FEDERAL REGISTER

VOLUME 34 • NUMBER 42
Tuesday, March 4, 1969 • Washington, D.C.
Pages 3729–3784

PART I
(Part II begins on page 3775)

Agencies in this issue—

Agricultural Stabilization and Conservation Service
Civil Aeronautics Board
Consumer and Marketing Service
Employment Security Bureau
Federal Aviation Administration
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Housing and Urban Development Department
Interagency Textile Administrative Committee
Interstate Commerce Commission
Labor Standards Bureau
Land Management Bureau
Maritime Administration
Securities and Exchange Commission
Social and Rehabilitation Service
Treasury Department

Detailed list of Contents appears inside.

Subscriptions Now Being Accepted

SLIP LAWS

91st Congress, 1st Session
1969

Separate prints of Public Laws, published immediately after enactment, with marginal annotations and legislative history references.

Subscription Price:

$20.00 per Session

Published by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended (44 U.S.C. 1510). The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Rice; release of farm allotments; closing date 3733
Sugar beets; designation of crop by year 3737
Sugarcane; Puerto Rico; fair and reasonable prices, 1968-69 crop 3733
Witchweed; regulated areas; correction 3733

AGRICULTURE DEPARTMENT

See Agricultural Stabilization and Conservation Service; Consumer and Marketing Service.

CIVIL AERONAUTICS BOARD

Rules and Regulations

Delegation of authority to require monthly financial reports from supplemental air carriers 3742
Monthly interim financial reports; amendment to delete filing 3741
Inspection of accounts and property; miscellaneous amendments 3741
Statements of general policy; miscellaneous amendments 3742

Notices

Hearings, etc.:
International Air Transport Association 3760
Service to Albuquerque Case 3762

COMMERCE DEPARTMENT

See Maritime Administration.

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Handling limitations:
Lemons grown in California and Arizona 3738
Navel oranges grown in Arizona and designated part of California 3738

EMPLOYMENT SECURITY BUREAU

Proposed Rule Making

Employability development services 3748

FEDERAL AVIATION ADMINISTRATION

Rules and Regulations

Airworthiness directives; Hartzell propellers 3738
IFR altitudes; miscellaneous amendments 3738

Proposed Rule Making

Airports; withdrawal of proposal regarding construction, alteration, activation and deactivation 3756
Certified mechanic schools; name, operations and curriculums 3751
Deviation from megaphone location requirements 3751

FEDERAL MARITIME COMMISSION

Notices

Airborne Freight Corp., et al.; revocation of license 3762

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
Cities Service Gas Co 3764
Sohio Petroleum Co., et al 3762
Tennessee Gas Pipeline Co 3765
Wisconsin Electric Power Co 3765

FEDERAL TRADE COMMISSION

Rules and Regulations

Administrative opinions and rulings:
Disclosure not required of original of imported upper material used in shoes 3742
Organization of warehouse distribution center for jobber buying group 3742

FISH AND WILDLIFE SERVICE

Rules and Regulations

Arrowwood National Wildlife Refuge, N. Dak.; sport fishing 3747

Notices

Loan applications:
Brown, Cecil E., and Henry Neseth 3758
Koch, Frank J., and Betty J 3758
Williams, Louis Edward 3758

FOOD AND DRUG ADMINISTRATION

Proposed Rule Making

Food additives; proposal regarding starch-modified 3748

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration; Social and Rehabilitation Service.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Notices

HUD officers and employees; revocation of temporary suspension of certain authority delegations 3760

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

Notices

Certain cotton textiles and textile products; entry or withdrawal from warehouse or consumption:
Produced or manufactured in:
Honduras 3765
Poland 3766

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Land Management Bureau.

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Missouri-Kansas-Texas Railroad Co.; car service 3746

Notices

Certain railroads; car distribution (13 documents) 3768-3772
Motor carrier transfer proceedings (2 documents) 3772
Theodore Savage contract carrier application; notice of extension of period for filing petitions 3772

LABOR DEPARTMENT

See Employment Security Bureau; Standards Bureau.

LABOR STANDARDS BUREAU

Rules and Regulations

Gear certification 3776

LAND MANAGEMENT BUREAU

Notices

Opening of public lands:
Idaho 3757
Montana 3757

MARITIME ADMINISTRATION

Notices

List of free world and Polish flag vessels arriving in Cuba since January 1, 1963 3758

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:
Central South West Corp. et al 3766
Crestline Uranium & Mining Co 3768
Electrogen Industries, Inc 3768

SOCIAL AND REHABILITATION SERVICE

Rules and Regulations

Medical assistance programs; administration 3745
Research projects relating to maternal and child health services, and research or demonstration projects relating to child welfare services 3743

Proposed Rule Making

Special project grants for health of school and preschool children 3749

TRANSPORTATION DEPARTMENT

See Federal Aviation Administration.

TREASURY DEPARTMENT

Notices

Electronic receiving tubes from Japan; notice of tentative negative determination 3757

List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1969, and specifies how they are affected.

7 CFR

722 3733
730 3733
877 3733
891 3737
907 3738
910 3738

14 CFR

39 3738
95 3738
240 3741
241 3741
385 3742
399 3742

PROPOSED RULES:
121 3751
147 3751
157 3756

16 CFR

15 (2 documents) 3742

20 CFR

PROPOSED RULES:
604 3748

21 CFR

PROPOSED RULES:
121 3748

29 CFR

1505 3776

42 CFR

205 3743

PROPOSED RULES:
209 3749

45 CFR

250 3745

49 CFR

1033 3746

50 CFR

33 3747

Rules and Regulations

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENT

[Amdt. 8]

PART 722—COTTON

Subpart—Acreage Allotments for 1968 and Succeeding Crops of Upland Cotton

Correction

In F.R. Doc. 69-2112 appearing at page 2351 in the issue of Wednesday, February 19, 1969, the third figure in the first line of the third column should read "7564".

[Amdt. 2]

PART 730—RICE

Subpart—Regulations for Determination of Acreage Allotments for 1969 and Subsequent Crops of Rice

CLOSING DATE: RELEASE OF FARM ALLOTMENTS

Basis and purpose. The amendment herein to the regulations published in 33 F.R. 14520 and 17764 is issued under and in accordance with the provisions of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.).

The purpose of this amendment is to change the closing date for the release of farm rice allotments in Arkansas and Mississippi effective for 1969 and subsequent crop years.

Since rice farmers are planning rice farming operations for the 1969 crop year, and will need to know the provisions of this amendment, it is important that this amendment be issued and made effective as soon as possible. Accordingly, it is hereby found that compliance with the notice, public procedure, and effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest and this amendment shall become effective as provided herein.

