§ 1285.7(a)(1) below to appropriate principal staff element within HQ DSA or to appropriate primary level field activities (PLFAs) for direct response to requester.

* * * * *

§ 1285.7 [Amended]

10. Paragraph (b)(3), line 10, add "for determination regarding the release of the record under this DSAR." after "appropriate,".

11. Paragraph (b)(15)(*i*)(*b*) is revised to read as follows:

(*b*) The requester will be advised of his optional right to seek review by the Interagency Classification Review Committee of a final denial. This review is in accordance with Executive Order 11652, 9 Mar 72, and is in lieu of immediate judicial review.

12. Paragraph (b)(15)(*i*)(*c*) is revoked.

13. Paragraph (b)(15)(*i*)(*d*) is relettered (c) and "Appendix A" is substituted for 1285.8.

14. Paragraph (b)(15)(*iv*), line 4, add (*i*) after "paragraph 1285.3(d)(2)".

15. Paragraph (c)(2)(*iv*) is revised to read as follows:

* * * * *

(*iv*) To other Federal agencies, both executive and administrative, as consistent with efficient administration and in accordance with law, including Pub. L. 93-579, 5 U.S.C. 552a, The Privacy Act of 1974.

§ 1285.8 [Amended]

16. Section 1285.8(b)(6) is renumbered 1285.8(c) and revised to read as follows:

(c) The Reports Control Symbol for these annual reports will be DD-PA (Q&A) 1365.

17. Appendix A, Schedule of Fees, is revised to read as follows:

APPENDIX A

Uniform Agency Fees for Search and Duplication Under the Freedom of Information Act Amendments Pub. L. 93-502

INTRODUCTION

This enclosure describes fees for search and duplication. It is not intended to substitute for any schedule of fees or a policy or not to charge a fee established in connection with the issuance of publications or other materials in the routine course of business of a component.

Schedule of fees

Duplication

Publications, forms, and reports

Shelf stock of printed or microfiche medium (requesters may be furnished more than one copy of a publication or form if it does not deplete stock levels below projected planned usage).

Minimum fee, per request plus	$2.00
Forms, per copy	.05
Publications, per printed page	.01
Microfiche, per fiche	.06
Reports, per printed page	.05

(Examples: Cost of 20 forms, $3.00; cost of printed publication with 100 pages, $3.00; cost of a microfiche publication consisting of 10 fiche, $2.60).

Office of copy reproduction (when shelf stock is not available)

Minimum charge up to six reproduced pages	$2.00
Minimum charge, first fiche	5.00
Each additional page	.05
Each additional fiche	.10

Other issuances

Minimum charge up to six pages	$2.00
Each additional page	.05

Search

Clerical search, per hour	$5.50
Minimum charge	2.75
Professional search (includes computer programmer time and review to determine whether a record comes within the scope of a request) per hour	11.00
Minimum charge	5.50

Computer service charges

Computer service charges will be based on actual computer configuration used and be based on direct cost only of the Central Processing Unit, plus Input/Output Devices, plus Memory Capacity. Transportation costs of records and personnel arising from searches for requesting reports will be charged at actual cost.

Audiovisual documentary material

Service charges for audiovisual documentary materials will include clerical and professional search fees as listed above as well as the direct costs of reproducing the photography or tape and shipping or mailing charges. Audiovisual materials provided a requester under provisions of this regulation need not be in reproducible format or quality.

Waiver of fees

1. In general, charges shall be waived or reduced when it is determined that release of a requested record primarily benefits the general public and, therefore, is in the public interest. Examples of common situations in which such a determination may be made include:

a. The recipient of the benefits is engaged in a nonprofit activity designed for public safety, health, or welfare;

b. Payment of the full costs or fee by a state, local government or nonprofit group would not be in the interest of the program;

c. The incremental cost of collecting the fees would be an unduly large part of the receipts from the activity;

d. The request emanates from a representative of the public information media seeking a reasonable number of records.

2. A refusal to waive charges by the official responsible for the initial decision on the request for the record may be appealed to the Director, DSA for purposes of final approval.

