

- MC 141709, West Bros., Inc., now being assigned September 21, 1976 (1 day), at Kansas City, Mo., in a hearing room to be later designated.
- MC 136375 Sub 11, Donco Carriers, Inc., now being assigned September 22, 1976 (1 day), at Kansas City, Mo., in a hearing room to be later designated.
- MC 128273 Sub 215, Midwestern Distribution, Inc., now being assigned September 23, 1976 (2 days), at Kansas City, Mo., in a hearing room to be later designated.
- MC 64808 (Sub-No. 22), W. S. Thomas Transfer, Inc., application dismissed.
- MC 125433 (Sub-No. 71), F-B-Truck Lines Company, now assigned July 23, 1976, at San Francisco, Calif. is canceled and application dismissed.
- MC 141045 (Sub 1), Park City Coach Service, Inc. now assigned July 26, 1976 (1 week), at Hartford, Connecticut and will be held in Room 134, Federal Office Building, 150 Main Street.
- MC 130140 (Sub 1), Connecticut Tours, Inc., now assigned July 22, 1976 (2 days), at Hartford, Connecticut and will be held in Room 201, U.S. Post Office Building, 135 High Street.
- MC-F 12498, CRST, Inc.—Purchase (Portion)—Lee Bros., Inc. now assigned August 24, 1976 (4 days), at the Offices of the Interstate Commerce Commission in Washington, D.C.
- MC 2860 Sub 86, National Freight, Inc., Extension—Florida, now being assigned July 28, 1976, at the Office of the Interstate Commerce Commission, Washington, D.C.
- MC 123048 Sub 334, Diamond Transportation System, Inc., now being assigned September 16, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.
- MC 135684 Sub 16, Bass Transportation Co., Inc., now being assigned September 9, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.
- MC 115841 Sub 506, Colonial Refrigerated Transportation, Inc., now being assigned September 13, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

ROBERT L. OSWALD,
Secretary.

[FR Doc. 76-18022 Filed 6-18-76; 8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 16, 1976.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the Federal Register.

FSA No. 43180—*Bituminous Coal from Kentucky, Virginia and West Virginia Mines*. Filed by M. B. Hart, Jr., Agent, (No. A6345), for interested rail carriers. Rates on bituminous coal, in carloads, as described in the application, from Kentucky, Virginia and West Virginia Mines, to Woodward and Mt. Meigs, Alabama.

Grounds for relief—Market competition and restoration of origin rate relationship.

Tariffs—Supplements 4 and 42 to The Chesapeake and Ohio Railway Company tariffs 575-P and 3084-E, I.C.C. Nos. 14349 and 14208, respectively. Rates are published to become effective on July 17, 1976.

FSA No. 43181—*Joint Water-Rail Container Rates—Zim Israel Navigation Co., Ltd.* Filed by Zim Israel Navigation Co., Ltd., (No. 11), for itself and interested rail carriers. Rates on general commodities, from ports in the Mediterranean Sea, to railroad terminals at U.S. Gulf Coast ports.

Grounds for relief—Water competition.

Tariff—Zim Israel Navigation Co., Ltd., tariff I.C.C. No. 9, F.M.C. No. 41. Rates are published to become effective on July 26, 1976.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc. 76-18024 Filed 6-18-76; 8:45 am]

[Notice No. 278]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

The following publications include motor carrier, water carrier, broker, and freight forwarder transfer applications filed under section 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act.

Each application (except as otherwise specifically noted) contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application.

Protests against approval of the application, which may include a request for oral hearing, must be filed with the Commission on or before July 21, 1976. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest must be served upon applicants' representative(s), or applicants (if no such representative is named), and the protestant must certify that such service has been made.

Unless otherwise specified, the signed original and six copies of the protest shall be filed with the Commission. All protests must specify with particularity the factual basis, and the section of the Act, or the applicable rule governing the proposed transfer which protestant believes would preclude approval of the application. If the protest contains a request for oral hearing, the request shall be supported by an explanation as to why the evidence sought to be presented cannot reasonably be submitted through the use of affidavits.

The operating rights set forth below are in synopsis form, but are deemed sufficient to place interested persons on notice of the proposed transfer.

No. MC-FC-76542, filed June 14, 1976. Transferee: Neil Barglund, doing business as Barglund Trucking, P.O. Box 531, Wuinnesec, Michigan. Transferor: Herman Schomer, doing business as Schomer Trucking, 715 River Street, Iron Mountain, Michigan. Applicant's representative: Robert W. Hansley, Attorney-at-Law, 120 North 6th Street, Escanaba, Michigan 49829. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificates Nos. MC 126154 and MC 126154 (Sub-No. 10), issued by the Commission February 3, 1972, and June 18, 1974, as follows: malt beverages and carbonated beverages, from, and to specified points in Wisconsin, Michigan, Minnesota, Indiana, and Illinois; and those set forth in Permit No. MC 114046, issued January 18, 1974, as follows: Beer, empty beer containers, malt beverages, and empty malt beverage containers, from, and to specified points in Michigan, Minnesota, Missouri, and Illinois. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-76549, filed April 29, 1976. Transferee: Herbert S. Watson, Doing Business As Herb's Trucking, Route 1, Box 225, Myrtle Creek, OR 97457. Transferor: D. S. Jacobson Trucking Co., Route 1, Box 84, Riddle, OR 97469. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificate No. MC-140592 Sub 2, issued April 12, 1976, as follows: Abrasive grit (granulated slag), from points in Douglas County, Oregon, to points in California, Oregon, and Washington. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-76554, filed June 7, 1976. Transferee: Faldmo Tours, Inc., 88 West 500 South, Bountiful, Utah 84010. Transferor: Norman W. Faldmo and Erma B. Faldmo, doing business as Faldmo Tours, 88 West 500 South, Bountiful, Utah 84010. Applicants' representative: Norman W. Faldmo, Sr., 88 West 500 South, Bountiful, Utah 84010. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in License No. MC 12981, issued July 28, 1967, as follows: Passengers and their baggage, in special operations, in all expense round trip-tours beginning and ending at points in Davis County, Utah and extending to points in the United States, including Alaska and Hawaii. Transferor is authorized to engage in the above-specified operations as a broker at Bountiful, Utah. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-76574, filed June 4, 1976. Transferee: Gary R. Woempner, doing business as Ace Van & Storage, 3685

Duwamish Avenue South, Seattle, Washington 98134. Transferor: Trans World, Inc., 5802 South Washington Street, Tacoma, Washington 98409. Applicants' representative: Frank R. Kitchell, 3900-1001 Fourth Avenue, Seattle, Washington 98154. Authority sought for purchase by transferee of the operating rights of transferor as set forth in Certificate MC-127184 issued April 24, 1968, as follows: Household goods, Between Seattle, Wash., and Portland, Oreg. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-18023 Filed 6-18-76;8:45 am]

[Notice No. 277]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JUNE 21, 1976.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before July 12, 1976. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-76326. By order of June 14, 1976 the Motor Carrier Board approved the transfer to Henry Alderson Austin, doing business as Austin Van and Storage Company, 1 Deaton Street, Bluefield, Virginia 24605, of a portion of the operating rights in Certificate No. MC 102659 issued March 5, 1969, to Harding L. Creasy, Donny R. Creasy, and Glen E. Creasy, doing business as H. L. Creasy & Sons, Bluefield, Virginia, 24605, authorizing the transportation of household goods, as defined by the Commission, between points in that part of Virginia and West Virginia within 100 miles of Pocahontas, Va., including Pocahontas.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-18025 Filed 6-18-76;8:45 am]

[Notice No. 73]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 15, 1976.