Subparagraph (a)(4) of § 730.84 is amended by deleting "May 1" for Arkansas and Mississippi in the listing of closing dates for release of farm rice allotments and inserting "March 21" for Arkansas and "March 31" for Mississippi.

(Secs. 353, 375, 52 Stat. 61, as amended, 66, as amended; 7 U.S.C. 1353, 1375)

Effective date: Date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on February 26, 1969.

LIONEL C. HOLM,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 69-2611; Filed, Mar. 3, 1969; 8:49 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER I—DETERMINATION OF PRICES

PART 877—SUGARCANE; PUERTO RICO

Fair and Reasonable Prices for 1968–69 Crop

Pursuant to the provisions of section 301(c)(2) of the Sugar Act of 1948, as amended (herein referred to as "act"), after investigation, and due consideration of evidence presented at the public hearing held in San Juan, P.R., on October 31, 1968, the following determination is hereby issued:

Sec.
877.21 General requirements.
877.22 Definitions.
877.23 Payment for sugarcane.
877.24 Payment for molasses.
877.25 Determination of net sugarcane.
877.26 Services and allowances to producers.
877.27 Reporting requirements.
877.28 Applicability.
877.29 Procedures for checking compliance.
877.30 Subterfuge.

AUTHORITY: Secs. 877.21 to 877.30 issued under secs. 301, 403, 61 Stat. 929, as amended, 932; 7 U.S.C. 1131, 1153.

§ 877.21 General requirements.

A producer of sugarcane in Puerto Rico who is also a processor of sugarcane, to which this part applies as provided in § 877.28 of this part (herein referred to as "processor"), shall have paid, or contracted to pay, for sugarcane of the 1968–69 crop grown by other producers and processed by him, in accordance with the following requirements.

§ 877.22 Definitions.

For the purpose of this part, the term:

(a) "Price of raw sugar" means the simple average of the daily spot price quotations for sugar deliverable under the New York Coffee and Sugar Exchange No. 10 domestic contract (bulk sugar) for the period January 1, 1969, through December 31, 1969, except that if the Director of the Policy and Program Appraisal Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, determines that any such price quotation does not reflect the true market value of raw sugar because of inadequate volume or other factors, he may designate the price to be effective under this determination which he determines will reflect the true market value of raw sugar.

(b) "Sugar yield period" means any period not exceeding one calendar month as may be elected by the processor to determine the yield of raw sugar. The period adopted by the processor shall be used uniformly throughout the grinding season. In instances where odd days occur because a processor begins or ends grinding on a day which does not correspond with the beginning or ending of the sugar yield period, or grinding is interrupted because of holidays or for other reasons, such odd days shall be included either in the prior or subsequent sugar yield period, or treated as a separate sugar yield period.

(c) "Raw sugar" means raw sugar, 96° basis.

(d) "Yield of raw sugar" means the yield of raw sugar per 100 pounds of net sugarcane determined for the sugar yield period in accordance with the formulae set forth in Schedule A attached hereto and made a part hereof.

(e) "Inferior varieties of sugarcane" means sugarcane of the Saccharum Spontaneum or Saccharum Sinense variety (including sugarcane of the Japanese, Uba, Kavangerie, Zuinga, Caledonia, Coimbatore 213, and Coimbatore 281 varieties).

(f) "Net sugarcane" means (i) the gross weight of the sugarcane delivered to the mill determined to contain a quantity of trash not in excess of 5 percent of the gross weight, or (ii) the gross weight of the sugarcane delivered to the mill less the quantity of trash determined to be in excess of 5 percent of such gross weight.

(g) "Trash" means green or dried leaves, sugarcane tops above the last formed joint, soil, stones, and all other extraneous material.

(h) "Area office" means Caribbean Area Agricultural Stabilization and Conservation Service Office, Post Office Box 8037, Fernandez Juncos Station, San Juan, P.R. 00910.

§ 877.23 Payment for sugarcane.

(a) The payment for net sugarcane delivered by the producer to the processor shall be made either by the delivery to the producer of his share of raw sugar or by the payment to the producer of the money value of his share of raw sugar, whichever method is agreed upon by the producer and the processor.

(b) For each 100 pounds of net sugarcane (including inferior varieties of sugarcane) having a yield of raw sugar of 9 pounds or more, the producer's share of raw sugar shall be not less than the

quantity of raw sugar determined by applying the following applicable percentage to the yield of raw sugar of the producer's net sugarcane:

Pounds of raw sugar per 100 pounds of net sugarcane:	Percentage
9.0	63.0
9.5	63.5
10.0	64.0
10.5	64.5
11.0	65.0
11.5	65.5
12.0	66.0
12.5	66.5
13.0	67.0
13.5 and over	67.5

Intermediate points within the above scale are to be interpolated to the nearest one-tenth point.

(c) For each 100 pounds of net sugarcane (including inferior varieties of sugarcane) having a yield of raw sugar of less than 9 pounds, the producer's share of raw sugar shall be not less than the quantity determined by subtracting 3⅓ pounds of raw sugar from the yield of raw sugar of the producer's net sugarcane.

(d) If settlement with the producer is made in sugar, delivery shall be made, loaded in the producer's vehicle, at the mill where the sugar is produced, unless the producer and processor agree in writing to delivery at another mill: *Provided*, That the processor shall bear any increase in marketing costs resulting from such agreement.

(e) If settlement with the producer is made in cash, the processor shall pay to the producer the money value of his share of raw sugar determined on the basis of the price of raw sugar converted to an f.o.b. mill price by subtracting therefrom the admissible deductions for selling and delivery expenses on raw sugar in accordance with Schedule B, attached hereto and made a part hereof.

§ 877.24 Payment for molasses.

For each ton of net sugarcane delivered the processor shall either deliver to the producer 66 percent of the average production of blackstrap molasses per ton of net sugarcane of the 1968–69 crop processed at each mill or shall pay to the producer the money value of such quantity of molasses, whichever method is agreed upon between the producer and the processor. If settlement with the producer is made in cash such settlement shall be based upon the average gross proceeds from the sales of molasses less the admissible deductions for selling and delivery expenses in accordance with Schedule C attached hereto and made a part hereof. A processor operating more than one mill shall compute the average gross proceeds per gallon from the sales of molasses produced at all mills operated by such processor and shall compute the net proceeds per gallon separately for each mill operated by such processor. If a processor has not sold 1968–69 crop molasses by the time he is required to submit to the Area office a statement as required by § 877.27(b), he shall have made a provisional molasses payment to producers based upon not less than 85 percent of the average of the net proceeds per gallon realized by all other processors in Puerto Rico who made cash settlements for 1968–69 crop molasses, as determined by the Director of the Area office. Final settlement with producers shall be made promptly after the 1968–69 crop molasses has been sold, based upon the average net proceeds therefrom and the processor shall promptly submit to the Area office a statement as required by § 877.27(b). In the event a processor has transferred all its 1968–69 production of molasses to an affiliate and no sales price for such molasses is available, the average net proceeds per gallon as determined by the Director of the Area office for all processors who sold the 1968–69 crop of molasses shall be used in computing molasses payments to growers. Processor is required to make a provisional molasses payment not later than June 1, 1970, based upon not less than 85 percent of the estimated average of net proceeds per gallon realized by all other processors in Puerto Rico, as determined by the Director of the Area office from reports submitted under provisions of § 877.27(b). Processor is further required to make a final molasses payment in the amount necessary to base the total molasses payment upon the average net proceeds per gallon for all processors who sold the 1968–69 crop of molasses after the Area office has determined such net proceeds and notified the processor.