Collections

1. Normally, collection of charges and fees will be made in advance of rendering the service. In some instances, it may be more practical to collect charges and fees at the time of conveying the service or property to the recipient, but only in those instances where the request specifically states that whatever cost involved will be acceptable or acceptable up to specified limit that covers anticipated costs.

2. Collection of scheduled fees and charges will normally be deposited to Miscellaneous Receipts of the Treasury.

3. Search fees are assessable even when no records responsive to the request, or no records not exempt from disclosure are found, provided the requester is advised of the requirement at the time the estimated charges are presented to the requester for approval and he agrees to incur the costs of search.

* * * * *

18. Appendix A, Judicial Action, paragraph 2, line 3, substitute "refusal" for "denial".

[FR Doc.76-9208 Filed 3-31-76;8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 75-231]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Dutch Kills, N.Y.

This amendment changes the regulations for the Hunters Point Avenue drawbridge across Dutch Kills, Queens, New York, to require at least 6 hours notice at all times. This amendment was circulated as a public notice dated December 30, 1975, by the Commander, Third Coast Guard District and was published in the Federal Register as a notice of proposed rule making (CGD 75-231) on December 22, 1975 (40 F.R. 59219). No comments were received.

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by adding a new § 117.162 immediately after § 117.161 to read as follows:

§ 117.162 Dutch Kills; City of New York highway bridge at Hunters Point Avenue, Queens.

The draw shall open on signal if at least 6 hours notice is given to the New York City Highway Department's Radio (Hotline) Room.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2) 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4).)

Effective date. This revision shall become effective on May 3, 1976.

Dated: March 22, 1976.

D. J. RILEY,
Captain, U.S. Coast Guard, Acting Chief, Office of Marine Environment and Systems.

[FR Doc.76-9363 Filed 3-31-76;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 14H—BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

PART 14H-1—GENERAL

Designation of Contracting Officer Positions

MARCH 19, 1976.

Chapter 14H of 41 CFR was published beginning on page 13659 of the August 26, 1969, FEDERAL REGISTER (34 FR 13659). Chapter 14H contains the Bureau of Indian Affairs Procurement Regulations (BIAPR). Section 14H-1.451-2 of Chapter 14H was subsequently amended, most recently on page 33454 of the August 8, 1975, FEDERAL REGISTER (40 FR 33454).

Pursuant to the authority contained in the Act of November 2, 1921, Ch. 115, 42

Stat. 208 (25 U.S.C. 13) and 41 CFR 14-1.008, 41 CFR 14H-1.451-2 is being amended to reflect organization and title changes. The positions of Contract Administrator, Juneau Area Office and Supervisory Contract Specialist, Minneapolis Area Office are added to the list of Area Contracting Officer positions.

Since this amendment involves internal Bureau procedures, advance notice and public procedure thereon have been deemed unnecessary and are dispensed with under the exception provided in subsection (b)(B) of 5 U.S.C. 553 (1970).

Since delay in the amendment becoming effective could delay the internal processing of contracts in the Bureau with resultant delay in providing services to the Indian and Alaskan Native people, the 30-day deferred effective date is dispensed with under the exception provided in subsection (d)(3) of 5 U.S.C. 553 (1970). Accordingly, these regulations will become effective April 1, 1976.

As amended, 41 CFR 14H-1.451-2 reads as follows:

§ 14H-1.451-2 Designation of contracting officer positions.

(a) Each of the following organizational titles is designed as a contracting officer position:

(1) Headquarters Office Officials:

(i) Commissioner.

(ii) Deputy Commissioner.

(iii) Director, Office of Administration.

(iv) Chief, Contracting Staff.

(v) Chief, Division of Property Management.

(vi) Chief, Branch of Contracts and Grants.

(vii) Chief, Division of Facilities Engineering, Albuquerque, New Mexico.

(viii) Chief, Indian Technical Assistance Center, Denver, Colorado.

(ix) Property and Supply Officer, Field Administrative Office, Albuquerque, New Mexico.

(2) Area Office Officials:

(i) Area Director.

(ii) Area Administrative Officer.