The following are notices of filing of applications for temporary authority

under section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 56409 (Sub-No. 8TA), filed May 28, 1976. Applicant: MAJOR TRANSPORT, INC., Box 204, Highway 135 and Airport Road, Pamyra, Wis. 53156. Applicant's representative: David V. Purcell, 111 East Wisconsin Avenue, Milwaukee, Wis. 53202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Grass pellets*, from the plantsites and facilities of Warren's Turf Nursery, Inc., in Jefferson County, Wis., to Toledo, Ohio and points in Alabama, Arkansas, Georgia, Maryland, Massachusetts and Pennsylvania; and (2) *agricultural machinery, implements, attachments, parts and accessories; shipper owned trailers, and equipment, materials, and supplies* used in the growing, harvesting, processing or distribution of the commodities described in (1) above, and *ingredients thereof*, from points in the United States (except Alaska and Hawaii) to the points in the United States (except Alaska and Hawaii), restricted to traffic originating at or destined for the plantsites, facilities or franchise growers of Warren's Turf Nursery, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Warren's Turf Nursery, Inc., 8400 West 111th Street, Palos Park, Ill. 60464. Send protests to: John E. Ryden, District Supervisor, Interstate Commerce Commission,

Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 109397 (Sub-No. 328TA), filed May 26, 1976. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: Max G. Morgan, Suite 223 Ciudad Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* bearing a Security Classification by the United States Government, between Sufield, Ohio, on the one hand, and Oak Ridge National Laboratories, Tenn., on the other, for 180 days. Supporting shipper: Goodyear Aerospace Corp., Akron, Ohio 44315. Send protests to: District Supervisor John V. Barry, Rm. 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 129927 (Sub-No. 2TA), filed June 2, 1976. Applicant: JAMERSON BROTHERS TRUCKING COMPANY, INC., P.O. Box 205, Appomattox, Va. 24522. Applicant's representative: William F. King, Suite 400, Overlook Bldg., 6121 Lincolnia Road, Alexandria, Va. 22312. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, moving in containers or trailers, and *empty containers, chassis and trailers*, between the site of the plant of Armstrong Furniture Division of Thomasville Furniture Industries, Inc., at or near Appomattox, Va., on the one hand, and, on the other, Danville, Lynchburg, Norfolk, Portsmouth, Hampton and Newport News, Va. Restriction: (1) The operations authorized above are restricted to the transportation of shipments having a prior or subsequent movement by rail or water. (2) The operations authorized above are limited to a transportation service to be performed under a continuing contract of contracts, with Armstrong Furniture Division of Thomasville Furniture Industries, Inc., of Appomattox, Va. Supporting shipper: Armstrong Furniture Division, Thomasville Furniture Industries, Inc., P.O. Box 848, Appomattox, Va. 24522. Send protests to: Danny R. Beeler, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 210, Roanoke, Va. 24011.

No. MC 133494 (Sub-No. 11TA), filed May 27, 1976. Applicant: E. W. BELCHER TRUCKING, INC., 201 Dallas Drive, Denton, Tex. 76201. Applicant's representative: William D. Lynch, P.O. Box 912, 1003 W. 6th St., Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dried bakery products*, not for human consumption, in hopper or tank type trailers from Dallas, Tex., to points in Mississippi, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Ray Diaz, Operations Manager, Dext, A Division of Scope Products, Inc., 3915 Halfax St., Dallas, Tex. 75247. Send protests to: Harold C. Morrison, Sr., D/S, Interstate Commerce Commission,

Room 9A27 Federal Building, 819 Taylor Street, Fort Worth, Tex. 67102.

No. MC 133796 (Sub-No. 30TA) filed May 27, 1976. Applicant: GEORGE APPEL, 249 Carverton Road, Trucksville, Pa. 18708. Applicant's representative: Joseph F. Hoary, 121 S. Main Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Displays or floats* to be used in the bicentennial celebration, (1) from Los Angeles, Calif. to New York, N.Y.; (2) from Los Angeles, Calif. to Boston, Mass.; (3) between New York, N.Y. and Boston, Mass.; (4) from New York, N.Y. to Philadelphia, Pa.; (5) from Philadelphia, Pa. to San Francisco, Calif.; and (6) from San Francisco, Calif. to Los Angeles, Calif., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: N. S. A. (Nichiren Shoshu Academy), P.O. Box 1427, 525 Wilshire Blvd. Santa Monica, Calif. 90406. Send protests to: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 314 U.S. Post Office Bldg., Scranton, Pa. 18503.

No. MC 89684 (Sub-No. 94TA), filed May 28, 1976. Applicant: WYCOFF COMPANY, INCORPORATED, 560 South 300 West, Salt Lake City, Utah 84110. Applicant's representative: Harry D. Pugsley, Suite 400, 315 East 2nd South, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, household furniture, Classes A and B explosives and those requiring special equipment by reason of size or weight), between the facilities of Frontier Air Lines, Stapleton International Airport at Denver, Colo., on the one hand, and, on the other hand the following air terminals: Vernal Municipal Airport, Vernal, Utah; Jackson Hole Airport, Jackson, Wyo.; Rock Springs City-County Airport, Rock Springs, Wyo.; General Brees Field, Laramie, Wyo.; Yampa Valley Airport, Hyden, Colo.; and Walker Field, Grand Junction, Colo., for 180 days. A Supporting shipper: Frontier Airlines, Inc., 8250 Smith Road, Denver, Colo. 80207. Send protests to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Bldg., 125 South State Street, Salt Lake City, Utah 84138.

No. MC 135007 (Sub-No. 53TA) filed May 27, 1976. Applicant: AMERICAN TRANSPORT, INC., 7850 "F" Street, Omaha, Nebr. 68127. Applicant's representative: Charles J. Kimball, 350 Capitol Life Center, 1600 Sherman Street, Denver, Colo. 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* from the plantsite and storage facilities utilized Stouffer Foods, a Division of The Stouffer Corporation, at Solon and Cleveland, Ohio to points

in California, under a continuing contract with Stouffer Foods, Division of the Stouffer Corporation, for 180 days. Supporting shipper: Stouffer Foods, Division of the Stouffer Corporation, Ronald L. Fugo Distribution Supervisor, 5750 Harper Road, Solon, Ohio 44139. Send protests to: District Supervisor Carroll Russell, Suite 620 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 135185 (Sub-No. 29TA), filed May 24, 1976. Applicant: COLUMBINE CARRIERS, INC., 5925 East Evans Ave., P.O. Box 22198, Denver, Colo. 80222. Applicant's representative: Charles J. Kimball, 350 Capitol Life Center, 1600 Sherman St., Denver, Colo. 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (A) *Drugs, medicines, cosmetics, plastic boxes, weed killing compounds* and animal and poultry feed supplements (except in bulk), (1) from the plantsites, warehouses and facilities used by Eli Lilly & Co. located at or near Roanoke, Va., and Indianapolis, Lafayette and Clinton, Ind., to points in Washington, Oregon, California, Idaho, Utah, Arizona, Montana, New Mexico, and Nevada; and (2) from the plantsites, warehouses and facilities used by Eli Lilly & Co. at or near Roanoke, Va. and Clinton, Ind., to points in Colorado and Wyoming; and (B) *materials and supplies* used in the manufacture and production of, and *rejected and/or damaged shipments of the commodities named in (A) above* (except in bulk), (1) from points in Washington, Oregon, California, Idaho, Utah, Arizona, Montana, New Mexico, and Nevada, to the plantsites, warehouses and facilities used by Eli Lilly & Co. at or near Roanoke, Va., and Indianapolis, Lafayette and Clinton, Ind.; and (2) from points in Colorado and Wyoming, to the plantsites, warehouses and facilities used by Eli Lilly & Co. at or near Roanoke, Va. and Clinton, Ind., under a continuing contract, or contracts with Eli Lilly & Co., for 180 days. Supporting shipper: Eli Lilly and Company, Indianapolis, Ind. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 721 19th St., Denver, Colo. 80202.

No. MC 136318 (Sub-No. 42TA), filed May 28, 1976. Applicant: COYOTE TRUCK LINE, INC., P.O. Box 756, Thomasville, N.C. 27360. Applicant's representative: David R. Parker, 1600 Broadway, 2310 Colorado State Bank Bldg., Denver Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and furnishings*, from points in Los Angeles, Orange, Riverside and Ventura Counties, Calif., to Phoenix, Ariz.; Denver, Colo.; Hartford, Conn.; Claymont, Del.; Fort Lauderdale, Miami, Orlando and Tampa, Fla.; Atlanta and College Park, Ga.; Calumet City, Hillside and Rolling Meadows, Ill.; Indianapolis, Ind.; Kansas City, Kans.; Harahan, La.; Camp

Springs, Glen Burnie, Rockville, and Timonium, Md.; Burnsville and St. Paul, Minn.; Hazelwood, Mo.; Cherry Hill and Fairfield, N.J.; Farmingdale, and Long Island, N.Y.; Greensboro, N.C.; Columbus, Dayton and Springdale, Ohio; Oklahoma City, Okla.; Portland, Oreg.; Allentown, King of Prussia, and Langhorne, Pa.; Memphis, Tenn.; Dallas, El Paso, Fort Worth, Houston and San Antonio, Tex.; Salt Lake City, Utah; Falls Church, Va.; Seattle, Wash.; and Wauwatosa, Wis., restricted to traffic destined to the facilities of Levitz Furniture Corporation, under a continuing contract, or contracts with Levitz Furniture Corporation, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Levitz Furniture Corporation, 1317 N.W. 167th St., Miami, Fla. 33169. Send protests to: District Supervisor Terrell Price, Interstate Commerce Commission, Bureau of Operations, 800 Briar Creek Rd., Rm. CC516, Mart Office Bldg., Charlotte, N.C. 28205.