§ 877.25 Determination of net sugarcane.

(a) The net sugarcane of each producer (including the processor) which is delivered to the mill each day shall be determined as follows: The processor jointly with a representative designated by the producers or the producer organization in any mill area, shall examine the sugarcane deliveries and estimate whether the deliveries contain a quantity of trash (i) not in excess of 5 percent of the gross weight, or (ii) in excess of 5 percent of the gross weight. In the absence of a producer representative the processor shall have full responsibility for examining such sugarcane deliveries and for making such estimates. As to the deliveries of sugarcane of any producer which are estimated to contain trash not in excess of 5 percent, the gross weight of the sugarcane delivered shall also be the net weight. As to the deliveries of sugarcane of any producer estimated by both the processor and the representative of producers or by either of such parties to contain trash in excess of 5 percent, the net weight shall be determined by taking a representative sample of not less than 100 pounds of sugarcane from one or more of the deliveries deemed to be representative and separate therefrom all trash. The weight of trash which is removed from the sample of sugarcane shall be expressed as a percentage of the gross weight of the sample. The net weight of the sugarcane delivery from which the sample was taken shall be determined by deducting from the gross weight of such sugarcane, a percentage thereof which represents the excess, if any, of the trash over 5 percent, and the same adjustment as determined above shall be applied to the gross weight of all other deliveries delivered by that producer during the same day, or in the case of sugarcane handled in bulk during the same sugar yield period, which are estimated to contain trash content reasonably similar to the delivery from which the sample was taken. The determination of net sugarcane shall not be made where a core sampler is used.

(b) With respect to the sample taken as provided in paragraph (a) of this section, the processor shall make a separate determination of the weight of soil and stones contained in such sample and may charge the producer 5 cents per ton of net sugarcane delivered which is represented by the sample for each 1 percent, fractions in proportion, by which the weight of soil and stones is in excess of 1 percent of the gross weight of the sample.

(c) The processor may charge the producer 66 percent of the actual cost, but not to exceed $2.64, for each sample taken for trash including soil and stones to cover the cost of sampling and measuring the actual quantity of trash.

§ 877.26 Services and allowances to producers.

(a) When payment is made to the producer by the delivery of raw sugar, the processor shall store and insure all such sugar through December 31, 1969, and shall bear the costs thereof.

(b) Allowances made to producers by the processor for the 1967–68 crop shall be made for the 1968–69 crop at the rates which were effective under comparable conditions in 1967–68; the costs of services which were borne by the processor for the 1967–68 crop shall be borne for the 1968–69 crop: *Provided*, That the processor shall not be required to bear the cost of ocean transportation of sugarcane; and *Provided further*, That nothing in this paragraph shall be construed as prohibiting negotiations between the processor and producer with respect to the amount of allowances to be made to the producer, any change to be approved in writing by the Area office upon a determination by the Director of the Area office that the change results in allowances which are fair and reasonable.

§ 877.27 Reporting requirements.

(a) The processor shall submit to the Area office a statement as to whether settlement with producers are made in sugar or in cash, together with a statement as to the sugar yield period which will be used during the grinding season. Such information shall be submitted not later than 7 days after grinding commences, except that if the Director of the Area office determines that the failure to submit such statement by such date was unintentional, an extension of time may be granted by the Area office.

(b) If the processor makes settlement in cash he shall submit in duplicate to the Area office statements verified by a Cer-

tified Public Accountant of the gross proceeds from the sales of molasses and the deductions made in determining the f.o.b. mill price of sugar and the net proceeds from molasses. Such statements shall be submitted not later than June 1, 1970, except that if the Director of the Area office determines that the failure to submit such statement by such date was unintentional, an extension of time may be granted by the Area office.

§ 877.28 Applicability.

The requirements of this part are applicable to all sugarcane purchased from other producers and processed by a processor who produces sugarcane (a processor-producer is defined in § 893.1 of this chapter); and to sugarcane purchased by a cooperative processor from nonmembers. The requirements are not applicable to sugarcane processed by a cooperative processor for its members.

§ 877.29 Procedures for checking compliance.

The procedures to be followed by the ASCS Caribbean Area office in checking compliance with the requirements of this part are set forth under the heading Part 8—"Fair Price Determination" in Handbook 5-SU, issued by the Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service. Handbook 5-SU may be inspected and copies obtained from the ASCS Caribbean Area Office, Post Office Box 8037, Fernandez Juncos Station, San Juan, P.R. 00910.

§ 877.30 Subterfuge.

The processor shall not reduce the returns to the producer below those determined in accordance with the requirements of this part through any subterfuge or device whatsoever.

STATEMENT OF BASES AND CONSIDERATIONS

General. The foregoing determination establishes the fair and reasonable price requirements which must be met, as one of the conditions for payment under the act, by a producer who processes sugarcane of the 1968-69 crop grown by other producers.

Requirements of the act. Section 301 (c)(2) of the act provides as a condition for payment, that the producer on the farm who is also directly or indirectly a processor of sugarcane, as may be determined by the Secretary, shall have paid, or contracted to pay under either purchase or toll agreements, for sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

1968-69 price determination. This determination continues the provisions of the prior determination except that a method is provided for determining a net sales price for molasses in those instances where all 1968-69 crop molasses was transferred to an affiliate or subsidiary company. Also, a change is made in the method for calculating that portion of selling and delivery expenses for raw sugar expended for inland transportation in those instances where a processor delivers less than 33 percent of 1968-69 crop raw sugar to the mainland.

