The November 12 FEDERAL REGISTER notice also provided an opportunity for public comment on each of these actions. No comments were received. EPA review has determined that the transit incentive plans submitted by the BASF Wyandotte Corporation, Parsippany, New Jersey and Nabisco, Inc., East Hanover, New Jersey maximize carpooling and transit utilization and represent a good faith effort on the part of these employers. Therefore, they are hereby approved. The transit incentive program of the Otis Elevator Company, Harrison, New Jersey, also is hereby approved for discontinuance.

Dated: January 12, 1977.

JOHN QUARLES,
Acting Administrator,
Environmental Protection Agency.

[FR Doc.77-1625 Filed 1-19-77; 8:45 am]

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 185—EMERGENCY SCHOOL AID

Amended Criteria and Procedures

On October 15, 1976 there was published in the FEDERAL REGISTER, at 41 FR 45702, a Notice of Proposed Rulemaking which set forth standards for the minimum acceptable merit of applications for assistance under sections 706(a), 706(b), 708(b), and 708(c) of the Emergency School Aid Act, as amended (20 U.S.C. 1601–1619) and procedures for evaluating these applications.

Interested persons were given 45 days to submit comments and recommendations concerning the proposed amendments. One letter of comment was received, but none of the comments and recommendations in that letter pertained to standards for the minimum acceptable merit of applications or to fund reservation procedures to be used in evaluating applications. Since the only comments and recommendations received were, therefore, beyond the scope of the proposed amendments, those amendments are adopted without change.

As required by section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232(d)), these regulations have been transmitted to the Congress concurrently with the publication of this document in the FEDERAL REGISTER. That section provides that regulations subject to it become effective on the forty-fifth day following transmission, subject to the provisions in that section concerning Congressional action and adjournment.

The Assistant Secretary for Education has determined that this document does not contain a major proposal requiring preparation of an Inflationary Impact Statement under Executive Order 11821 and OMB Circular A–107.

In consideration of the foregoing, Part 185 of Title 45 of the Code of Federal Regulations is amended as set forth below.

(Catalog of Federal Domestic Assistance Number 13.525 Emergency School Aid—Basic Grants; 13.526 Emergency School Aid—Pilot Projects; 13.528 Emergency School Aid—Bilingual Projects; 13.529 Emergency School Aid—Nonprofit Organizations.)

Dated: December 23, 1976.

CHARLES E. HANSEN,
Acting Assistant
Secretary for Education.

Approved: January 12, 1977.

DAVID MATHEWS,
Secretary of Health, Education, and Welfare.

1. In § 185.14, paragraph (c) is revised to read as follows:

§ 185.14 Criteria for assistance.

* * * * *

(c) *Funding criteria and procedures.* (1) In determining amounts to be awarded to applicants for assistance under this subpart, the Assistant Secretary shall consider:

(i) The additional cost to such applicants (as such cost is defined in § 185.13 (a) of effectively carrying out its proposed program, project, or activity; and

(ii) The amount of funds available for assistance under this subpart within the State in relation to other applications from the State pending before the Assistant Secretary.

(2) An application for assistance under this subpart will be considered to set forth a program, project, or activity of such insufficient promise for achieving the purpose of the Act that its approval is not warranted, and shall not be approved for funding, if such application has been awarded:

(i) fewer than 40 points on the basis of the criteria in paragraphs (a) and (b) of this section; or

(ii) fewer than 28 points on the basis of the criteria in paragraph (b) of this section.

(3) An application determined on the basis of the standards in paragraph (c)(2) of this section to be unapprovable will be returned to the applicant. The Assistant Secretary shall notify the applicant of the specific reasons for such determination, and shall afford the applicant an appropriate opportunity to modify and resubmit its application.

(4) Except as provided in paragraph (c)(5) of this section, the Assistant Secretary shall award funds to applicants for assistance under this subpart from a State (whose applications meet the requirements of the Act and are approvable on the basis of the standards in paragraph (c)(2) of this section) in the order of their ranking on the basis of the criteria set out in paragraphs (a) and (b) of this section until the funds apportioned to the State for the purpose of this subpart have been exhausted.

(5)(i) Not less than one-third of the funds apportioned to a State for the purpose of this subpart shall be reserved until applicants whose initial applications were determined to be unapprovable on the basis of the standards in paragraph (c)(2) of this section have been afforded an appropriate opportunity to modify and resubmit their applications. From the funds not so reserved, the Assistant Secretary shall award funds to applicants whose applications are approvable in the order of the ranking of their initial applications (on the basis of the criteria set out in paragraphs (a) and (b) of this section) until unreserved funds are insufficient to support the next ranking approvable application at the level determined by the Assistant Secretary to be necessary to carry out effectively the proposed program, project or activity.