(iii) Area Property and Supply Officer except the Navajo Area Property and Supply Officer.

(iv) Director, Seattle Liaison Office, Seattle, Washington.

(v) Contract Administrator, Aberdeen and Juneau Area Offices.

(vi) Chief, Branch of Contracting and Procurement Services, Navajo Area Office.

(vii) Supervisory Contract Specialist, Minneapolis Area Office.

MORRIS THOMPSON,
Commissioner of Indian Affairs.

[FR Doc.76-9210 Filed 3-31-76;8:45 am]

Title 46—Shipping

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 75-009]

PART 78—OPERATIONS

Fire and Boat Drills on Passenger Vessels

On December 17, 1975, there was published in the FEDERAL REGISTER (40 FR 58457), a notice of proposed rulemaking to amend the regulations for fire and boat drills on passenger vessels to delete the provision which excludes female crew members from participating in the drills. Interested persons were given the opportunity to submit, not later than January 26, 1976, comments concerning the proposed amendment.

Two comments were received which supported the proposal. Therefore, the proposed amendment is adopted without change, as set forth below.

Effective date: This amendment is effective on May 1, 1976.

Dated: March 29, 1976.

O. W. SILER,
Admiral, U.S. Coast Guard, Commandant.

Part 78 of Title 46 of the Code of Federal Regulations is amended as follows:

§ 78.17-50 [Amended]

In § 78.17-50(c), by deleting the words "except female members" in the first sentence.

(R.S. 4488, as amended; (46 U.S.C. 481; 49 U.S.C. 1655(b); 49 CFR 1.46(b)).)

[FR Doc.76-9364 Filed 3-31-76;8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 76-1; Notice 2]

PART 567—CERTIFICATION

PART 575—CONSUMER INFORMATION

Consumer Information Labeling

This notice amends 49 CFR 567 and 575 to allow manufacturers an alternative method of referring purchasers to appropriate consumer information tables.

On January 22, 1976, the National Highway Traffic Safety Administration issued in the Federal Register (40 FR 3315) a notice which proposed amending 49 CFR 575, Consumer Information and 49 CFR 567, Certification to allow the consumer information document provided to the purchaser of a vehicle to refer the reader to the vehicle's certification label to determine which information applied to that vehicle. This information, which relates to the performance characteristics of the vehicle, is required to be made available to purchasers by 49 CFR 575.6(a). Currently, if the document containing this information also contains information relating to other vehicles, the document itself must clearly indicate which information is applicable to the vehicle purchased. The NHTSA proposal was made in response to a petition from the General Motors Corporation which suggested that the proposed alternative procedure would for some companies be a more efficient and less costly method of accomplishing the purposes of the regulation.

Comments in support of the proposal were received from General Motors Corporation, American Motors Corporation, Chrysler Corporation and Ford Motor Company. No comments in opposition were received.

Based on the petition of General Motors and the comments concerning the notice of proposed rulemaking, the NHTSA concludes that allowing an alternative method of designating the appropriate consumer information tables would reduce the possibility of error and lessen the cost to the manufacturer.

In consideration of the foregoing, Parts 567 and 575 of Title 49, Code of Federal Regulations, are amended as follows:

§ 567.4 [Amended]

1. Section 567.4 is amended by the addition of a new paragraph (j) following paragraph (h), to read:

* * * * *

(j) A manufacturer may, at his option, provide information concerning which tables in the document that accompanies the vehicle pursuant to § 575.6(a) of this chapter apply to the vehicle. This information may not precede or interrupt the information required by paragraph (g) of this section.

§ 575.6 [Amended]

2. The second sentence of § 575.6(a) is revised to read:

(a) * * * The document provided with a vehicle may contain more than one table, but the document must either (1) clearly and unconditionally indicate which of the tables apply to the vehicle with which it is provided, or (2) contain a statement on its cover referring the reader to the vehicle certification label for specific information concerning which of the tables apply to that vehicle. If the manufacturer chooses option (a)(2), the vehicle certification label shall include such specific information.