A public hearing was held in San Juan, P.R., on October 31, 1968, at which time interested persons were afforded the opportunity to present testimony and make recommendations with respect to fair and reasonable prices for the 1968-69 crop of sugarcane. A representative of the Association of Sugar Producers of Puerto Rico recommended that the 1967-68 crop price determination provisions concerning admissible deductions for selling and delivery expenses on raw sugar be continued except that (1) allowable inland transportation for raws sold locally by any mill be determined on the basis of estimated costs from mill to appropriate shipping terminals, or on the basis of the costs for any portion, if any, that was actually shipped by that mill, (2) the distinctions in the methods of calculating allowable shipping expenses for mills that sell 67 percent or more of their sugar locally and those who sell locally less than 67 percent, be done away with except that (3) when both local and mainland sales are made, allowable expenses for a mill should reflect the weighted average of the allowable expenses for each type of sale made by that mill, except that when a mill sells locally or ships to the mainland 95 or more percent of the sugar processed during any one crop, all such sugar (100 perecnt) shall be considered as sold locally or shipped to the mainland, as the case may be. The witness testified that the island average with respect to inland transportation costs is no longer representative of actual conditions. The witness also stated that sugar production in Puerto Rico has reached its lowest point and that new varieties of cane and improved mechanical harvesting methods together with continued financial support from the Commonwealth Government should serve to return sugar output to normal levels.

A representative of the Puerto Rico Farm Bureau pointed out that among the problems facing the Puerto Rican sugar industry are (1) increasing percentages of trash resulting from mechanical harvesting; (2) long delays resulting from vehicles waiting to be unloaded at the mill, and (3) the very high cost to both producer and processor involved in converting to bulk cane handling and hauling equipment.

A representative of the Sugar Board of Puerto Rico recommended that the Department accept the Board's determination of selling and delivery expenses in those cases where there are differences between the Sugar Board and the Department so that settlement with growers can be expedited.

The General Manager of the Plata Sugar Co. discussed the program at his company to modernize the cane handling and hauling equipment. He stated that previously all cane was delivered to the mill in bundles of 2 or 3 tons each, and that each truck waited in line for as much as 4 hours to unload. The witness stated that conversion to bulk cane handling equipment cost $300,000, of which the Commonwealth Government contributed $45,000; and that the company advanced to growers about $600 per truck to enable them to convert to bulk handling of sugarcane. He testified that conversion had saved the growers time and money and had reduced the number of trucks required.

A representative of the Agricultural Experiment Station also presented testimony on bulk handling and hauling of sugarcane. The witness stated that as more and more cane is harvested mechanically, the amount of trash will increase, making a quick and inexpensive method of sugarcane sampling and testing for trash and sucrose content more important than ever. He recommended the experimental use of a portable core sampler for on-the-spot tests at the time of delivery.

A witness representing Central Mercedita, Inc., recommended that the method for determining selling and delivery expenses for those mills which sell more than two-thirds of their sugar locally be changed so as to take into account the actual cost of inland transportation and terminal cost rather than the average of such costs for all processors in Puerto Rico; and that other shipping expenses incurred after the sugar leaves the terminal could continue to be applied by using the island average for such costs. The witness stated that the use of the island average for all the selling and delivery expense items has caused some inequities in that allowable costs based on the average do not cover the actual expense.

A representative of the Puerto Rico Department of Agriculture reviewed the progress of the Demonstration Farm Program which was set up by the Commonwealth Government for the purpose of increasing the efficiency of the Puerto Rican sugarcane industry.

Consideration has been given to the recommendations made at the public hearing; to data on the returns, costs and profits of producing and processing sugarcane obtained by field survey for recent crops and recast in terms of price and production conditions likely to prevail for the 1968-69 crop; and to other pertinent information. Analysis of these data indicates that neither producers nor processors are expected to make a profit, on average. Sugarcane production has declined steadily in recent years due mainly to a long and persistent drouth throughout the area. However, the drouth now appears to be ended and the 1968-69 crop is expected to show some recovery; estimated yields for the coming crop are up almost 10 percent over the prior year. Evidence available to the Department indicates that productivity in the Puerto Rican sugarcane industry has been lagging, especially in the handling and hauling phases of the harvest operations, although testimony at the public hearing indicates that some mills have made recent progress with the installation of bulk sugarcane handling and hauling equipment. That the Commonwealth Government is acting to en-

courage modernization of the industry also was brought out in the testimony.

This determination adopts the recommendations made at the public hearing that those processors who market less than 33 percent of their 1968–69 crop raw sugar on the mainland be allowed to modify the present method of determining admissible selling and delivery expenses with respect to the inland transportation component of such expenses. Those processors will be allowed inland transportation costs computed by adjusting the average of all such expenses to reflect the lowest estimated inland transportation costs had the processor delivered all 1968–69 crop sugar to the mainland.

This determination also provides that in those instances wherein a processor transfers all 1968–69 crop molasses to an affiliate company, the net proceeds upon which settlements with producers are based will be the average net proceeds per gallon as determined by the Area office for all 1968–69 crop molasses sold by processors in Puerto Rico. A provisional payment based on average net proceeds not less than 85 percent of the estimated final average is provided for.

On the basis of an examination of all pertinent factors, the provisions of this determination are deemed to be fair and reasonable.

Accordingly, I hereby find and conclude that the foregoing determination will effectuate the price provisions of the Sugar Act of 1948, as amended.

(The recordkeeping and reporting requirements of these regulations have been approved by, and subsequent recordkeeping and reporting requirement will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

Effective date. This determination shall become effective upon publication in the FEDERAL REGISTER, and is applicable to the 1968–69 crop of Puerto Rican sugarcane.

Signed at Washington, D.C., on February 26, 1969.

CLARENCE D. PALMBY,
Assistant Secretary.

SCHEDULE A

FORMULAE FOR DETERMINING THE "YIELD OF RAW SUGAR" FOR EACH PRODUCER

(A) Where a continuous sample of the crusher juice of the deliveries of sugarcane by a producer is used, the formula for determining the yield of raw sugar shall be.

$$R = TI\,(S - 0.3B)F$$

Where:

R = Yield of raw sugar, 96° basis;

S = Polarization of the crusher juice obtained from the sugarcane of each producer;

B = Brix of the crusher juice obtained from the sugarcane of each producer;

T = Trash correction factor which varies inversely with the amount of trash contained in the sugarcane of each producer from 1.0 for sugarcane which contains an amount of trash not in excess of 5 percent of the gross weight of sugarcane to 0.76075 for sugarcane which contains an amount of trash in excess of 30 percent; *Provided*, That where sugarcane has been subjected to a washing process prior to milling, the amount of trash that is soil shall be excluded in determining the correction factor.