No. MC 136318 (Sub-No. 41TA), filed May 28, 1976. Applicant: COYOTE TRUCK LINE, INC., P.O. Box 756, Thomasville, N.C. 27360. Applicant's representative: David R. Parker, 1600 Broadway, 2310 Colorado State Bank Bldg., Denver, Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Hickory, N.C., to points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, restricted to traffic originating at the facilities utilized by Thomasville Furniture Industries, Inc., under a continuing contract, or contracts with Thomasville Furniture Industries, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper, Thomasville Furniture Industries, Inc., P.O. Box 339, Thomasville, N.C. 27360. Send protests to: District Supervisor Terrell Price, Interstate Commerce Commission, Bureau of Operations, 800 Briar Creek Rd., Rm. CC516, Mart Office Bldg., Charlotte, N.C. 28205.

No. MC 136512 (Sub-No. 10TA), filed June 4, 1976. Applicant: SPACE CARRIERS, INC., 444 Lafayette Road, St. Paul, Minn. 55101. Applicant's representative: James E. Ballenthin, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clothing, fabric* (synthetic or otherwise) and *machinery, materials, equipment, supplies, advertising materials, and packaging* used in the manufacture, distribution, and sale of clothing and fabric between Minneapolis and St. Paul, Minn.; Tulsa, Hominy, and Pawnee, Okla.; Salisbury, Farmington, and St. Louis, Mo.; and Dallas and Paris, Tex. Supporting shipper: Munsingwear, Inc., 718 Glenwood Ave-

nue, Minneapolis, Minn., 55405. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 138104 (Sub-No. 33TA), filed June 1, 1976. Applicant: MOORE TRANSPORTATION CO., INC., 3509 N. Grove Street, Fort Worth, Tex. 76106. Applicant's representative: Billy Keck (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Reinforcing wire mesh, iron, or steel and reinforcing bars, iron or steel*, from the plantsite and storage facilities of Foundation Steel and Wire Co., Houston, Tex., to points in Arkansas, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, and Tennessee. Supporting shipper: Walter R. Morris, Foundation Steel and Wire Co., 350 West 26th Street, Houston, Tex. 77008. Send protests to: H. C. Morrison, Sr., District Supervisor, Interstate Commerce Commission, Room 9A27, Federal Bldg., 819 Taylor St., Fort Worth, Tex. 76102.

No. MC 141297 (Sub-No. 1TA) (Amendment), filed March 29, 1976, published in the FEDERAL REGISTER issues of April 21, 1976 and May 25, 1976, republished as amended this issue. Applicant: UNITED INDUSTRIES, INC., 487 Parish St., Houston, Miss. 38851. Applicant's representative: W. DeWayne Griffin (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Furniture*, from the plantsites of Shannon Chair Co., Houston, Miss., and Maben Manufacturing Co., Maben, Miss., to points in Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, Maryland, Pennsylvania, New Jersey, New York, Ohio, Michigan, Indiana, Kentucky, Tennessee, Illinois, Iowa, Wisconsin, Minnesota, Nebraska, Kansas, Arkansas, Oklahoma, Texas, Louisiana, New Mexico, Arizona, California, Massachusetts, Colorado, Connecticut, the District of Columbia, Missouri, and West Virginia, under a continuing contract with Shannon Chair Company, and Maben Manufacturing Company, for 180 days. Supporting shipper: Shannon Chair Company, 1st Ave. North, Houston, Miss. 38851. Maben Manufacturing Company, 375 Oswalt Drive, Maben, Miss. 39750. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Room 212, 145 East Amite Bldg., Jackson, Miss. 39201. The purpose of this amendment is to add 12 additional states to the territorial description.

No. MC 141640 (Sub-No. 3TA), filed June 1, 1976. Applicant: JOHN THOMAS LOUDERMILK, doing business as D & T TRANSPORT, R.R. No. 4, Box 54A, Mooresville, Ind. 46158. Applicant's representative: Stephen M. Gentry, 5700 West Minnesota St., Indianapolis, Ind. 46241. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Molten*

aluminum in shipper owned containers, from the plantsite of the Anaconda Company, Aluminum Division, located at or near Sebree, Ky., to Huntingdon, Tenn. Supporting shipper: The Anaconda Company, Aluminum Division, First National Tower, Louisville, Ky. 40201. Send protests to: Fran Sterling, Interstate Commerce Commission, Federal Bldg. and U.S. Courthouse, 46 East Ohio Street, Room 429, Indianapolis, Ind. 46204.

No. MC 141654 (Sub-No. 4TA), filed May 28, 1976. Applicant: J. A. DADY, doing business as J. A. DADY, Box 40, Sisseton, S. Dak. 57262. Applicant's representative: J. Michael Dady, 4200 IDS Center, 80 South Eighth St., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beer and malt beverages*, from LaCrosse, Wis., to Madison, Watertown, and Sisseton, S. Dak., and from St. Louis, Mo., to Madison, S. Dak., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: Madison Grain Belt, Inc., 217 Southwest First Street, Madison, S. Dak. 57042; Estwick Distributing Inc., 113 West Oak, Sisseton, S. Dak. 57262; and Watertown Beverage Co., Watertown, S. Dak. 57201. Send protests to: District Supervisor J. L. Hammond, Interstate Commerce Commission, Bureau of Operations, Rm. 369, Federal Bldg., Pierre, S. Dak. 57501.

MC 142046TA (Correction), filed May 10, 1976, published in the FEDERAL REGISTER issue of May 27, 1976, and republished as corrected this issue. Applicant: TELMAR TRANSPORT LIMITED, 8267 Le Creusot, St. Leonard, Quebec, Canada HIP 2A2. Applicant's representative: John F. O'Donnell, P.O. Box 238, Milton, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, moving in ISO (International Standard Organization), 20' ocean containers (The term ISO Container used in this application means an intermodal container not equipped with running gear for use on the highway), between the port of entry on the International Boundary line between the United States and Canada, at or near Champlain, N.Y., and Highgate Springs, Vt., on the one hand, and, on the other, Merrimack, N.H.; Brattleboro, Vt.; Windham and Meriden, Conn.; and points in Massachusetts. Restricted to traffic having a prior or subsequent movement by water through a Canadian Port, for 180 days. Supporting shippers: International Silver Company, Meriden, Conn.; Washington Mills Abrasive Co., North Grafton, Mass.; M. S. Walker Inc., Boston, Mass. 02118; Masters and Merrill Inc., Everett, Mass., 02149; Polyvinyl Chemical Industries (Div. Veatrice Foods), Wilmington, Mass.; The Kendall Company, Boston, Mass. 02110; BASF Systems, Inc., Bedford, Mass. 01730; Boise Cascade (Specialty Paperboard Div.), W. R. Grace Company—Industrial Chemicals Group European Div, Cam-

bridge, Mass. 02138; BTU Engineering, North Bellerica, Mass. 01862; Cast North American Limited, Montreal, Quebec, Canada H3Z 2R5. Send protests to: District Supervisor David A. Demers, Interstate Commerce Commission, Bureau of Operations, P.O. Box 548, 87 State Street, Montpelier, Vt. 05602.

NOTE.—The purpose of this correction is to indicate the addition of "on the one hand, and, on the other"; the city of "Merrimack", N.H.; and "points in Massachusetts", which was inadvertently omitted.

No. MC 142071TA, filed May 19, 1976. Applicant: AMERICAN TERMINALS, INC., 1187 N. Kraemer, Anaheim, Calif. 92806. Applicant's representative: Stanley R. Gustafson, Suite 909, 333 S. Flower St., Los Angeles, Calif. 90071. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Swimming pool and flooring glazed and quarried tile products and related bonding materials*: (1) between the plantsite of Quality Marble and Tile Company, located in Atlanta, Ga.; Baltimore, Md.; Dallas, Tex.; Englewood, Colo.; Lenexa, Kans.; Phoenix Ariz.; and Anaheim, Sacramento, San Diego, North Hollywood, and San Leandro, Calif.; (2) to the plantsites of Quality Marble and Tile Company as described in (1) above, from the plantsites of U.S. Ceramics located in Houston, Miss., and Canton, Ohio; (3) to the plantsites of Quality Marble and Tile Company as described in (1) above, from the plantsite of Chicago Mastics located in Hamilton, Ohio; (4) to the plantsites of Quality Marble and Tile Company as described in (1) above, from Miami, Fla.; Mobile, Ala.; and San Francisco, Oakland, Los Angeles, San Pedro, and Long Beach, Calif.; (5) this authority is restricted to preclude transportation between points in California, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Quality Marble and Tile Company, Division of E. L. Bruce, Inc., 11961 Vose Street, North Hollywood, Calif. 91605. Send protests to: District Supervisor Philip Yallowitz, Interstate Commerce Commission, Bureau of Operations, Room 1321, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 142101TA, filed May 24, 1976. Applicant: JAMES BROOMALL, doing business as BROOMALL TRUCKING, 5313 Waldo Place, Los Angeles, Calif. 90041. Applicant's representative: James Broomall (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery goods and supplies* between Los Angeles, Calif., and points of Phoenix, Tucson, Tempe, Scottsdale, and Mesa, Ariz., with the pickup and delivery of *empty pallets*, the same points under a continuing contract with California Milling Corp., for 180 days. Supporting shipper: California Milling Corp., 1861 E. 55th St., Los Angeles, Calif. Send protests to: Walter W. Strakosch, District Supervisor, Interstate

Commerce Commission, Bureau of Operations, Room 1321, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 142106TA, filed May 4, 1976. Applicant: VIP COMMUTER CORPORATION, 14810 Danville Road, Dale City, Va. 22193. Applicant's representative: Sylvanus Garnet Bent (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and baggage* to points in Prince William County, and Washington, D.C. for 180 days. Supporting shipper: There are approximately 10 statements of support attached to the application which may be examined at the Interstate Commerce Commission, in Washington, D.C., or copies thereof which may be examined at the field office names below. Send protests to: Interstate Commerce Commission, 12th & Constitution Avenue N.W., Room B-317, W. C. Hersman, District Supervisor, Washington, D.C. 20423.