(ii) Where unreserved funds are insufficient to support the next ranking approvable application at the level determined by the Assistant Secretary to be necessary to carry out effectively the proposed program, project or activity, the Assistant Secretary shall notify the applicant of the specific reasons for its ranking, and shall afford the applicant an appropriate opportunity to modify and resubmit its application to compete for reserved funds. If such an applicant chooses to modify and resubmit its application, its ranking shall be determined on the basis of the criteria set out in paragraphs (a) and (b) of this section as applied to its resubmitted application.

(Public Law 92–318, sections 702; 705(a)(1), (b)(3); 706(a); 710(c), (d)(2).)

2. In § 185.24, paragraph (c) is revised to read as follows:

§ 185.24 Criteria for assistance.

* * * * *

(c) *Funding criteria and procedures.* The provisions of § 185.14(c) shall apply to awards of assistance under this subpart, except that:

(1) References in § 185.14(c) to "this subpart" shall be understood to refer to Subpart C—Pilot Projects;

(2) References in § 185.14(c) to "this section" shall be understood to refer to § 185.24; and

(3) The minimum points referred to in paragraph (c)(2) of § 185.14 shall, for the purpose of this subpart, be 45 on the basis of the criteria in paragraphs (a) and (b) of this section and 33 on the basis of the criteria in paragraph (b).

(Public Law 92–318, sections 702; 705(a)(2), (b)(3); 706(b); 710(c), (d)(2).)

3. In § 185.54, paragraph (c) is revised to read as follows:

§ 185.54 Criteria for assistance.

* * * * *

(c) *Funding criteria and procedures.* The provisions of § 185.14(c) shall apply to awards of assistance under this subpart, except that:

(1) References in § 185.14(c) to "this subpart" shall be understood to refer to Subpart F—Bilingual Projects;

(3) References in § 185.14(c) to "this section" shall be understood to refer to § 185.54;

(3) References in § 185.14(c) to a "State" shall be understood to refer to the 50 States and the District of Columbia, taken together; and

(4) The minimum points referred to in subparagraph (2) of § 185.14(c) shall, for the purpose of this subpart, be 45 on the basis of the criteria in paragraphs (a) and (b) of this section, and 33 on the basis of the criteria in § 185.54(b).

(20 U.S.C. 1601; 1603(b)(A); 1607(c); 1609 (d)(2).)

4. In § 185.64, paragraph (c) is revised to read as follows:

§ 185.64 Criteria for assistance.

* * * * *

(c) *Funding criteria and procedures.* The provisions of § 185.14(c) shall apply to awards of assistance under this subpart, except that:

(1) References in § 185.14(c) to "this subpart" shall be understood to refer to Subpart G—Public or Nonprofit Private Organizations; and

(2) References in § 185.14(c) to "this section" shall be understood to refer to § 185.64.

(Public Law 92-318, sections 702; 705(a)(3), (b)(3); 708(b).)

[FR Doc.77-1947 Filed 1-19-77;8:45 am]

CHAPTER III—OFFICE OF CHILD SUPPORT ENFORCEMENT (CHILD SUPPORT ENFORCEMENT PROGRAM) DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 304—FEDERAL FINANCIAL PARTICIPATION

Applicability of Other Regulations

Part 304, Chapter III, Title 45 of the Code of Federal Regulations is amended by adding a new § 304.29 which explicitly conforms §§ 201.14 and 201.15 of 45 CFR Part 201, Grants to States for Public Assistance Programs, relating to disallowance, deferral and reconsideration of claims for FFP, to the terminology used in the Child Support Enforcement Program.

Good cause exists to dispense with notice of proposed rulemaking since 45 CFR 201.14 and 45 CFR 201.15 already apply to all of title IV, including title IV-D. The purpose of this regulation is to clarify which officials perform the specific tasks related to disallowance, deferral and reconsideration in the Office of Child Support Enforcement.

As amended, Part 304 reads as set forth below:

Section 304.29 is added to read as follows:

§ 304.29 Applicability of other regulations.

Sections 201.14 and 201.15 of Chapter II of Title 45 of the Code of Federal Regulations, which establish procedures for disallowance, deferral and reconsideration of claims for expenditures submitted by the States, shall apply to all expenditures claimed for FFP under title IV-D of the Act. For purposes of applying those provisions under title IV-D, "Service" shall read "Office" which refers to the Office of Child Support Enforcement; "Administrator" shall read "Director" which refers to the Director, Office of Child Support Enforcement; "Deputy Administrator" shall read "Deputy Director" which refers to the Deputy Director, Office of Child Support Enforcement; "Regional Commissioner" shall read "Regional Representative" which refers to the Regional Representatives of the Office of Child Support Enforcement; and "State" shall refer to the State IV-D agency.

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302).)

This regulation shall be effective on January 21, 1977.