I = Inferior sugarcane correction factor which is applied only to inferior varieties of sugarcane of each producer and is determined as follows:

(a) When the purity, P (where $P = 100\,S \div B$), of the crusher juice of sugarcane is equal to 75 or more, the factor $I = 0.9$; or

(b) When the purity, P (where $P = 100\,S \div B$), of the crusher juice of such sugarcane is less than 75, the factor, $I = 0.9 - 0.02\,(75 - P)$;

F = Yield factor which is determined as follows:

(a) Determine the "tentative recovery of raw sugar," 96° basis, for each producer delivering sugarcane during the settlement period from the product of the formula $(S - 0.3B)$, the number of hundredweights of net sugarcane, the applicable trash correction factor, T; and where applicable the inferior sugarcane correction factor, I; and

(b) Divide the pounds of raw sugar, 96° basis, produced at the mill during the applicable settlement period by the sum of the "tentative recoveries of raw sugar" for all producers to obtain the yield factor, F.

If part of the sugarcane delivered by producers is subjected to a washing process prior to milling, the polarization and brix of the resulting dilute crusher juice of such sugarcane shall be converted to an undiluted crusher juice basis by application of dilution compensation factors (*DCF*) computed as follows:

$$\text{Brix } DCF = \frac{\text{Brix of undiluted crusher juice sample}}{\text{Brix of diluted crusher juice sample}}$$

$$\text{Pol } DCF = \frac{\text{Pol of undiluted crusher juice sample}}{\text{Pol of diluted crusher juice sample}}$$

A written description of procedures and the frequency of sampling sugarcane to be used in determining *DCF* factors shall be submitted by the processor to the Area office and shall be subject to approval of that office.

(B) Where the "Core Sampler" method of sampling sugarcane delivered by producers is used the formula for determining the yield of raw sugar shall be:

$$R = F[S - 0.3(B + 0.1f_c)]$$

Where:

R = 96° Yield % cane.

S = Pol % cane.

B = Brix % cane.

f_c = Fiber % cane.

F = Factor calculated using the values obtained during the liquidation period, weighted on the basis of the net weight of cane and substituted at the right side of the following equation:

$$F = \frac{R}{S - 0.3(B + 0.1f_c)}$$

Whenever the core sampler is used jointly with any system of cane washing, during any settlement period, the mill is required to wash all the cane ground during such settlement period, and whenever the core sampler is used no determinations for extraneous matter nor adjustments in the cane weight and yield shall be made.

A written description of core sampling procedures to be used shall be submitted by the processor to the Area office and shall be subject to approval of that office.

(C) Where the sugarcane delivered by producers is sampled by hand or machine and the juice is extracted by a laboratory hand mill, the yield of raw sugar may be determined in accordance with the formula provided under either (A) or (B) above. A written description of the sampling procedure to be used shall be submitted by the by the processor to the Area office and shall be subject to approval of that office.

(D) Where sugarcane is handled in bulk, the procedures for sampling the deliveries of sugarcane by a producer shall be representative of all the deliveries of sugarcane of such producer. A written description of the sampling procedure shall be submitted by the processor to the Area office and shall be subject to approval of that office.

(E) The sugar yield of sugarcane which is commingled while being loaded or transported from the Island of Vieques to the processor's mill shall be the total sugar produced from the barge load of sugarcane, determined by applying either formula (A) or (B) prescribed by this Schedule A to the sugarcane of each barge load without segregating the cane of each producer; and the producer's share of such sugar shall be apportioned on the basis of the ratio of the net weight of each producer's sugarcane to the total weight of the barge load of sugarcane. The sugarcane of each grower shall be weighed at scales on the Island of Vieques to determine gross weight. The net weight of commingled cane from the barge load shall be determined at the mill in accordance with the applicable provisions of this determination, and the differences in gross and net weights shall be distributed among the growers who supplied the barge load of cane in proportion to the tonnage delivered by each grower.

SCHEDULE B

ADMISSIBLE DEDUCTIONS FOR SELLING AND DELIVERY EXPENSES ON RAW SUGAR

Admissible deductions for selling and delivery expenses in connection with the payment for sugarcane provided in section 877.23 of the 1968–69 price determination are limited to the sum of the following expenses for each mill operated by a processor, net of any receipts which reduce such expenses:

(1) Freight from the mill directly to the bulk raw sugar loading terminal, including the cost of covering cars or trucks where necessary;

(2) The cost of receiving, handling, and loading aboard ship at the bulk terminal at the rates established by the Puerto Rico Public Service Commission and in effect at the time the sugar is delivered to the bulk sugar terminal facility;

(3) Ocean freight;

(4) Unloading at destination;

(5) Freight demurrage resulting from causes beyond the control of the shipper; and

(6) An allowance of 7.0 cents per hundredweight of 96° raw sugar, in lieu of the following expenses:

(i) Reclaiming, weighing, and loading at mill or where stored;

(ii) Shore risk, marine and war risk insurance;

(iii) Brokerage or commission and exchange;

(iv) Weighing, testing, and sampling at destination;

(v) All other expenses not itemized herein.

When any of the necessary services included in items (1), (3), (4), or (5) above are furnished by the processor, costs incurred may include for each of the services rendered:

(1) Direct and immediate supervisory labor;

(2) Maintenance labor and supplies required for the facilities used;

(3) Taxes and insurance assessed or charged to the processor on such labor and a proportionate share of retirement and pension, bonuses, and vacation expenses properly allocable to such labor;

(4) Direct supplies; and

(5) Depreciation (at rates allowed by the taxing authority), property taxes, and property insurance on the facilities used.

Administrative expenses and interest shall be excluded from the computation of costs. In the event that facilities used in providing the necessary services are also used for other purposes by the processor, only that portion of the maintenance, depreciation, property taxes, and property insurance of such facilities properly apportionable to the necessary service shall be allowed.

The Director of the Area office may permit the use of the lowest rate charged by a public utility or carrier for comparable service in lieu of the costs incurred by the processor in furnishing the necessary service in the event that the costs incurred therefor cannot be accurately determined.

In determining the f.o.b. mill price of raw sugar sold or processed in Puerto Rico, equivalent selling and delivery expenses as approved by the Director of the Area office shall be computed as follows:

(1) If the processor delivers 33 percent or more of the total quantity of raw sugar produced by the mill to mainland refiners, the allowable per hundredweight selling and delivery expenses to be applied to such total quantity shall be the average of the admissible selling and delivery expenses as approved by the Director of the Area office for that quantity of raw sugar produced by the mill which was delivered to mainland refiners.