No. MC 142113TA, filed June 2, 1976. Applicant: CHESTER A. RICHMOND, doing business as RICHMOND CARTAGE, P.O. Box 337, Craigsville, W. Va. 26205. Applicant's representative: John M. Friedman, 2930 Putnam Avenue, Hurricane, W. Va. 25526. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Charleston, W. Va., and Marlinton, W. Va.: From Charleston, W. Va., over U.S. Highway 119 to junction with Interstate Highway 79, thence over Interstate Highway 79 to junction with U.S. Highway 19 at Sutton, W. Va., thence over U.S. Highway 19 to junction with West Virginia Highway 41, thence over West Virginia Highway 41 to junction with West Virginia Highway 20, thence over West Virginia Highway 20 to junction with West Virginia Highway 39, thence over West Virginia Highway 39 to junction with U.S. Highway 219, thence over U.S. Highway 219 to Marlinton, W. Va., and return over the same routes, serving all intermediate and off-route points, on and in connection with above described routes, all points on

the designated highways between Sutton, W. Va. (except Sutton and Marlinton, W. Va., and points in Greenbrier, Nicholas, Pocahontas, and Webster Counties).

No. MC 142114 TA, filed June 1, 1976. Applicant: RETAIL EXPRESS, INC., 9 Stuart Road, Chelmsford, Mass. 01824. Applicant's representative: Francis J. Ortman, 7101 Wisconsin Ave., Suite 605, Washington, D.C. 20014. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* as are dealt in by retail department stores, from the distribution center of King's Department Stores, Inc., to all King's Department Stores, located at points in Ohio, Indiana, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, Kentucky, Tennessee, Massachusetts, Connecticut, Maine, New Hampshire, and Vermont, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: King's Department Stores, Inc., Paul J. Kwasnick, President, 150 California Street, Newton, Mass. 02158. Send protests to: D. W. Hammons, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 150 Causeway St., Room 501, Boston, Mass. 02114.

No. MC 142115 TA, filed June 1, 1976. Applicant: PIKE'S LIMITED, P.O. Box 215, Stephenville, Newfoundland, Canada. Applicant's representative: Peter L. Murray, 30 Exchange Street, Portland, Maine 04111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cod oil and fish oil*, in bulk, in tank vehicles, from ports of entry on the International Boundary line between the United States and Canada, located at or near Calais and Houlton, Maine, to points in Massachusetts and New Jersey. Restrictions: The operations authorized are limited to traffic originating in the Province of Newfoundland, Canada, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Munn & Company Limited, T. M. Munn, President, Royal Trust Building, St. John's, Newfoundland, Canada. Send protests to: Donald G. Weiler, District Supervisor, Interstate Commerce Com-

mission, Bureau of Operations, Room 307, 76 Pearl Street, Portland, Maine 04111.

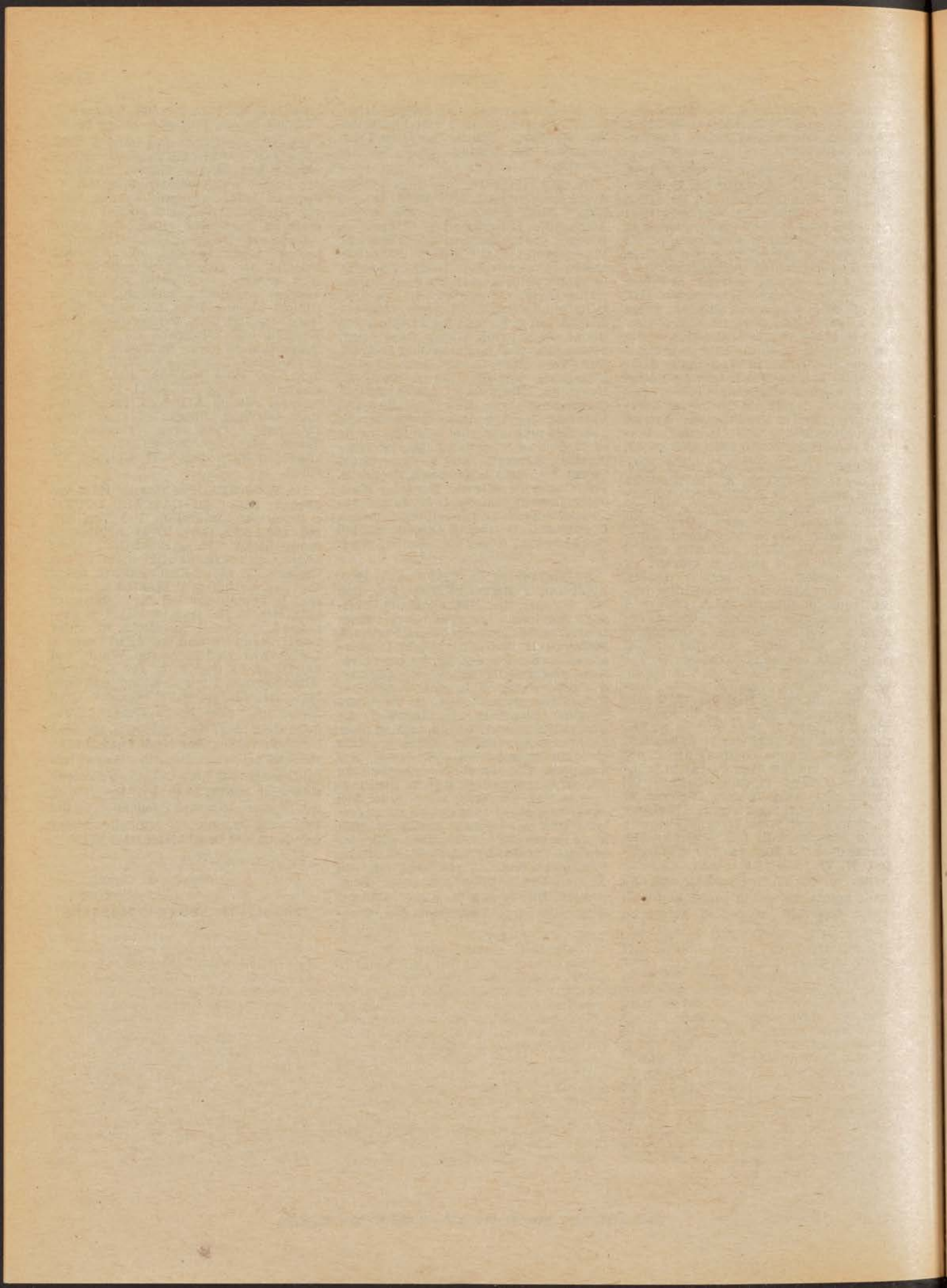
No. MC 132123TA, filed June 2, 1976. Applicant: WELTMEYER & SONS, 14800 S. Vine Avenue, Harvey, Ill. 60426. Applicant's representative: Joseph C. Fregeau, 14752 Spaulding Avenue, Harvey, Ill. 60426. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, or repossessed vehicles, and replacement vehicles*, for such wrecked or disabled vehicles, by wrecker equipment, between points in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, West Virginia, and Wisconsin, for 180 days. Supporting shipper: Hardwood Lumber Corporation, Lawrence R. Miller, President, 100 First National Bank Plaza, Chicago Heights, Ill. 60411. Send protests to: Patricia A. Roscoe, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1386, Chicago, Ill. 60604.