(Catalog of Federal Domestic Assistance Program No. 13679, Child Support Enforcement Program.)

NOTE.—The Office of Child Support Enforcement has determined that this document does not require preparation of an inflationary impact statement under Executive Order 11821 and OMB Circular A-107.

Dated: January 10, 1977.

ROBERT FULTON,
Director, Office of Child Support Enforcement.

Approved: January 13, 1977.

MARJORIE LYNCH,
Acting Secretary.

[FR Doc.77-1946 Filed 1-19-77;8:45 am]

Title 49—Transportation

CHAPTER II—FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[FRA Docket No. RSOR-3; Notice 6]

PART 218—RAILROAD OPERATING RULES

Blue Signal Protection of Workmen; Correction

In FR Doc. 77-1043 appearing at page 2318 in the FEDERAL REGISTER of Tuesday, January 11, 1977, paragraph (a) of § 218.23 appearing on page 2320 is corrected in the second line of that paragraph by inserting the words "§ 218.25 or" immediately following the word "with", and immediately before the word "§ 218.27".

Dated: January 14, 1977.

R. LAWRENCE MCCAFFREY, Jr.,
Chief Counsel.

[FR Doc.77-1817 Filed 1-19-77;8:45 am]

[FRA Docket No. RSRM-1; Notice 3]

PART 221—REAR END MARKING DEVICE—PASSENGER, COMMUTER AND FREIGHT TRAINS

Miscellaneous Corrections

In FR Doc. 77-1044 appearing at page 2321 in the FEDERAL REGISTER of Tuesday, January 11, 1977, the following changes should be made:

1. On page 2325 paragraph (c) of § 221.5 is corrected in the first line and in the fourth line by deleting from both lines the word "selfpropelled" and inserting in its place in both lines the word "self-propelled".

2. On page 2326 paragraph (a) of § 221.13 is corrected in the fourth line by deleting the word "located" and inserting in its place the word "located".

3. On page 2326 paragraph (a) of § 218.15 is corrected by deleting the period at the end thereof and inserting in its place "with:".

4. On page 2326 paragraph (c)(1) of § 221.15 is corrected to read as follows:

§ 221.15 Marking devices.

* * * * *

(c) * * *

(1) At least one marking device which complies with paragraph (a) of this section; or

* * * * *

Dated: January 14, 1977.

R. LAWRENCE MCCAFFREY, Jr.
Chief Counsel.

[FR Doc.77-1816 Filed 1-19-77;8:45 am]

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

PART 501—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

Amended Delegations of Authority

This notice amends the delegation of authority to administer the odometer requirements of Title IV of the Motor Vehicle Information and Cost Savings Act (Pub. L. 92-513, as amended Pub. L. 94-364, 15 U.S.C. 1981-1999).

The authority to administer Title IV, delegated to the Associate Administrator for Motor Vehicle Programs at 49 CFR 501.8(c), is hereby deleted from § 501.8 (c) and redelegated to the Chief Counsel as paragraph (a) of a new § 501.8(i).

In consideration of the foregoing, Part 501 of Title 49, Code of Federal Regulations, is amended as follows:

§ 501.8 [Amended]

1. The last clause of § 501.8(c) is amended as follows:

* * * * *

(c) * * *; and Titles I and II of the Motor Vehicle Information and Cost Savings Act (86 Stat. 947, as amended 90 Stat. 981; 15 U.S.C. 1901).

* * * * *

2. Section 501.8(i) is added as follows:

* * * * *

(i) *Chief Counsel.* The Chief Counsel is delegated authority to:

(1) Exercise the powers of the Administrator under Title IV of the Motor Vehicle Information and Cost Savings Act (86 Stat. 947, as amended 90 Stat. 981; 15 U.S.C. 1901).

This notice amends a rule of agency practice and therefore requires no notice of proposed rulemaking and opportunity for comment thereon.

(Pub. L. 92-513, 86 Stat. 947, as amended Pub. L. 94-364, 90 Stat 981, 15 U.S.C. 1901-1999; delegation at 49 CFR 1.50(f).)

Effective date: January 14, 1977.

Issued on: January 14, 1977.

JOHN W. SNOW,
Administrator.

[FR Doc.77-1870 Filed 1-19-77;8:45 am]

[Docket No. 76-3; Notice 4]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

New Pneumatic Tires for Passenger Cars

This amendment adds certain tire size designations to 49 CFR 571.109 (Federal Motor Vehicle Safety Standard No. 109).

Guidelines were published in the FEDERAL REGISTER on October 5, 1968 (33 FR 14964), and amended August 31, 1974 (39 FR 28980), specifying procedures by which routine additions could be made effective 30 days from publication in the FEDERAL REGISTER, if no objections are received. If objections are received, rulemaking procedures for the issuance of motor vehicle safety standards (49 CFR Part 553) are followed.