(2) If the processor delivers less than 33 percent of the total quantity of raw sugar produced by the mill to mainland refiners, the allowable per hundredweight selling and delivery expenses to be applied to such total quantity shall be an amount equal to the average of the admissible selling and delivery expenses approved by the Director of the Area office for all 1968–69 crop raw sugar produced in Puerto Rico which was delivered to mainland refiners; except that such average of all selling and delivery expenses shall be increased (or reduced as appropriate) by an amount representing the difference between the estimated inland transportation costs which would have been incurred by the processor had all such 1968–69 crop raw sugar been delivered to the bulk sugar terminal to which the Area office determines the sugar could have been transported at the lowest inland transportation costs, and the average of all admissible inland transportation costs for all 1968–69 crop raw sugar that was delivered to the mainland. The average of the admissible selling and delivery expenses shall, as provided above, be increased when the estimated inland transportation costs are greater than such average, and be reduced when the estimated inland transportation costs are less than such average.

The statement as required by § 877.27 of the determination shall include the following certification:

CERTIFICATION

I, hereby certify that as a result of the audit performed on the books of Central ____________ as of ____________, the deductions as set forth herein are properly chargeable as selling and delivery expenses for sugar in accordance with the determination of fair and reasonable prices for the 1968–69 crop of Puerto Rican sugarcane.

SCHEDULE C

ADMISSIBLE DEDUCTIONS FOR SELLING AND DELIVERY EXPENSES FOR MOLASSES

Admissible deductions for selling and delivery expenses in connection with the molasses payment provided in section 877.24 of the 1968–69 price determination are limited to the sum of the following expenses actually incurred at each mill operated by a processor, net of any receipts which reduce such expenses:

(1) Operation of pumps to deliver molasses from mill tank to shipside or other delivery point;

(2) Freight incurred or which would have been incurred on direct shipment from tanks located at the mill to shipside, or to a waterfront tank facility, or to local buyers when such molasses is sold on a delivered price basis;

(3) Operation of tank barges, tugs, or other marine equipment used in delivering molasses to shipside;

(4) Weighing and testing;

(5) Wharfage, including charges arising from utilization of waterfront facilities such as pipelines (including fees paid for right of way privileges), pumps, and tanks (a) to store molasses in anticipation of shipment; and (b) to deliver such molasses within the hold of the ship;

(6) Shore risk insurance (limited in coverage from mill to shipside);

(7) Freight demurrage resulting from causes beyond the control of the shipper;

(8) Brokerage paid to a bona fide broker.

When any of the necessary services included in items (1) through (8) above are furnished by the processor, costs incurred may include for each of the services rendered:

(1) Direct and immediate supervisory labor;

(2) Maintenance labor and supplies required for facilities used;

(3) Taxes and insurance assessed or charged to the processor on such labor and a proportionate share of retirement and pensions, bonuses and vacation expenses properly allocable to such labor;

(4) Fuel, energy or direct supplies; and

(5) Depreciation (at rates allowed by the taxing authorities), property taxes and property insurance on the facilities used.

Administrative expenses and interest shall be excluded from the computation of costs. In the event that facilities used in providing the necessary services are also used for other purposes by the processor, only that portion of the maintenance, depreciation, property taxes, and property insurance of such facilities, properly apportionable to the necessary service, shall be allowed.

The Director of the Area office, may permit the use of the lowest rate charged by a public utility or carrier for comparable service in lieu of the cost incurred by the processor in furnishing the necessary service in the event that the costs incurred therefor cannot be accurately determined.

The statement as required by § 877.27 of the determination shall include the following certification:

CERTIFICATION

I, hereby certify that, as the result of the audit performed on the books of Central ____________ as of ____________, the gross proceeds from the sales of molasses as herein stated are true and correct and the deductions set forth herein are properly chargeable as selling and delivery expenses for molasses in accordance with the determination of fair and reasonable prices for the 1968–69 crop of Puerto Rican sugarcane.

[F.R. Doc. 69-2579; Filed, Mar. 3, 1969; 8:46 a.m.]

SUBCHAPTER K—GENERAL CONDITIONAL PAYMENTS PROVISIONS

[891.2, Amdt. 3]

PART 891—DOMESTIC BEET SUGAR AREA

Designation of Crop of Sugar Beets by Year

Pursuant to the provisions of the Sugar Act of 1948, as amended, § 891.2 (32 F.R. 7837, 33 F.R. 2503, 34 F.R. 809) is amended by amending the first sentence to read as follows:

§ 891.2 Designation of crop of sugar beets by year.

In Southern California (including the counties of Imperial, San Diego, Riverside, Orange, San Bernardino, and that part of Los Angeles County lying south of the San Gabriel Mountains) and in any other State, a crop of sugar beets shall be designated by year to correspond with the calendar year in which the beets are planted: *Provided*, That in Orange and Riverside Counties, sugar beets that were planted during the calendar year 1966 and during the period January 1 through January 31, 1967, shall be designated as 1966-crop sugar beets, sugar beets that were planted during the months of February through December 1967, and during the period January 1 through January 31, 1968, shall be designated as 1967-crop sugar beets and sugar beets that were planted during the months of February through December 1968, and during the period January 1 through February 28, 1969, shall be designated as 1968-crop sugar beets.

* * * * *

STATEMENT OF BASES AND CONSIDERATIONS

An amendment published in the FEDERAL REGISTER of January 18, 1968 (34 F.R. 809), established the planting period for 1968-crop sugar beets in Orange and Riverside Counties, Calif. The period extended from February 1968, through January 1969.

Generally, most of the beets are planted in November and December. Unusually cool weather during those months delayed some planting and poor germination necessitated some replanting.

Heavy rains in the area prevented sugar beet planting in January. In view thereof and to protect the interests of the growers, the planting period for the 1968-crop year in the two counties is extended through February 28, 1969.

Accordingly, I hereby find and conclude that the foregoing amendment will effectuate the applicable provisions of the Act.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153; secs. 301, 302, 61 Stat. 929, 930, as amended, 7 U.S.C. 1131, 1132)

Effective date: Date of publication.

Signed at Washington, D.C., on February 26, 1969.

LIONEL C. HOLM,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 69-2578; Filed, Mar. 3, 1969; 8:46 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Navel Orange Reg. 170, Amdt. 1]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

(a) *Findings*. (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907, 33 F.R. 15471), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Navel oranges grown in Arizona and designated part of California.

(b) *Order, as amended*. The provisions in paragraph (b)(1) (i) and (ii) of § 907.470 (Navel Orange Regulation 170, 34 F.R. 2415) are hereby amended to read as follows:

§ 907.470 Navel Orange Regulation 170.

* * * * *

(b) *Order*. (1) * * *

(i) District 1: 836,000 cartons;

(ii) District 2: 264,000 cartons.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: February 27, 1969.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 69-2612; Filed, Mar. 3, 1969; 8:49 a.m.]