No. W-1306TA, filed May 13, 1976. Applicant: PORT OF CASCADE LOCKS, a municipal corporation, P.O. Box 307, Cascade Locks, Ore. 97014. Applicant's representative: R. L. Rombalski, (same address as applicant). By order of the Commission, Motor Carrier Board, dated this day, authority is granted to applicant to operate for 180 days temporary authority, in the transportation of *passengers*, in special operations, by water vessel, beginning and ending at Cascade Locks, Ore., and Stevenson, Wash., and extending to points on the Columbia River between The Dalles Dam and Corbett, Oregon. Supporting shippers: Grey Lines, Inc., 9038 North Denver, Portland, Ore.; and Kneisel Travel, Inc., 345 N.E. 8th Street, Portland, Ore. 97232. Petition for reconsideration. Any interested party may file a petition for reconsideration within 20 days of the date of this FEDERAL REGISTER publication to the Interstate Commerce Commission, Motor Carrier Board, Washington, D.C. 20423.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-18026 Filed 6-18-76; 8:45 am]



federal register

MONDAY, JUNE 21, 1976



PART II:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**Office of Assistant Secretary
for Consumer Affairs and
Regulatory Functions**

**Office of Assistant Secretary
for Housing Production and
Mortgage Credit**

■

MOBILE HOMES

Procedural and Enforcement Regulations

Title 24—Housing and Urban Development
CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT—FEDERAL HOUSING COMMISSIONER (FEDERAL HOUSING ADMINISTRATION)

[Docket No. R76-340]

PART 280—MOBILE HOME CONSTRUCTION AND SAFETY STANDARDS

Interim Rule—Modular Homes

On December 18, 1975, at 40 FR 58752, the Department of Housing and Urban Development recodified the final rule establishing Federal mobile home construction and safety standards. These standards were established pursuant to Section 604 of the National Mobile Home Construction and Safety Act of 1974, 42 U.S.C. 5403, hereinafter the "Act." The standards became effective on June 15, 1976, and they govern structures that meet the definition of "mobile home" in Section 603(6) of the Act, 42 U.S.C. 5402(6), which follows:

(6) 'mobile home' means a structure, transportable in one or more sections, which is eight body feet or more in width and is thirty-two body feet or more in length, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

On January 22, 1976, at 41 FR 3406, the Department published proposed regulations to govern the enforcement of the standards. The final regulations governing enforcement were published on May 13, 1976, at 41 FR 19846, as 24 CFR 3282. In the preamble to the final enforcement regulations, the Department noted that the enforcement regulations did not address the applicability of the standards or the enforcement system to modular homes which also meet the definition of "mobile home" in the Act.

As noted in that preamble, it has come to the attention of the Department that some structures that have traditionally been considered to be modular homes are now sometimes being manufactured with and transported on permanent chassis similar to those used to transport mobile homes. The Department has carefully examined the Act and its legislative history and has concluded that while it may not have been the intent of Congress to include this new type of modular housing in the definition of "mobile home," this statutory definition cannot fairly be interpreted to exclude such modular homes transported on permanent chassis. If a structure meets the definition of "mobile home" it is governed by the Act, the standards set out at 24 CFR Part 280, and the enforcement regulations at 24 CFR Part 3282, and the fact that it has previously been considered to be a modular home or that it has been manufactured to a modular housing standard rather than a mobile home standard is irrelevant.

The Department acknowledges, however, that at the time it promulgated its final standards, it had not fully considered their impact on structures that had previously been considered modular homes, but that are now being transported in the same manner as mobile homes. The Department also believes that many manufacturers in the modular housing industry have not considered the Act to apply to them and, with some justification, are not yet prepared to manufacture their products to the federal standards.

The Department is aware that modular homes, whether transported on permanent chassis or not, are an approach to housing production which differs significantly from mobile homes. If it were free of the statutory restraints of Section 603(6) of the Act, and if it could fashion a meaningful definition for modular homes that would not adversely affect the scope of its responsibilities for mobile homes under the Act, the Department would exclude homes which are, in fact, modular homes.

Under these circumstances and to avoid a serious and unfair disruption to the modular home industry and the consumers it serves, the Department is hereby publishing for effect on June 15, 1976, a new section 280.7 which temporarily exempts for 150 days from the applicability of the federal standards structures meeting any one of the following requirements:

(a) They meet the following codes published by the Building Officials and Code Administrators (BOCA) and the National Fire Protection Association (NFPA):

1. BOCA Basic Building Code—1975;
2. BOCA Basic Industrialized Dwelling Code—1975;
3. BOCA Basic Mechanical Code—1975;
4. BOCA Basic Plumbing Code—1975; and
5. NFPA National Electrical Code—NFPA 70—1975.

(b) They meet the following codes published by the Southern Building Code Congress and (SBCC) and the NFPA:

1. Southern Standard Building Code—1976;
2. Southern Standard Gas Code—1976;
3. Southern Standard Mechanical Code—1976;
4. Southern Standard Plumbing Code—1975 with 1976 revision; and
5. National Electrical Code—NFPA 70—1975.

(c) They meet the following codes published by the International Conference Building Officials (ICBO) and the NFPA:

1. Uniform Building Code—1973;
2. Uniform Plumbing Code—1973;
3. Uniform Mechanical Code—1975; and
4. National Electrical Code—NFPA 70—1975;

(d) They meet a standard established by a state for modular homes as distinct from mobile homes; or

(e) They are built in accordance with a Federal Housing Authority (FHA) Structural Engineering Bulletin and FHA Minimum Property Standards, and are eligible for long-term financing under Section 203(b) of the National Housing Act, 12 U.S.C. 1701 et seq.

The Department notes that the period during which modular homes will be exempt will be 150 days from June 15, 1976, rather than 90 days, as was indicated in the Preamble to the regulations published on May 15, 1976, at 41 FR 19846. This increase is necessary to allow the Department adequate time in which to obtain and consider public comment and to issue an appropriate final rule with respect to modular homes, and to allow adequate lead time to comply with such a final rule once it is issued.

Normally, the Department would issue this amendment as a proposed rule and would promulgate a final rule only after considering any comments which it received. In this case, however, the Department has determined for the reasons discussed below that this amendment must be issued as a final rule to take effect on June 15, 1976. If the Department were to issue this as a proposed rule and seriously consider any comments received, the rulemaking process would not be concluded before June 15, 1976, the effective date of the Federal standards. If this happened, the mobile home standards would be applicable to the type of modular homes with which this amendment is concerned, and as has been discussed, the Department finds this to be inappropriate, detrimental to the modular housing industry, and contrary to the public interest. Further, modular home manufacturers would be subject to the provisions of 24 CFR Part 3282, though many of them would not be able to meet those provisions because they have not considered their products to be mobile homes and have not made initial preparations. The Department notes that the lack of a formal opportunity for comment in this case is mitigated by the fact that notice of this action was given in the preamble to the final rule published as 24 CFR Part 3282 on May 13, 1976, and by the fact that this is to be an interim rule, and the Department will consider revisions to the new section as soon as possible based on comments received as a result of this notice.

The Department finds, therefore, under 553(b)(B) of the Administrative Procedure Act, 5 U.S.C. 553(b)(B), and 24 CFR 10.5, that notice and public procedure are impracticable and contrary to the public interest in this case. The Department further finds, as required by paragraphs (c) and (e) of section 604 of the Act, 42 U.S.C. 5403(c) and (e), that an earlier effective date than that required by those paragraphs is in the public interest for the reasons stated above. The Department has also found it not to be feasible to consult with the National Mobile Home Advisory Council under 605(b) of the Act, 42 U.S.C. 5404(b). Finally, for the reasons stated, the Department finds, under section 553(d)(3) of the Administrative Procedure Act, 5

U.S.C. 553(d) (3), that this rule must be made effective as of June 15, 1976, though that is less than 30 days from the date it is published.

While this interim rule is being published for final effect, the Department solicits public comment from interested parties. Particularly helpful would be comments addressing the question of whether and how the Act may fairly be read to exclude modular homes transported on permanent chassis, and how, in general, modular homes should be handled under the Act. Written comments should clearly identify the subject matter by the title of this notice and the new section, 24 CFR 280.7. They should be submitted to the Rules Docket Clerk, Office of the Secretary, Department of Housing and Urban Development, 451 Seventh St., S.W., Washington, D.C. 20410. All communications received before August 15, 1976, will be considered before further action is taken with respect to this subject. Comments received after that date shall be considered only as time permits, or shall be considered as petitions for further rulemaking.

All written comments except those determined to be exempt by the Department under 24 CFR Part 15 and under 24 CFR 3282.54, shall be available for public examination at the above address.

The Department has determined that an Environmental Impact Statement is not required with respect to this rule. A copy of the Finding of Inapplicability is available for inspection and copying according to Department rules and regulations during regular business hours at the Office of Mobile Home Standards, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C. 20410.

It is hereby certified that the economic and inflationary impacts of the proposed rule have been carefully evaluated in accordance with OMB circular A-107.

This rule is adopted as an amendment to Chapter II because, at the time of original codification, the Mobile Home Program was the responsibility of the Assistant Secretary for Housing Production and Mortgage Credit whose regulations appear in that Chapter. Since that time the Department has established a new Office of the Assistant Secretary for Consumer Affairs and Regulatory Functions, and new Chapter XX has been adopted. However, there is an urgent need to make this effective in sufficient time for manufacturers of modular homes to know the status of their products prior to June 15, 1976. This schedule requires publication as soon as possible, and since recodification of these standards is not administratively feasible in such a limited time, this amendment is being issued under Chapter II. For this reason it bears the signatures of both the Assistant Secretary for Consumer Affairs and Regulatory Functions as issuing officer and the Assistant Secretary for Housing Production and Mortgage Credit who is responsible for all amendments to Chapter II. It is intended to recodify

these standards under Chapter XX as Part 3280 in the near future.