Accordingly, Appendix A of 49 CFR § 571.109 is amended, subject to the 30-day provision indicated above, as specified below.

Effective date: February 22, 1977, if objections are not received.

The following changes are made to Appendix A of § 571.109, Standard No. 109, New Pneumatic Tires.

§ 571.109 [Appendix Amended].

1. Amendment requested by the Rubber Manufacturers Association:

In Table I-G, the following new tire size designation and corresponding values are added.

TABLE I-G.—*Tire load ratings, test rims, minimum size factors, and section widths for "70 Series" radial ply tires*

Tire size [1] designation	Maximum tire loads (pounds) at various cold inflation pressures (pounds per square inch)													Test rim width (inches)	Minimum size factor (inches)	Section width [2] (inches)
	16	18	20	22	24	26	28	30	32	34	36	38	40			
BR70-15	780	840	890	930	980	1,030	1,070	1,110	1,150	1,190	1,230	1,270	1,300	5	31.92	7.10

[1] The letters "HR," "SR" or "VR" may be included in any specified tire size designation adjacent to or in place of the dash.
[2] Actual section width and overall width shall not exceed the specified section width by more than 7 pct.

2. Amendment requested by the European Tyre and Rim Technical Organisation:

In Table I-Y the following new tire size designation and corresponding values are added.

TABLE I-Y.—*Tire load ratings, test rims, minimum size factors, and section widths for all millimetric "65" series radial ply tires*

Tire size [1] designation	Maximum tire loads (pounds) at various cold inflation pressures (pounds per square inch)													Test rim width (millimeter)	Minimum size factor (inches)	Section width [2] (inches)
	16	18	20	22	24	26	28	30	32	34	36	38	40			
195/65R375	865	905	945	990	1,035	1,080	1,125	1,170	1,210	1,250	1,290	1,330	1,370	105	31.68	7.48

[1] The letters "H," "S" or "V" may be included in any specified tire size designation adjacent to the letter "R."
[2] Actual section width and overall width shall not exceed the specified section width by more than 7 pct.

(Secs. 103, 119, 201 and 202, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407, 1421 and 1422); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8.)

Issued on January 12, 1977.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

[FR Doc.77-1511 Filed 1-19-77;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Revised Service Order No. 1182]

PART 1033—CAR SERVICE

Substitution of Stock Cars for Boxcars

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 14th day of January, 1977.

It appearing, That, because of an acute shortage of boxcars for shipments of grain, grain screenings, grain products, soybeans or soybean products, during past months, certain shippers were granted permission to install at their own expense, plywood linings to stock cars owned by the Burlington Northern Inc. (BN); that such cars are assigned by the BN to those shippers for transporting shipments of the aforementioned commodities; that continued use of these cars for transporting grain, grain screenings, grain products, soybeans or soybean products is precluded by certain tariff provisions requiring the use of boxcars, thus curtailing shipments of grain, grain screenings, grain products, soybeans or soybean products and creating great economic loss; that present regulations and practices with respect to the use of boxcars are ineffective. It is the opinion of the Commission that continued use of these cars will promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1182 Substitution of stock cars for boxcars.

(a) *Substitution of cars.* Subject to the concurrence of the shipper, the Burlington Northern Inc. (BN) may substitute specially conditioned stock cars for shipments of grain, grain screenings, grain products, soybeans or soybean products, whether from the point of origin or from an intermediate in-transit point, regardless of tariff provisions requiring the use of boxcars.

(b) *Minimum weights.* The minimum weights per shipments of grain, grain screenings, grain products, soybeans or soybean products transported in stock cars substituted for boxcars shall be the minimum weights specified in the tariffs for shipments made in boxcars regardless of the number of stock cars required to be used to secure the minimum weight.

(c) Bills of lading covering movements authorized by this order shall contain a notation that shipment is moving under authority of Revised Service Order No. 1182.

(d) The term "stock cars" means all cars listed in the Official Railway Equipment Register, I.C.C.-R.E.R. No. 401, issued by W. J. Trezise, or successive issues thereof, as having one of the mechanical designations listed under the heading Class "S"—Stock Car Type, and bearing reporting marks assigned to the BN.

(e) The term "boxcars" means all cars listed in the Official Railway Equipment Register, I.C.C.-R.E.R. No. 401, issued by W. J. Trezise, or successive issues thereof, as having one of the mechanical designations listed under the heading Class "X"—Box Car Type.

(f) *Rules and regulations suspended.* The operation of tariffs or other rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended.

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

(h) *Effective date.* This order shall become effective at 11:59 p.m., January 15, 1977.

(i) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., July 15, 1977, unles otherwise modified, changed, or suspended by order of this Commission.

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