HAZARDOUS AIR POLLUTANTS**

**Delegation of Authority to Commonwealth
 of Virginia**

Pursuant to the delegation of authority for national emission standards for hazardous air pollutants (NESHAPS) to the Commonwealth of Virginia on December 30, 1975, EPA is today amending 40 CFR 61.04, Address, to reflect this delegation. A Notice announcing this delegation is published today at 41 FR 8416 in the FEDERAL REGISTER. The amended § 61.04, which adds the address of the Virginia State Air Pollution Control Board to which all reports, requests, applications, submittals, and communications to the Administrator pursuant to this part must also be addressed, is set forth below.

The Administrator finds good cause for foregoing prior public notice and for making this rulemaking effective immediately in that it is an administrative change and not one of substantive content. No additional substantive burdens are imposed on the parties affected. The delegation which is reflected by this administrative amendment was effective on December 30, 1975, and it serves no purpose to delay the technical change of this address to the Code of Federal Regulations.

This rulemaking is effective immediately, and is issued under the authority of section 112 of the Clean Air Act, as amended, 42 U.S.C. 1857c-7.

Dated: February 21, 1976.

STANLEY W. LEGRO,
*Assistant Administrator
 for Enforcement.*

Part 61 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

1. In § 61.04, paragraph (b) is amended by revising subparagraph (VV) to read as follows:

§ 61.04 Address.

(b) * * *
 (A)-(UU) * * *

(VV) Commonwealth of Virginia, Virginia State Air Pollution Control Board, Room 1106, Ninth Street Office Building, Richmond, Virginia 23219.

[FR Doc. 76-5505 Filed 2-25-76; 8:45 am]

[FRL 494-2]

PART 204—NOISE EMISSION STANDARDS FOR CONSTRUCTION EQUIPMENT

Portable Air Compressors; Correction

In FR DOC 76-731 appearing at page 2162 in the FEDERAL REGISTER of January

14, 1976, the equation and terms appearing on page 2176 in paragraph (h) of § 204.54 are amended to read:

§ 204.54 Test procedures.

(h) * * *

$$L = 10 \log \left(\frac{1}{5} \left[\text{Antilog} \frac{L_1}{10} + \text{Antilog} \frac{L_2}{10} + \text{Antilog} \frac{L_3}{10} + \text{Antilog} \frac{L_4}{10} + \text{Antilog} \frac{L_5}{10} \right] \right)$$

Where:

- L = The average A-weighted sound level (in decibels)
- L_1 = The A-weighted sound level (in decibels) at microphone position 1
- L_2 = The A-weighted sound level (in decibels) at microphone position 2
- L_3 = The A-weighted sound level (in decibels) at microphone position 3
- L_4 = The A-weighted sound level (in decibels) at microphone position 4
- L_5 = The A-weighted sound level (in decibels) at microphone position 5

Dated: February 20, 1976.

ROGER STRELON,
Assistant Administrator for Air
and Waste Management.

[FR Doc. 76-5399 Filed 2-25-76; 8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

[Docket No. 75-5; Notice 05]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Agricultural Commodity Trailers

This notice amends Standard No. 121, *Air Brake Systems*, by extending until June 30, 1976, the period in which bulk agricultural commodity trailers designed with a high ground clearance and other special features for use with farm tractors during harvest can meet emergency and parking brake requirements other than those specified in S5.6 and S5.8 of the standard.

Standard No. 121, 49 CFR 571.121, presently permits this specialized agricultural trailer category the option, until March 1, 1976, of meeting the parking brake requirements of the standard (actuation by an energy source unaffected by air loss in the service brake system) or the air-actuated "breakaway" system that complies with Bureau of Motor Carrier Safety requirements (49 CFR § 393.43). The NHTSA proposed extension of the March date to June 30, 1976 (41 FR 1763, January 12, 1976) to permit completion of the bulk agricultural commodity trailers necessary for the 1976 harvest season, in response to a petition of the Utility Trailer Manufacturing Company. In a separate action, the NHTSA has also proposed that the present parking brake requirements for all vehicles subject to the standard be broadened in a closely similar fashion to permit the use of an air energy source, with single diaphragm brake chambers as well as dual diaphragm brake chambers for actuation of the parking brake (40 FR 56920, December 5, 1975). It is clear, however, that separate and swifter action than the general proposal is necessary to permit the manufacture of trailers for the 1976 harvest.