[Lemon Reg. 362, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

(a) *Findings*. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553 (1966)) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

(b) *Order, as amended*. The provisions in paragraph (b)(1) (i) and (ii) of § 910.662 (Lemon Regulation 362, 34 F.R. 2504) are hereby amended to read as follows:

§ 910.662 Lemon Regulation 362.

* * * * *

(b) *Order*. (1) * * *

(i) District 1: 20,460 cartons;

(ii) District 2: 188,790 cartons.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: February 27, 1969.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 69-2613; Filed, Mar. 3, 1969; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 69-EA-14, Amdt. 39-725]

PART 39—AIRWORTHINESS DIRECTIVES

Hartzell Propellers

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to amend AD 67-6-4, applicable to the Hartzell type propellers.

Since the publication of AD 67-6-4, service experience has demonstrated that the repetitive inspection every 200 hours may be increased to 600 hours without a depreciation in air safety. There have been no reported cracked propellers since the issuance of the Airworthiness Directive in February of 1967.

Since this amendment is relaxatory in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may made effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by amending AD 67-6-4.

1. Delete the figure "200" wherever it appears and insert in lieu thereof the figure "600".

This amendment is effective March 4, 1969.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a); 1421; 1423; sec. 6(c), DOT Act; 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on February 17, 1969.

R. M. BROWN,
Acting Director, Eastern Region.

[F. R. Doc. 69-2566; Filed, March 3, 1969; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 9440, Amdt. 95-177]

PART 95—IFR ALTITUDES

Miscellaneous Changes

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

As a situation exists which demands immediate action in the interest of safety, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 95 of the Federal Aviation Regulations is amended, effective April 3, 1969 as follows:

1. By amending Subpart C as follows:

From, To, and MEA

Section 95.48 *Green Federal airway 8* is amended by adding:

Shemya, Alaska, LF/RBN; Anvil INT, Alaska; 2,000.

Anvil INT, Alaska; Adak, Alaska, LF/RBN; 6,400.

Adak, Alaska, LF/RBN; Nikolski, Alaska, LF/RBN; 7,200.

Nikolski, Alaska, LF/RBN; Driftwood Bay, Alaska, LF/RBN; 8,900.

From, To, and MEA

Driftwood Bay, Alaska, LF/RBN; Mordvinoff INT, Alaska; 8,700.
Mordvinoff INT, Alaska; *Cold Bay, Alaska, LFR; 6,000. *5,300—MCA Cold Bay LFR, southwestbound.
Cold Bay, Alaska, LFR; Marlin INT, Alaska; 4,500.
Marlin INT, Alaska; King Salmon, Alaska, LFR; 2,000.

Section 95.49 *Green Federal airway 9* is amended to read in part:

Sparrevohn, Alaska, LF/RBN; *Spurr INT, Alaska; **11,000. *8,500—MCA Spurr INT, westbound. **10,100—MOCA.
Delta Island INT, Alaska; Anchorage, Alaska, LFR; *2,000. *1,600—MOCA.

Section 95.51 *Green Federal airway 11* is added to read:

Shemya, Alaska, LF/RBN; Amchitka, Alaska, LF/RBN; 4,200.
Amchitka, Alaska, LF/RBN; Adak, Alaska, LF/RBN; 7,400.
Adak, Alaska, LF/RBN; Nikolski, Alaska, LF/RBN; 7,200.
Nikolski, Alaska, LF/RBN; Driftwood Bay, Alaska, LF/RBN; 8,900.
Driftwood Bay, Alaska, LF/RBN; Mordvinoff INT, Alaska; 8,700.
Mordvinoff INT, Alaska; *Cold Bay, Alaska, LFR; 6,000. *5,300—MCA Cold Bay LFR, southwestbound.
Cold Bay, Alaska, LFR; Marlin INT, Alaska; 4,500.
Marlin INT, Alaska; Port Heiden, Alaska, LF/RBN; *2,000. *1,900—MOCA.
Port Heiden, Alaska, LF/RBN; Wide Bay INT, Alaska; 9,000.
Wide Bay INT, Alaska; Kodiak, Alaska, LFR; *7,000. *5,900—MOCA.

Section 95.627 *Blue Federal airway 27* is amended by adding:

Kodiak, Alaska, LFR; King Salmon, Alaska, LFR; *10,000. *9,700—MOCA.

Section 95.1001 *Direct routes—United States* is amended to delete:

Harpoon INT, Hawaii; *Pele INT, Hawaii; **10,000. *10,000—MRA. **8,800—MOCA.
Lake Hughes, Calif., VOR; Verde INT, Calif.; 8,000.

Section 95.1001 *Direct routes—United States* is amended by adding:

Appalachicola, Fla., LF/RBN; Marianna, Fla., VOR; *2,000. *1,400—MOCA.
Appalachicola, Fla., LF/RBN; Panama City, Fla., VOR; *2,000. *1,400—MOCA.
Appalachicola, Fla., LF/RBN; Tallahassee, Fla., VOR; *2,000. *1,900—MOCA.
Fairmont INT, Calif.; Saugus INT, Calif.; *7,000. *6,600—MOCA.
Int, 096° M rad, Fillmore VOR and 305° M rad, Seal Beach VOR; Stadium INT, Calif.; 5,000.
Int, 305° M rad, Seal Beach VOR and 323° M rad, Los Angeles VOR; Int, 096° M rad, Fillmore VOR and 305° M rad, Seal Beach VOR; 6,000.
Int, 349° M rad, Seal Beach VOR and 096° M rad, Van Nuys VOR; Seal Beach, Calif., VOR; 3,200.
Point Tuna, P.R., NDB; Roosevelt Roads, P.R., NDB; 3,200.
*Ponce, P.R., VOR; **Vega INT, P.R.; 5,000. *3,500—MCA Ponce VOR, northeastbound. **5,000—MCA Vega INT, southwestbound.
Seal Beach, Calif., VOR (via SLI 340° M rad); El Monte INT, Calif.; 4,000.
Seal Beach, Calif., VOR; Manta INT, Calif.; 2,500.
Pacific INT, Calif.; Seal Beach, Calif., VOR; *3,000. *2,400—MOCA.
*Vega INT, P.R.; San Juan, P.R., VORTAC; 2,500. *5,000—MCA Vega INT, southwestbound.
Verde INT, Calif.; *Warm Springs INT, Calif.; **6,000. *6,600—MCA Warm Springs INT, northbound. **4,500—MOCA.
Victory INT, Calif.; Warm Springs INT, Calif.; *7,000. *6,600—MOCA.
*Warm Springs INT, Calif.; Lake Hughes, Calif., VOR; 8,000. *6,600—MCA Warm Springs INT, northbound.