* * * * *

Effective date: April 1, 1976. Because the procedures established herein are optional and impose no increased burden on any party, it is found for good cause shown that an immediate effective date is in the public interest.

(Secs. 103, 112, 114, 119, Pub. L. 80-563, 80 Stat. 718 (15 U.S.C. 1392, 1401, 1403, 1407); delegation of authority at 49 CFR 1.50.)

Issued on: March 26, 1976.

JAMES B. GREGORY,
Administrator.

[FR Doc.76-9243 Filed 3-31-76;8:45 am]

[Docket No. 73-9; Notice 10]

PART 570—VEHICLE IN USE INSPECTION STANDARDS

Response to Petitions

This notice amends 49 CFR Part 570, Subpart B, Vehicle in Use Inspection Standards for Vehicles With GVWR of More Than 10,000 Pounds, and responds to a petition to amend 49 CFR Part 570, Subpart A, Vehicle in Use Inspection Standards for Vehicles With GVWR of 10,000 Pounds or Less.

On December 17, 1974, the Illinois Department of Transportation on behalf of the American Association of Motor Vehicle Administrators petitioned the National Highway Traffic Safety Administration (NHTSA) to revise the toe-in alignment tolerances found in § 570.7(d) of the Vehicle in Use Inspection Standards (49 CFR 570.7(d)). In support of its petition, Illinois forwarded a report written by the Amerco Technical Center, a wholly-owned subsidiary of the firm which also owns the U-Haul rental system and Kar-Go manufacturing, service, and vehicle repair centers. The report recommended that the Vehicle in Use Inspection Standards should be amended to establish maximum toe-in readings based on vehicle type rather than vehicle model and manufacturer.

Section 570.7(d), Steering systems alignment, requires that toe-in and toe-out measurements for motor vehicles with a GVWR of 10,000 pounds or less shall not be greater than 1.5 times the values listed in the vehicle manufacturer's service specifications for alignment settings. This tolerance was established to allow for the degradation that occurs in the vehicle alignment system due to wear, while maintaining a reasonable safety standard for wheel alignment.

Toe-in settings are established by and are available through vehicle manufacturers for the specific vehicle under consideration. For ease of usage, these specifications have also been summarized in chart form by manufacturers of test and alignment equipment, and are readily available to inspection stations, service stations, wheel alignment centers, and other businesses or agencies that perform toe-in inspection or wheel alignment adjustment services. Applying a factor of 1.5 times the manufacturer's toe-in specifications is relatively simple and should not lead to confusion on the part of persons performing vehicle inspections or adjustment services.

The NHTSA concludes that the recommendation of Amerco to establish one specification for all American made passenger cars (1960–1974), one specification for all light duty trucks under 10,000 pounds GVWR (1962–1974), and one specification for the majority of all foreign made vehicles would be unreasonable in light of the wide variations in toe-in specifications for these vehicles.

Each vehicle manufacturer tailors the wheel alignment specifications to obtain optimum vehicle handling characteristics. Although standardization in the area of toe-in alignment tolerances might be desirable, the wide variance of specific toe-in settings required for the different makes, models, and years of manufacture of vehicles covered under this section preclude standardization by regulatory fiat. Therefore, the petition of the Illinois Department of Transportation is denied.

On February 4, 1975, amendments to Part 570, Subpart B, Vehicle in Use Inspection Standards for Vehicles With GVWR of More Than 10,000 Pounds, were published in the FEDERAL REGISTER (40 FR 5159). Request for clarification, the correction of clerical errors and petitions for reconsideration were received from Midland-Ross Corporation (Midland), Bendix Corporation (Bendix), American Trucking Association (ATA) and Mack Truck Co. (Mack).

Petitions for reconsideration of § 570.57, *Air brake system and air-over-hydraulic brake subsystem*, were received from ATA, Bendix, Mack, and Midland-Ross. The petitioners were concerned with the air brake system pressure build-up time requirements and the associated inspection procedures.