Utility Trailer Manufacturing Company supported the extension of the period to June 30, 1976, and advocated extension of the option to all other air-

braked vehicles. Wesco Truck and Trailer Sales (Wesco) also supported the proposal and suggested that a 2-year suspension of the standard would permit perfection of the new brake systems. Wesco recommended that the parking brake system be made optional on this type of agricultural trailer. Fruehauf Corporation supported the proposal without qualification.

In view of the comments received and the NHTSA's continued view that the special considerations for in-field use should be given to agricultural trailers with regard to parking brake requirements, the agency has decided to amend the standard as proposed. The other recommendations by Utility and Wesco are noted, but they do not fall within the limits of action proposed by the NHTSA.

§ 571.121 [Amended]

In consideration of the foregoing, the last sentences of paragraphs S5.6 and S5.8 of Standard No. 121 (49 CFR 571.121) are amended by changing the date "March 1, 1976" to "June 30, 1976".

Effective date: February 26, 1976. Because this amendment creates no additional requirements for any person, and because trailer manufacturers need to know the extent of the option period as the basis for planning manufacturing schedules, an immediate effective date is found to be in the public interest.

(Sec. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegation of authority at 49 CFR 1.50)

Issued on February 20, 1976.

JAMES B. GREGORY,
Administrator.

[FR Doc. 76-5296 Filed 2-20-76; 11:46 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Corrected SO No. 1230]

PART 1033—CAR SERVICE

Illinois Central Gulf Railroad Company Authorized To Operate Over Tracks of Waterloo Railroad Company

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 18th day of February, 1976.

It appearing that the Waterloo Railroad Company (Waterloo) is unable to operate over its line between Gilbertville, Iowa, and Shaver, Iowa, because of track conditions; that numerous shippers served by the Waterloo between Shaver and Cedar Rapids are thereby deprived of railroad service; that the Illinois Central Gulf Railroad Company (ICG) has consented to operate over tracks of the Waterloo between Cedar Rapids and Shaver in order to provide continued service to the aforementioned shippers; that the Waterloo has consented to such use of its tracks by the ICG; that operation by the ICG over the aforementioned tracks of the Waterloo are necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1230 The Illinois Central Gulf Railroad Company authorized to operate over tracks of the Waterloo Railroad Company.

(a) The Illinois Central Gulf Railroad Company (ICG) be, and it is hereby, authorized to operate over tracks of the Waterloo Railroad Company (Waterloo) between Cedar Rapids, Iowa, and Shaver, Iowa, a distance of approximately 0.91 mile, together with various auxiliary tracks located at these stations.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign traffic.

(c) *Rates applicable.* Inasmuch as this operation by the ICG over tracks of the Waterloo is deemed to be due to carrier's disability, the rates applicable to traffic moved by the ICG over these tracks of the Waterloo shall be the rates which were applicable on the shipments at the time of shipment as originally routed.

(d) *It is further ordered, That* on or before the expiration date of this order the Waterloo shall effect repairs sufficient to restore its line to operating condition unless authorized to forego such repairs by order of the Commission.

(e) Nothing in this order shall be deemed to relieve the Waterloo of its obligations to operate as a common carrier over its entire line between Waterloo and Cedar Rapids to the extent required to provide rail transportation to shippers dependent on the Waterloo for railroad service.

(f) *Effective date.* This order shall become effective at 12:01 a.m., February 20, 1976.

(g) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., August 31, 1976, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and

¹ Effective date omitted from original order.

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

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

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 76-5529 Filed 2-25-76; 8:45 am]

[Ex Parte No. MC-19 (Sub-No. 26)]

PART 1056—TRANSPORTATION OF HOUSEHOLD GOODS IN INTERSTATE OR FOREIGN COMMERCE

Practices of Motor Common Carriers of Household Goods (Use of Vehicle-Load Manifest)

● **PURPOSE.** The purpose of this notice is to inform the public that the Interstate Commerce Commission has amended § 1056.11 of the Commission's General Rules and Regulations (49 CFR 1056.11) to eliminate use of the vehicle-load manifest and to substitute therefor a prescribed Driver's Weight Certificate form. ●

The Interstate Commerce Commission in the above-entitled proceeding has amended 49 CFR 1056.11 to eliminate the requirement for use of the vehicle-load manifest by motor common carriers of household goods, and to substitute therefor a new form entitled Driver's Weight Certificate. This action is the result of a petition filed by the American Movers Conference seeking the noted change. Petitioner demonstrated that the vehicle-load manifest was a burden for the carrier to complete and a source of confusion for shippers.