Accordingly, 24 CFR Part 280, as published on December 18, 1975 (40 FR 58752), as amended, is amended by adding a new § 280.7, which reads as follows:

§ 280.7 Modular homes.

A structure which meets the definition of "mobile home" set out in § 280.2(a) (16) is not subject to the provisions of this part if it enters the first stage of production before 150 days after June 15, 1976 and meets any one of the following criteria:

(a) The structure is manufactured in accordance with and meets the following codes published by Building Officials and Code Administrators (BOCA) and the National Fire Protection Association (NFPA):

- (1) BOCA Basic Building Code—1975;
- (2) BOCA Basic Industrialized Dwelling Code—1975;
- (3) BOCA Basic Mechanical Code—1975;
- (4) BOCA Basic Plumbing Code—1975; and
- (5) National Electrical Code—NFPA 70—1975;

(b) The structure is manufactured in accordance with and meets the following codes published by the Southern Building Code Congress (SBCC) and the NFPA:

- (1) Southern Standard Building Code—1976;
- (2) Southern Standard Gas Code—1976;
- (3) Southern Standard Mechanical Code—1976;
- (4) Southern Standard Plumbing Code—1975, with 1976 revision; and
- (5) National Electrical Code—NFPA 70—1975;

(c) The structure is manufactured in accordance with and meets the following codes published by the International Conference of Building Officials (ICBO) and the NFPA:

- (1) Uniform Building Code—1973;
- (2) Uniform Plumbing Code—1973;
- (3) Uniform Mechanical Code—1973; and
- (4) National Electric Code—NFPA 70—1975.

(d) The structure meets a standard established by a state for modular homes, as distinct from mobile homes as they are defined by the state.

(e) The structure is built in accordance with an FHA Structural Engineering Bulletin and FHA Minimum Property Standards and is eligible for long-term financing under section 203(b) of the National Housing Act, 12 U.S.C. 1701 et seq: Provided, That any aspects of the cited codes or any state codes which are intended to apply to mobile homes, as such codes may define them, are preempted by the comparable aspects of the Federal standards.

(Secs. 604 and 625 of the National Mobile Home Construction and Safety Standards Act of 1974, 42 U.S.C. 5403, 5404, and 7(d) of

the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d))

Effective date: This rule is effective as of June 15, 1976.

CONSTANCE B. NEWMAN,
Assistant Secretary for Consumer Affairs and Regulatory Functions.

DAVID COOK,
Assistant Secretary for Housing Production and Mortgage Credit.

[FR Doc.76-17960 Filed 6-16-76;2:23 pm]

CHAPTER XX—OFFICE OF ASSISTANT SECRETARY FOR CONSUMER AFFAIRS AND REGULATORY FUNCTIONS, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-76-390]

PART 3282—MOBILE HOME PROCEDURAL AND ENFORCEMENT REGULATIONS

Adoption of Safety Standards

On May 13, 1976, the Department of Housing and Urban Development published at 41 FR 19846 the final rule establishing regulations governing the enforcement of the Federal mobile home construction and safety standards. These regulations were issued under section 625 of the National Mobile Home Construction and Safety Standards Act of 1974 (hereafter, the "Act"), 42 USC 5424. They were effective on May 13, 1976.

The Department has determined that it is necessary to issue seven amendments to these regulations, and that these amendments must take effect immediately upon publication. The first amendment adds a new paragraph (a) to § 3282.8 to explain which mobile homes are governed by the regulations. The second changes slightly the definition of "Recreational Vehicle" in § 3282.8 (f). The third amendment replaces paragraph (d) of § 3282.205 to clarify when labels may be placed on mobile homes which enter the first stage of production prior to June 15, 1976. The fourth amendment makes clear that multi-family mobile homes are not covered by the standards or these regulations and that modular homes that are exempt from the standards are not covered by these regulations. The fifth amendment corrects an inadvertent omission in the definition of "mobile home" found in § 3282.7(u). The sixth amendment adds to the transition certification program of section 3282.207 a requirement imposed by section 614(e) of the Act.

The first amendment, to § 3282.8(a), states that these regulations govern (i) all mobile homes that enter the first stage of production on or after June 15, 1976 and (ii) all mobile homes that enter the first stage of production before June 15, 1976 to which labels are affixed. This amendment is consistent with the Department's conclusion that the remedial provisions of the Act apply only to

those mobile homes to which the Federal standards apply. It is necessary to clarify any misunderstandings which may have arisen to the effect that the regulations govern all mobile homes manufactured or in existence as of the effective date of the regulations. It is also necessary to assure that appropriate remedies are available with respect to all mobile homes to which labels are applied under the third amendment, to § 3282.205. Because of the need to clarify this point before the mobile home standards enforcement program formally begins on June 15, 1976, and because of the need to assure that remedies are available with respect to all mobile homes to which the label is affixed, the Department has determined that notice and public procedure are impracticable and contrary to the public interest in this case.

The second amendment to § 3282.8(f) deletes the term "air-conditioning" from the definition of "recreational vehicle". This is being done because certain recreational vehicles that should not be classified as mobile homes contain air conditioning systems that require connection to electrical utilities.

The third amendment, to § 3282.205, states that the labels required by § 3282.362(c)(2), which are the labels obtained from Production Inspection Primary Inspection Agencies (IPIAs) when a manufacturer has obtained all of the Primary Inspection Agency services set forth in subpart H of Part 3282, may be affixed to mobile homes which enter the first stage of production prior to June 15, 1976, if certain requirements are met. Basically, to qualify for such labels prior to June 15, the mobile homes must: (i) be manufactured under the surveillance of IPIA after all required approvals by the Design Approval Primary Inspection Agency (DAPIA) and the IPIA; (ii) the labels must not be affixed to the mobile homes until June 15, 1976; (iii) the manufacturer must pay the monitoring inspection fee required by § 3282.210 for each mobile home so labeled; and (iv) the state where the mobile homes are manufactured must agree to treat the mobile homes as if they had entered the first stage of production on or after June 15, 1976.

This amendment is necessary because the statements in § 3282.205(d) as published are contradictory with respect to whether mobile homes manufactured prior to June 15, 1976, may bear the label. It was intended that such labeling be prohibited, but the word "not" was inadvertently omitted from the last sentence of § 3282.205(d). This resulted in contradictory statements, and the Department received immediate comment on the contradiction. These amendments remove the contradiction.

Some manufacturers, perhaps in response to the Department's proposed enforcement regulations, have already scheduled production to assure that mobile homes which leave the production line on June 15, 1976 will meet the Federal standards. Under these amend-

ments, such mobile homes may still qualify for labels if they meet the requirements of these amendments. Under these amendments, an essentially uniform June 15, 1976 starting date for the mobile home enforcement program is retained, a necessary adjunct to a nationally effective effort. Furthermore, with these amendments, in States able to cooperate manufacturers will be assured of an even longer phase-in period than is otherwise provided for, and consumers will benefit from the extension of the full range of protections to even more mobile homes.

Other alternatives were considered. However, alternatives which would have permitted individual manufacturers to enter the program at any time between now and June 15, 1976, at their option, in the Department's view would have created insurmountable problems for the national mobile home enforcement program and would have unfairly penalized States who justifiably relied upon the June 15, 1976 effective date established in the final Federal standards.

The fourth amendment, by adding § 3282.8(1), excludes multi-family mobile homes. It inserts a provision identical to that found in the proposed enforcement regulations which was inadvertently omitted from the final regulations published on May 13, 1976. By adding § 3282.8(m), the amendment makes it clear that modular homes that are exempt from the standards are not subject to these regulations.

The fifth amendment also corrects an inadvertent omission in the definition of "mobile home" found in section 3282.7(u).

The sixth amendment adds a new paragraph (f) to the transition certification program, § 3282.207. Pursuant to the provisions of section 614(e) of the Act, paragraph (f) requires a manufacturer acting under section 3282.207 to submit copies of designs to the Secretary or the Secretary's agent.

In order that these amendments be effective at all, it is necessary that they take effect immediately upon publication. To allow any meaningful period for public comment would render the amendments meaningless. Furthermore, some comments on these issues, in response to the proposed enforcement regulations, have already been received. Therefore, the Department has determined that notice and public procedure are impracticable and contrary to the public interest in this case.

The Department further finds, for the reasons stated, that these amendments must be made effective as of the date they are published, though that date is earlier than the 30 days after publication that is normally required.

The Department has determined that an Environmental Impact Statement is not required with respect to this rule. A copy of the Finding of Inapplicability is available for inspection and copying according to Department rules and regulations during regular business hours at the Office of Mobile Home Standards,

Rm. 6262 Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

It is hereby certified that the economic and inflationary impacts of the rule have been carefully evaluated in accordance with OMB circular A-107.