The ATA petition pointed out the problems involved with inspector identification of the number and type of brake chambers and the size of the air reservoir used with existing air brake systems on certain vehicles. It suggested that it may be difficult for an inspector to obtain the required reference information prior to his being able to use Table 1, "Air Brake System Pressure Build-Up Time." Placarding truck units with this information would be difficult, inasmuch as there are no existing standards relative to the placement of or requirements for placards. Retrofitting older vehicles with placards is equally difficult. Combination vehicles would pose additional problems because a tractor manufacturer could not anticipate the type of trailer that might be coupled to his tractor, thus making it difficult to label it with the information necessary to utilize Table 1 and Table 2.

Bendix and Mack petitioned for clarification of the values used in the calculation of Table 2, "Chamber Volumes for Representative Brake Chambers," as well as the use of the values from Table 2 in calculating the build-up time values in Table 1. The petitioners were concerned with the values used because the chamber volumes utilized in Table 2 were developed for use with air reservoir systems using an 8:1 ratio of air reservoir volume to brake chamber volume, rather than the present 12:1 ratio required by Standard No. 121 for vehicles manufactured on or after March 1, 1975. The petitioners were also concerned with the problems in inspection of brake systems, caused by the fact that the majority of trucks on the road were built prior to March 1, 1975, and would not have adequate reservoir capacity in relation to brake chamber volume.

The ATA suggested adoption of the industry accepted procedure of combining the pressure drop test with the pressure recovery test, thereby eliminating all questions concerning reservoir size, compressor capacity, and the number and size of brake chambers. By doing this, the inspection procedure will be greatly simplified without sacrificing the effectiveness of the inspection. With the elimination of the requirement for the determination of brake chamber volumes and reservoir capacities, the necessity for Table 1 and Table 2 no longer exists in the determination of air brake system build-up time.

For the reasons discussed, the petitions from ATA, Bendix, Mack, and Midland-Ross are hereby granted. In addition, other subparagraphs of § 570.57(a) are reworded to clarify their meaning.

In consideration of the foregoing, 49 CFR Part 570, Subpart B, Vehicle in Use Inspection Standards for Vehicles With GVWR of More Than 10,000 Pounds, is amended as follows:

1. Tables 1 and 2 in Part 570, Subpart B, are deleted.

2. Paragraph 570.57(a) is amended to read:

§ 570.57 Air brake and air-over-hydraulic brake subsystem.

* * * * *

(a) *Air brake system integrity.* The air brake system shall demonstrate integrity by meeting the following requirements:

(1) With the vehicle in a stationary position, compressed air reserve shall be sufficient to permit one full service brake application, after the engine is stopped and with the system fully charged, without lowering reservoir pressure more than 20 percent below the initial reading.

(2) The air brake system compressor shall increase the air pressure in the reservoir(s) from the level developed after the test prescribed in § 570.57(a)(1) to the initial pressure noted before the full brake application, with the engine running at the manufacturer's maximum recommended number of revolutions per minute with the compressor governor in the cut-off position, in not more than 30 seconds for vehicles manufactured prior to March 1, 1975. For vehicles manufactured on or after March 1, 1975, the time allowed for air pressure buildup shall not exceed 45 seconds.

(3) The warning device (visual or audible) connected to the brake system air pressure source shall be activated when air pressure is lowered to an activating level that is not less than 50 psi. For vehicles manufactured to conform to Federal Motor Vehicle Safety Standard No. 121, the low-pressure indicator shall be activated when air pressure is lowered to an activating level that is not less than 60 psi.

(4) The governor cut-in pressure shall be not lower than 80 psi, and the cut-out pressure shall be not higher than 135 psi, unless other values are recommended by the vehicle manufacturer.

(5) Air brake pressure shall not drop more than 2 psi in 1 minute for single vehicles or more than 3 psi in 1 minute for combination vehicles, with the engine stopped and service brakes released. There may be an additional 1 psi drop per minute for each additional towed vehicle.

(6) With the reservoir(s) fully charged, air pressure shall not drop more than 3 psi in 1 minute for single vehicles or more than 4 psi in 1 minute for combination vehicles, with the engine stopped and service brakes fully applied. There may be an additional 1 psi drop per minute for each additional towed vehicle.