Notice of the proposed change together with a copy of the proposed driver's weight certificate was published in the Federal Register on June 26, 1975, and comments were filed by interested persons. No one voiced any opposition to the proposed change, and all persons filing views agreed that the new procedure would benefit both the industry and consumer alike.

The promulgation of the amended § 1056.11 also necessitated certain editorial changes in § 1056.6 (49 CFR 1056.6) to eliminate references to the vehicle-load manifest.

The rule is issued under the authority of 49 U.S.C. 301, 302, 304, and 308. Issued in Washington, D.C.

It appearing that by petition filed June 4, 1975, the American Movers Conference requested this Commission to

institute a rulemaking proceeding to investigate certain specified matters described in the attached report concerning problems relating to the motor common carrier transportation, in interstate or foreign commerce, of household goods; and that, on June 26, 1975, notice of the filing of the petition was published in the Federal Register, inviting written comments by any person (including petitioner) wishing to make representations in favor of, or against, the relief sought in the petition;

And it further appearing, that investigation of the matters and things involved in this proceeding has been made and that the Commission has made and filed its report herein containing its findings of facts and conclusions thereon, which report is hereby referred to and made a part hereof;

It is ordered, That Part 1056 of Chapter X of Title 49 of the Code of Federal Regulations be, and it is hereby, amended by modifying §§ 1056.6 and 1056.11 as set forth in the notice attached hereto.

It is further ordered, That this order shall become effective on April 12, 1976, and shall remain in effect until modified or revoked in whole or in part by further order of the Commission.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of Secretary of the Commission at Washington, D.C., and by filing a copy of the attached notice with the Director, Office of the Federal Register. (49 U.S.C. 301, 302, 304, and 308, 5 U.S.C. 553 and 559.)

[SEAL] ROBERT L. OSWALD,
Secretary.

DRIVER'S WEIGHT CERTIFICATE

Carrier's Name	Tractor No.
Carrier's Address	Trailer No.
	Truck No.
Shippers Name	Carrier's Ref. No.
Origin	Destination
(City/State)	(City/State)
Gross weight of loaded vehicle with the driver thereon	pounds
Gross weight obtained at	in (Name of Scales) (City/State) on (Date)
Tare weight of vehicle with the driver thereon, including full fuel tanks and all necessary pads, chains, dollies, hand trucks, and other equipment and previously loaded shipments, if any.	pounds
Tare weight obtained at	in (Name of Scales) (City/State) on (Date)
Net weight (Gross weight minus tare weight)	pounds
List other shipments on board vehicle at time above weights were obtained. If no other shipments, enter "None."	

Carrier's Ref. No.

Shippers Name

THE USE OF THIS FORM IS REQUIRED BY THE INTERSTATE COMMERCE COMMISSION

The undersigned hereby states that he is duly qualified and authorized to make this weight certification and that in signing this certification he is aware that anyone who, in any matter within the jurisdiction of an agency of the United States, intentionally makes or uses any

Accordingly, this action modifies 49 CFR 1056.6 and 1056.11.

The elimination of the vehicle-load manifest and the adoption of the revised § 1056.11 as below will require the following editorial changes in 49 CFR 1056.6:

§ 1056.6 [Amended]

(1) Paragraph 1056.6(a)(1)

Delete the words "and in part B of the vehicle-load manifest" appearing at the end of the first sentence and at the end of the second sentence of this paragraph.

(2) Paragraph 1056.6(b)

Delete the words "receipt or bill of lading accompanying the shipment" and substitute the words "driver's weight certificate."

(3) Paragraph 1056.6(d)

Delete the words "and the vehicle-load manifest."

(4) Paragraph 1056.6(e)

Delete the words "in part B of the vehicle-load manifest" where they appear in the second proviso of this subsection and substitute the words "on the driver's weight certificate."

Section 1056.11 is revised to read as follows:

§ 1056.11 Driver's weight certificate.

Whenever weights are required to be obtained pursuant to these rules, the carrier shall cause to be executed a weight certificate for each shipment in the form specified below, at the time the gross weight is obtained, and the original or true copy of such certificate shall be carried in the vehicle transporting the shipment and shall be delivered to the party paying the carrier's charges. The original or true copy of such certificate shall be maintained by the carrier as part of its record of shipment.