Accordingly, 24 CFR Part 3282, as published at 41 FR 19846, is amended as follows:

1. By adding a new paragraph (a) to § 3282.8 and redesignating existing paragraphs (a) through (j) as paragraphs (b) through (k), respectively. New paragraph (a) reads as follows:

§ 3282.8 Applicability.

(a) Mobile Homes. This part applies to all mobile homes that enter the first stage of production on or after June 15, 1976, and to all mobile homes that enter the first stage of production before June 15, 1976, to which labels are applied under § 3282.205(d).

2. By amending paragraph (g) of § 3282.8 to read as follows:

(g) Recreational vehicles. Recreational vehicles do not fall within the definition of mobile homes and are not subject to these regulations. A recreational vehicle is a vehicle, regardless of size, which is not designed to be used as a permanent dwelling, and in which the plumbing, heating, and electrical systems contained therein may be operated without connection to outside utilities and which are self propelled or towed by a light duty vehicle.

3. By revising paragraph (d) of § 3282.205 to read as follows:

§ 3282.205 Certification requirements.

(d) The manufacturer shall apply a label required or allowed by these regulations only to mobile homes that it knows by its inspections to be in compliance with the standards. The manufacturer shall affix the transition certification label allowed by § 3282.207 only to mobile homes that enter the first stage of production on or after June 15, 1976. The manufacturer may affix the label described in § 3282.362(c)(2) to mobile homes that enter the first stage of production prior to June 15, 1976, only under all of the following circumstances.

(1) No such labels are affixed to any mobile homes prior to June 15, 1976.

(2) The labels are obtained only through the procedures set forth in subpart H of this part pursuant to the full range of services provided by primary inspection agencies.

(3) The manufacturer keeps a record of all mobile homes that enter the first stage of production prior to June 15, 1976, and to which labels are affixed under this provision.

(4) The manufacturer certifies the accuracy of the record required under paragraph (d)(3), immediately above, and provides a copy of that certification to the IPIA that provides production inspections in the plant in which those mobile homes are manufactured.

(5) The manufacturer pays the monitoring inspection fee required by § 3282.210 for each mobile home to which a label is affixed under this provision.

(6) The manufacturer agrees that all mobile homes that it labels under this provision shall be subject to the requirements of the Act and these regulations, and particularly to the remedial provisions of subpart I of this part.

(7) The manufacturer obtains the agreement of the State in which the mobile homes are manufactured that the State will accept such mobile homes as if they had entered into the first stage of production on or after June 15, 1976, including agreement by the State not to require any State label for such mobile homes and not to require any inspections or charge any fees that would not be allowed with respect to mobile homes that enter the first stage of production on or after June 15, 1976.

(8) No other label relating to any aspect of the mobile home covered by the Federal standards is affixed to the mobile homes.

4. By adding new paragraphs (1) and (m) to § 3282.8 to read as follows:

(1) Multifamily homes. Mobile homes designed and manufactured with more than one separate living unit are not covered by the standards and these regulations.

(m) Modular homes. Modular homes that fall within the definition of "mobile home: set out at § 3282.7(u) are not covered by these regulations if they are exempt from the standards under 24 CFR 280.7.

5. By revising § 3282.7(u) to read as follows:

§ 3282.7 Definitions.

(u) "Mobile home" means a structure, transportable in one or more sections, which when erected on site measures eight body feet or more in width and thirty-two body feet or more in length, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

6. By adding a new paragraph (f) to § 3282.207 to read as follows:

§ 3282.207 Transition certification program.

(f) The manufacturer acting under this section shall submit copies of designs to the Secretary or the Secretary's agent, Authority section 625 of the National Mobile Home Construction and Safety Standards Act of 1974, 42 USC 5424, and section 7(d), Department of Housing and Urban Development Act, 42 USC 3535(d).

Effective date: These amendments are effective June 21, 1976.

CONSTANCE B. NEWMAN,
Assistant Secretary for Consumer Affairs and Regulatory Functions.

[FR Doc.76-17958 Filed 6-16-76; 2:23 pm]

[Docket No. R-76-390]

PART 3282—MOBILE HOME PROCEDURAL AND ENFORCEMENT REGULATIONS

Delaying Effectiveness of Certain Provisions of Subpart I

On May 13, 1976, the final rule establishing the mobile home procedural and enforcement regulations as new Part 3282 of 24 CFR was published in the FEDERAL REGISTER at 41 FR 19846. Included in the final rule was Subpart I—Consumer Complaint Handling and Remedial Actions, which was included in the regulations to provide effective implementation of the provisions of § 615 of the National Mobile Home Construction and Safety Standards Act of 1974, 42 USC 5401, 5414 (hereafter, the Act). Subpart I includes detailed requirements governing how mobile home manufacturers must respond to consumer complaints and other information that the manufacturers receive concerning mobile home problems with respect to which the manufacturers must act under § 615 of the Act.

Soon after the final rule was published, the Department received several petitions from mobile home manufacturers and from a trade association asking that the provisions of Subpart I be altered in several significant respects. The petitions also requested that the Department delay the effectiveness of the subpart. The basic argument in the petition is that the subpart is so complex that it will be too cumbersome to implement, particularly with respect to non-safety related complaints. The petitions argue further that manufacturers cannot operate under some of the provisions of the subpart, either because the provisions are too vague or because the provisions require such extensive actions to be taken that the manufacturers will not have the resources to respond. The petitions point out that the extensive requirements with respect to minor complaints or problems (those in the category of noncompliance or defect under the regulations) will prevent the manufacturers from responding as effectively and efficiently as possible to the safety-related problems that fall in the category of serious defect or imminent safety hazard.

The Department has given careful consideration to manufacturers' petitions. The Department has also taken into account the fact that some consumer groups have orally expressed concern that the requirements of Subpart I may both hinder manufacturers in their ef-

forts to provide remedial actions and significantly increase the cost of the mobile home to purchasers.

It is the policy of the Department to provide for the effective implementation of the Act without establishing unnecessary or burdensome requirements. Because the petitions and comments received indicate that certain requirements of Subpart I may be unduly burdensome, the Department has determined that it is appropriate to delay the effectiveness of certain provisions of Subpart I with respect to noncompliances and defects until September 15, 1976. This delay covers all complaints and other information received relating to possible noncompliances and defects in mobile homes manufactured to the Federal standards before September 15, 1976. In the interim, the Department will propose a revision to Subpart I and will issue a final rule on the basis of comments received.

The Department is now issuing an amendment to § 3282.401. The amendment will establish a new paragraph (c) of that section. It will provide that no manufacturer may be required to act under §§ 3282.404-3282.407 with respect to noncompliances or defects until September 15, 1976. However, each manufacturer shall retain any information it receives concerning possible noncompliances or defect, and each manufacturer shall act with respect to that information after September 15, 1976. The Secretary and State Administrative Agencies that would act under §§ 3282.406-3282.407 shall forward appropriate information concerning noncompliances and defects to manufacturers as they would under § 3282.406(a), but they shall require no further actions to be taken by the manufacturer under the Act until September 15, 1976, though states may require manufacturers to act under state laws or other provisions not preempted by the Act and these regulations, as described at 24 CFR 3282.11. September 15, 1976, will be considered to be the date on which manufacturers received any information concerning noncompliances or defects for purposes of computing time periods within which actions must be taken with respect to information received before September 15, 1976. Under this approach, no information concerning noncompliances or defects will be lost or ignored. Rather, a complete response in every case will merely be deferred until the rules governing such responses are reevaluated, altered if necessary, and finalized. With respect to safety related information, there will be no deferral of response.

As noted, the Department intends, through proposed rulemaking, to make any necessary changes in Subpart I, and particularly in §§ 3282.404-407, prior to September 15, 1976. The Department would prefer to make these changes prior to June 15, 1976, so that there would be no need to delay the effectiveness of the provisions requiring remedial actions with respect to noncompliances and defects, but this is not possible because ef-

fective public comment cannot be obtained in time. Among the changes that the Department may make in §§ 3282.404-3282.407 are changes in the time periods in which actions must be taken. Manufacturers have argued that these are unrealistically short and inflexible. Since the effectiveness of §§ 3282.404-3282.407 with respect to imminent safety hazards and serious defects is not delayed, the Department wishes to reemphasize that it does not view the time periods set out in those sections as rigid or inflexible. As was indicated in the preamble to the final rule establishing Part 3282, at 41 FR 19847, any time period may be extended in unusual circumstances on a case by case basis. Moreover, the Department is sensitive to the need, particularly in the early stages of the program, to determine whether or not the time periods are realistic, and to allow flexibility as all parties begin operating under this new system. The Department expects, therefore, that it and the State Administrative Agencies will allow the time limits to be exceeded in appropriate cases.