(7) The compressor drive belt shall not be badly worn or frayed and belt-tension shall be sufficient to prevent slippage.

Inspection procedure. With the air system charged, open the drain cocks in the service and supply reservoir on the truck or truck-tractor. Note the pressure at which the visual or audible warning device connected to the low-pressure indicator is activated. Close the drain cocks, and, with the trailer(s) uncoupled, check air pressure build-up at the manufacturer's recommended engine speed. Observe the time required to raise the air pressure from 85 to 100 psi. Continue running the engine until the governor cuts out and note the pressure. Reduce engine speed to idle, couple the trailer(s), if applicable, and make a series of brake applications. Note the pressure at which the governor cuts in. Increase engine speed to fast idle and charge the system to its governed pressure. Stop the engine and record the pressure drop in psi per minute with brakes released and with brakes fully applied.

3. Paragraph 570.57(c)(1) is amended to read:

§ 570.57 Air brake system and air-over-hydraulic brake subsystem.

* * * * *

(c) * * *

(1) The air brake system compressor shall increase the air pressure in the reservoir(s) from the level developed after the test prescribed in § 570.57(a)(1) to the initial pressure noted before the full brake application, with the engine running at the manufacturer's recommended number of revolutions per minute and the compressor governor in the cut-out position, in not more than 30 seconds for vehicles manufactured prior to March 1, 1975. For vehicles manufactured on or after March 1, 1975, the time for air pressure build up shall not exceed 45 seconds.

Effective date: April 1, 1976. Because the amendments create no additional burden on any person, it is found for good cause shown that an immediate effective date is in the public interest.

(Sec. 103, 108, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1397, 1407); delegation of authority at 49 CFR 1.50)

Issued on March 29, 1976.

JAMES B. GREGORY,
Administrator.

[FR Doc.76-9362 Filed 3-31-76;8:45 am]

CHAPTER VIII—NATIONAL TRANSPORTATION SAFETY BOARD

PART 840—RULES PERTAINING TO NOTIFICATION OF RAILROAD ACCIDENTS

On February 5, 1976, the National Transportation Safety Board published in the FEDERAL REGISTER (41 FR 5298) a notice of proposed rulemaking to establish Part 840 to be effective April 1, 1976. Interested persons were invited to participate in this rulemaking process by submitting comments on or before March 15, 1976. After consideration of the comments received, the following changes and clarifications are made in the final rule:

1. The statement in the preamble to the proposal that the Board plans to receive notifications of transportation accidents in all modes is withdrawn. The Board does not intend to increase or duplicate the accident reporting requirements of other Federal agencies, except where earlier notifications may be required to carry out the Board's investigative responsibilities. Any future proposal will be coordinated with the regulatory agency directly concerned, as with the Federal Railroad Administration in this instance, to avoid dual reporting requirements wherever possible.

2. A note is added to § 840.3 which references the Federal Railroad Administration's requirements for immediate reporting of certain accidents/incidents (49 CFR 225.9). The Administration has agreed to amend its regulation to provide for telephonic reporting to the Board's accident notification center. This arrangement will permit the first report of certain railroad accidents to serve the purposes of both agencies. However, it should be noted that the Administration has additional reporting requirements.

3. The definition of "accident" in § 840.2(2) is modified for greater specificity as follows: " 'Accident' means any collision, derailment, or explosion involving railroad trains, locomotives, or cars; or any other loss-causing event involving the operation of such railroad equipment that results in a fatality or the emergency evacuation of persons."

4. In § 840.3(a)(3), the reporting criterion for property damage in passenger train accidents is increased to $10,000 for damage to railroad and nonrailroad property. This change is intended to avoid the reporting of equipment failures that are inconsequential in terms of transportation safety.

5. With respect to joint operations, the rule in § 840.3(b) is changed to read as follows: "Accidents involving joint operations must be reported by the railroad that controls the track and directs the movement of trains where the accident occurs." This change is intended to place the reporting responsibility in each accident on the railroad which is in the best position to furnish the information required.

In response to other comments, the Board's notification rule contemplates the reporting of all fatalities related to the operation of trains, locomotives, and cars. Where there is no evidence that the accident is related to the operation of a railroad, the accident need not be reported.

The Board recognizes that the property damage reported will necessarily be gross estimates based on the best information available from a preliminary survey made on the scene immediately after an accident. Accidents occurring on railroad trackage located inside an installation which is not part of the general railroad system of transportation, such as an industrial plant site, are not contemplated within the Board's notification rule.

The reporting of railroad accidents involving hazardous materials is required where such accidents meet the specified criteria in § 840.3 of the Board's notification rule. The Board has no intention to preempt any State or local requirements for accident reporting.

Accordingly, the National Transportation Safety Board has adopted 49 CFR 840 as set forth below:

PART 840—RULES PERTAINING TO NOTIFICATION OF RAILROAD ACCIDENTS

§ 840.1 Applicability.

This part contains the notification requirements for certain railroad accidents which are to be investigated by the National Transportation Safety Board (Board) under the authority of section 304(a)(1)(C) of the Independent Safety Board Act of 1974 (49 U.S.C. 1903).

§ 840.2 Definitions.

As used in this part, the following words or phrases are defined as follows:

(a) "Railroad" means any system of surface transportation of persons or property over rails. It includes, but is not limited to, line-haul freight and passenger-carrying railroads, and rapid transit, commuter, scenic, subway, and elevated railways.

(b) "Accident" means any collision, derailment, or explosion involving railroad trains, locomotives, and cars; or any other loss-causing event involving the operation of such railroad equipment that results in a fatality or the emergency evacuation of persons.

(c) "Joint operations" means rail operations conducted on a track used jointly or in common by two or more railroads subject to this part, or operation of a train, locomotive, or car by one railroad over the track of another railroad.

(d) "Fatality" means the death of a person either at the time an accident occurs or within 24 hours thereafter.

§ 840.3 Notification of railroad accidents.

(a) A railroad shall notify the Board in the manner prescribed by paragraph (c) at the earliest practical moment after the occurrence of an accident which results in—

(1) A fatality; or

(2) Damages of $500,000 or more to railroad and nonrailroad property; or

(3) Involvement of a passenger train and damages of $10,000 or more to railroad and nonrailroad property.

(b) Accidents involving joint operations must be reported by the railroad that controls the track and directs the movement of trains where the accident has occurred.

(c) Each notification required by paragraph (a) of this section shall be made by (toll-free) telephone to the Board at Area Code 800-424-0201.

NOTE.—The Federal Railroad Administration authorizes use of this telephone number to comply with its requirements for immediate reporting of certain railroad accidents/incidents under 49 CFR 225.9.

§ 840.4 Information to be given in notification.

The notice required by § 840.3 shall include the following information:

(a) Name and title of person reporting.

(b) Name of railroad.

(c) Location of accident (relate to nearest city).

(d) Time and date of accident.

(e) Description of accident.

(f) Casualties—

(1) Fatalities.

(2) Injuries.

(g) Property damage (estimate).

(h) Name and telephone number of person from whom additional information may be obtained.

Approved by the National Transportation Safety Board on March 26, 1976.

Effective date: April 1, 1976.

Signed at Washington, D.C., March 26, 1976.

[SEAL] WEBSTER B. TODD, Jr.,
Chairman.

[FR Doc.76-9352 Filed 3-31-76;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

[Amdt. No. 3 to S.O. No. 1202]

PART 1033—CAR SERVICE

Missouri-Kansas-Texas Railroad Company Authorized To Operate Over Tracks of the Chicago, Rock Island and Pacific Railroad Company

MARCH 26, 1976.

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 24th day of March, 1976.

Upon further consideration of Service Order No. 1202 (39 F.R. 40765 and 40 F.R. 14318 and 43914), and good cause appearing therefor:

It is ordered, That:

§ 1033.1202 Missouri - Kansas - Texas Railroad Company authorized to Operate over tracks of the Chicago, Rock Island and Pacific Railroad Company.