In order to avoid requiring manufacturers and other parties to act under a system that may be too cumbersome and hinder effective consumer protections, the Department has determined that this amendment must be made effective as of the date it is published in the Federal Register. Therefore, notice and public procedure are impracticable and contrary

to the public interest in this case, and the amendment must take effect prior to 30 days after its publication, as would normally be the case.

The Department has determined that an Environmental Impact Statement is not required with respect to this rule. A copy of the Finding of Inapplicability is available for inspection and copying according to Department rules and regulations at the Office of Mobile Home Standards, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C. 20411.

It is hereby certified that the economic and inflationary impacts of the amendment have been carefully evaluated in accordance with OMB Circular A-107.

Accordingly, 24 CFR Part 3282, as published in 41 FR 19846, is amended by adding a new paragraph (c) of § 3282.401 to read as follows:

§ 3282.401 Scope.

(c) Notwithstanding the provisions of §§ 3282.404-3282.407, no manufacturer may be required to act under those sections with respect to noncompliances or defects until September 15, 1976, except as stated in this paragraph. However, each manufacturer shall retail all consumer complaints and other information received by the manufacturer before that date that indicate the possible existence of noncompliances or defects and maintain complete records of the

manufacturer's response, if any. The Secretary and State Administrative Agencies that would act under §§ 3282.404-3282.407 with respect to noncompliances and defects shall forward complaints and other information to the manufacturers as they would under § 3282.406(a), but shall not require that any action be taken by the manufacturer until September 15, 1976, if the manufacturer responds under § 3282.406(b) that the information does not relate to a serious defect or imminent safety hazard and the SAA or the Secretary agrees. September 15, 1976, shall be considered to be the date on which consumer complaints and other information were received by the manufacturer for purposes of computing the time periods within which actions must be taken under §§ 3282.404-3282.407 with respect to those complaints and other information relating to noncompliances or defects received before September 15, 1976.

(Secs. 615 and 625 of the National Mobile Home Construction and Safety Standards Act of 1974, 42 U.S.C. 5414 and 5424, and § 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).)

Effective date: This amendment is effective June 21, 1976.

CONSTANCE B. NEWMAN,
Assistant Secretary for Consumer Affairs and Regulatory Functions.

[FR Doc.76-17959 Filed 6-16-76;2:23 pm]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Consumer
Affairs and Regulatory Functions

[Docket No. N-76-550]

MOBILE HOME PROCEDURAL AND ENFORCEMENT REGULATIONS

Enforcement Interpretative Bulletin
H-1-76

On May 13, 1976 the final rule establishing the mobile home procedural and enforcement regulations as new Part 3282 of 24 CFR was published in the FEDERAL REGISTER at 41 FR 19846. Section 3282.205(c) of these regulations requires that mobile home manufacturers provide with each mobile home a certification that, to the best of the manufacturer's knowledge and belief, the mobile home conforms to the Federal mobile home construction and safety standards. This certification, as required by § 616 of the National Mobile Home Construction and Safety Standards Act of 1974, 42 USC 5401, 5415, hereafter, the Act, is provided by affixing to the mobile home a permanent label containing the language set out in § 3282.362(c) (2) (C) :

As evidenced by this label No. ABC 000 001, the manufacturer certifies that this mobile home has been inspected in accordance with the requirements of the Department of Housing and Urban Development and to the best of the manufacturer's knowledge and belief, is constructed in conformance with the Federal Mobile Home Construction and Safety Standards in effect on the date of manufacture. See data plate.

Since the final regulations were published, the Department has received several petitions from mobile home manufacturers and a trade association requesting that the language of the label be changed, or at a minimum, that the Department issue an interpretation of the language of the label to clarify the meaning of the language, " * * * the manufacturer certifies that this mobile home has been inspected in accordance with the requirements of the Department of Housing and Urban Development * * * ." The petitions expressed the concern that this language could be read as a certification by the manufacturer that all inspections that should have been made of the mobile home under Part 3282, including inspections required to be made by the Production Inspection Primary Inspection Agency (IPIA) operating in the manufacturer's plant, have been made. The manufacturers, in their petitions, assert that they cannot and should not be required to certify to the actions of other parties, specifically of IPIAs.

The Department agrees with the manufacturers. The Department did not intend that the manufacturer certify to any actions required to be taken by other parties. The Department interprets the certification language with respect to inspection to mean that the manufacturer is certifying that it has carried out all inspections required by its quality assur-

ance manual and has obtained the services of a DAPIA for the mobile home design and of an IPIA for the plant where the mobile home was manufactured. The manufacturer is not certifying that the DAPIA or the IPIA actually carried out inspections required of them by subpart II of Part 3282.

The petitions also questioned why one aspect of the certification language required in the label is qualified by the language "to the best of its (the manufacturer's) knowledge and belief," while the other aspect relating to inspection is not. The manufacturers request that all aspects of the certification language be similarly qualified or that the reference to inspections be deleted.

The "knowledge and belief" qualification was added at the request of the Federal Trade Commission. The Federal Trade Commission requested the qualification so that consumers would not be misled into believing that every mobile home actually conforms to the standards, when the process of manufacturing mobile homes is such that despite the best efforts of manufacturers, not every mobile home will actually conform to the standards. Having added the qualification, the Department decided to add the reference to inspections as well so that the consumer would know that, while the manufacturer could not provide an absolute certification of conformance, the manufacturer had carried out inspections designed to assure conformance as far as possible. The Department did not add qualifying language to the reference to inspections because the Department did not believe this to be necessary to avoid misleading consumers.

The Department does not believe that the addition of the qualifying language changed the standard by which the certification is to be judged. That standard is set out at section 610(a)(4) of the Act, 42 USC 5409(a)(4), which reads, in relevant part, as follows:

No person shall * * * issue a certification to the effect that a mobile home conforms to all applicable Federal mobile home construction and safety standards, if such person in the exercise of due care has reason to know that such certification is false or misleading in a material respect * * * .

The Department believes that this language sets out the standard by which both aspects of the certification are to be judged.

The Department is now issuing an enforcement interpretative bulletin reflecting this discussion. The Department is considering changing the language of the label at a later date. Such a change would not be practicable prior to June 15, 1976, when manufacturers will begin to use the label.

This enforcement interpretative bulletin is issued under 24 CFR 3282.113. The Department has determined under 24 CFR 10.5 that advance publication and notice and public procedure are unnecessary and contrary to the public interest because the bulletin simply reflects what the Department intended when it wrote the language of the label, and because it is necessary to issue the bulletin before

June 15, 1976, so that the manufacturers will have a clear understanding of what their certification means before it is affixed to mobile homes. Therefore, this bulletin shall take effect immediately upon publication.

The Department has determined that an Environmental Impact Statement is not required with respect to this interpretation. A copy of the Finding of Inapplicability is available for inspection and copying according to Department rules and regulations during regular business hours at the Office of Mobile Home Standards, Department of Housing and Urban Development, 451 7th St., S.W., Washington, D.C. 20011.

It is hereby certified that the economic and inflationary impacts of this rule have been carefully evaluated in accordance with OMB Circular A-107.

Accordingly, the language required by 24 CFR 3282.362(c) (2) (C), as published at 41 FR 19869, is interpreted as follows:

ENFORCEMENT INTERPRETATIVE BULLETIN H-1-76

LABEL LANGUAGE INTERPRETATION— § 3282.362(c) (2) (C)

The Department of Housing and Urban Development interprets the language "the manufacturer certifies that this mobile home has been inspected in accordance with the requirements of the Department of Housing and Urban Development," as follows:

(a) The manufacturer is certifying that the mobile home has been subjected to all inspections called for in the quality assurance manual under which the mobile home was manufactured. The quality assurance manual referred to is that required to be submitted to the DAPIA under § 3282.203(c) for approval under § 3282.361(c);

(b) The manufacturer is certifying that it has arranged for the services of a DAPIA to approve the mobile home design followed and for the services of an IPIA to provide inspections in the plant where the mobile home was manufactured, but the manufacturer is not certifying that the DAPIA, the IPIA, or any other party has carried out inspections of the mobile home required of it under Part 3282;

(c) The certification language in its entirety is to be judged by the standard set out in § 610(a)(4) of the National Mobile Home Construction and Safety Standards Act of 1974, 41 USC 5401, 5409.

Effective date: This Enforcement Interpretative Bulletin takes effect June 21, 1976.

CONSTANCE B. NEWMAN,
Assistant Secretary for Consumer
Affairs and Regulatory
Functions.

[FR Doc.76-17962 Filed 6-16-76; 2:24 pm]

[Docket No. N-76-550]

MOBILE HOME CONSTRUCTION AND SAFETY STANDARDS

Interpretative Bulletin C-3-76

On May 4, 1976, the Department issued for public comment Interpretative Bulletins covering various aspects of the Federal Mobile Home Construction and Safety Standards as published by the Department of Housing and Urban De-