Service Order No. 1202 be, and it is hereby, amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., September 30, 1976, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., March 31, 1976.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 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 a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C. and filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board, members Lewis R. Teeple, Thomas J. Byrne, and William J. Love.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-9360 Filed 3-31-76;8:45 am]

[Ex Parte No. 55 (Sub-No. 20)]

PART 1003—LIST OF FORMS

New Applications To Effect Transfers or Changes

● Purpose: The purpose of this notice is to inform the public of the issuance of the new application form to be used to effect transfers or changes in control arising under Sections 206, 211 and 212 of the Interstate Commerce Act, which will be effective on May 1, 1976, and that after such date filings using the old forms may have to be returned for insufficiency. ●

In the matter of the revision and consolidation of application forms designated OP-M-100 and OP-M-110 (formerly BF-200 and BF-201), and the issuance of new application form OP-FC-1 in lieu thereof, for the transfer or lease of motor carrier operating authorities and brokers' licenses, and for the change in control of corporations or associations holding brokers' licenses.

This notice is directly related to notices in Ex Parte No. 55 (Sub-Nos. 20A, 20B and 20C) previously published in the FEDERAL REGISTER on January 8, 1976, wherein the Interstate Commerce Commission uniformly amended its rules and regulations governing (1) the filing of applications for certain transfers of operating rights and stock control, (2) the procedures under which such matters are disposed of, and (3) the fees to be charged in the filing of multiple applications related to a proposed transfer of operating authority.

The consolidation of forms OP-M-100 and OP-M-110 is necessary because much duplicative information is required in both forms, and the Commission, its field offices, and attorneys regularly engaged in such filings were required to maintain separate supplies. Also, parties filing such applications frequently filed on the wrong form, or neglected in some instances to file both forms.

Revision of the forms is mandatory because this Commission has determined that notice to the public of proposed transfers under Sections 206, 211, 212, as well as those under Sections 312 and 410 of the Act will be published in the FEDERAL REGISTER, and consequently the policy of publishing synopses of affirmative orders has been discontinued. Moreover, the revised form permits applicants to seek and demonstrate a need for tacking the operating rights sought to be transferred with those of the acquiring carrier, pursuant to the rules and regulations promulgated in *Gateway Elimination,* 119 M.C.C. 562 (1974), and to afford interested parties an opportunity to protest proceedings pending with the Commission before a decision is reached. It is anticipated that this procedure will result in more informed and equitable decisions of first impression by the Motor Carrier Board.

Upon this Commission's request the United States General Accounting Office, pursuant to Section 409 of Public Law 93-153, reviewed and gave clearance for the use of Form OP-FC-1 on March 12, 1976.

Issued in Washington, D.C.

It is ordered, That application forms OP-M-100 and OP-M-110, formerly BF-200 and BF-201, respectively, be and they are hereby, superseded by form OP-FC-1 as set forth in the Appendix[1] hereto.

(Secs. 204, 206, 207, 209, 211, and 212(b), 49 U.S.C. 304, 306, 307, 309, 311, and 312).

It is further ordered, That § 1003.1 of Subchapter A of Chapter X of Title 49 of the Code of Federal Regulations be, and it is hereby modified by deleting therefrom the paragraphs headed OP-M-100 and OP-M-110, and substituting therefor the following:

§ 1003.1 [Amended]

(a) * * *

OP-FC-1

Applications arising in proceedings other than Section 5 of the Interstate Commerce Act (A) for transfer or lease of (1) motor carrier Certificates of Registration issued pursuant to section 206 of the Act, (2) motor common and contract carrier operating rights issued pursuant to Sections 207 and 209 of the Act, and (3) brokers' licenses issued pursuant to Section 211 of the Act; and (B) for approval of a change in control of a company holding a broker's license.

CROSS REFERENCES: Parts 1045, 1132 and 1133 of this chapter.

* * * * *

And it is further ordered, That this order shall become effective May 1, 1976, and notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission, Washington, D.C., for inspection and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

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[1] Filed as part of the original document.

Title 50—Wildlife and Fisheries

CHAPTER I—UNITED STATES FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 17—ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Snail Darter

Background. On December 16, 1975, the United States Fish and Wildlife