Section 95.1001 *Direct routes—United States* is amended to read in part:

Puerto Rico Routes

Route 2:

St. Thomas, V.I., VOR; Cruzan INT, V.I.; 2,600.
Cruzan INT, V.I., VOR; St. Croix, V.I., VOR; 2,200.

Route 2:

Midway INT, P.R.; Point Tuna INT, P.R.; *8,700. *5,000—MOCA.
Point Tuna INT, P.R.; Snapper INT, V.I.; 2,600.
Snapper INT, V.I.; St. Croix, V.I., VOR; 2,200.

Route 9:

*Ponce, P.R., VOR; Midway INT, P.R.; 4,500. *2,700—MCA Ponce VOR, northeastbound.

Section 95.6003 *VOR Federal airway 3* is amended to read in part:

Smyrna INT, Fla.; Daytona Beach, Fla., VOR; *2,000. *1,500—MOCA.

Section 95.6005 *VOR Federal airway 5* is amended to read in part:

Alma, Ga., VOR; Dublin, Ga., VOR; *2,000. *1,700—MOCA.

Section 95.3008 *VOR Federal airway 8* is amended to read in part:

Seal Beach, Calif., VOR; Anaheim INT, Calif.; 2,500.
Seal Beach, Calif., VOR via N alter.; Pomona, Calif., VOR via N alter.; *4,000. *3,500—MOCA.

Section 95.6011 *VOR Federal airway 11* is amended to read in part:

Rankin INT, Miss.; Jackson, Miss., VOR; *2,000. *1,200—MOCA.

Section 95.6012 *VOR Federal airway 12* is amended to delete:

Zuni, N. Mex., VOR; Grants, N. Mex., VOR; 11,000.
Zuni, N. Mex., VORTAC via S alter.; Lava INT, N. Mex., via S alter.; eastbound, 11,000; westbound, 10,000.
*Lava INT, N. Mex., via S alter.; Grants, N. Mex., VOR via S alter.; **12,000. *12,000—MRA. **10,700—MOCA.
Grants, N. Mex., VOR; Albuquerque, N. Mex., VOR; 10,000.

Section 95.6012 *VOR Federal airway 12* is amended by adding:

Zuni, N. Mex., VOR; Laguna INT, N. Mex.; *11,000. *10,700—MOCA.
Laguna INT, N. Mex.; Albuquerque, N. Mex., VOR; 9,000.
Zuni, N. Mex., VOR via S alter.; Suwanee INT, N. Mex., via S alter.; *11,500. *10,800—MOCA.
Suwanee INT, N. Mex., via S alter.; Albuquerque, N. Mex., VOR via S alter.; 8,300.

Section 95.6016 *VOR Federal airway 16* is amended to read in part:

Damascus INT, Va.; Sugar Grove INT, Va.; 7,700. Blackford, Va., VOR via N alter.; Pulaski, Va., VOR via N alter.; 6,600.

Section 95.6018 *VOR Federal airway 18* is amended to read in part:

Jackson, Miss., VOR via S alter.; Meridian, Miss., VOR via S alter.; *3,000. *1,900—MOCA.

Section 95.6021 *VOR Federal airway 21* is amended to read in part:

Seal Beach, Calif., VOR; Anaheim INT, Calif.; 2,500.

Section 95.6025 *VOR Federal airway 25* is amended to read in part:

Albacore INT, Calif., via E alter.; Seal Beach, Calif., VOR via E alter.; 2,000.

Section 95.6051 *VOR Federal airway 51* is amended to read in part:

Alma, Ga., VOR; Dublin, Ga., VOR; *2,000. *1,700—MOCA.
Smyrna INT, Fla.; Daytona Beach, Fla, VOR; *2,000. *1,500—MOCA.

Section 95.6054 *VOR Federal airway 54* is amended to read in part:

Porter, INT, Ark.; Memphis, Tenn., VOR; *1,800. *1,600—MOCA.

Section 95.6057 *VOR Federal airway 57* is amended to read in part:

Falmouth, Ky., VOR; Hamilton INT, Ohio; 2,700.

Section 95.6064 *VOR Federal airway 64* is amended to read in part:

Seal Beach, Calif., VOR; *Tustin INT, Calif.; eastbound, **3,000; westbound, 2,200. *4,500—MCA Tustin INT, eastbound. **2,200—MOCA.

Section 95.6066 *VOR Federal airway 66* is amended to read in part:

Fort Mill, S.C. VOR; Midland INT, N.C.; *2,200. *1,700—MOCA.

Section 95.6097 *VOR Federal airway 97* is amended to delete:

Winona INT, Minn.; Int. 309° M rad, Nodine VOR and SE crs Minneapolis ILS lczr.; *2,900. *2,800—MOCA.

Section 95.6097 *VOR Federal airway 97* is amended by adding:

Winona INT, Minn.; Prescott INT, Minn.; *2,900. *2,800—MOCA.
Prescott INT, Minn.; Minneapolis, Minn., VOR; 2,600.

Section 95.6097 *VOR Federal airway 97* is amended to read in part:

Americus INT, Ga.; *Junction City INT, Ga.; **3,500. *4,000—MRA. **2,100—MOCA.

Section 95.6120 *VOR Federal airway 120* is amended to read in part:

Bigelow INT, Iowa; *Gruver INT, Iowa; **6,000. *5,000—MRA. **2,900—MOCA.

Section 95.6139 *VOR Federal airway 139* is amended to read in part:

Avalon INT, N.J.; Harbor INT, N.J.; *3,000. *2,000—MOCA.
Harbor INT, N.J.; Manta INT, N.J.; *5,000. *2,000—MOCA.
Manta INT, N.J.; Dutch INT, N.Y.; *6,000. *2,000—MOCA.
Dutch INT, N.Y.; Int. 124° M rad, Kennedy VOR and 236° Hampton VOR; *6,000. *3,000—MOCA.
INT, 124° M rad, Kennedy VOR and 236 Hampton VOR; Beach INT, N.Y.; *5,000. *3,000—MOCA.

From, To, and MEA

Section 95.6152 *VOR Federal airway 152* is amended to read in part:

Smyrna INT, Fla., via S alter.; Daytona Beach, Fla., VOR via S alter.; *2,000. *1,500—MOCA.

Section 95.6190 *VOR Federal airway 190* is amended to delete:

St. Johns, Ariz., VOR via N alter.; *Lava INT, N. Mex., via N alter.; **11,000. *12,000—MRA. **9,500—MOCA.

Lava INT, N. Mex., via N alter.; Grants, N. Mex., VOR via N alter.; *12,000. *10,700—MOCA.

Grants, N. Mex., VOR via N alter.; Albuquerque, N. Mex., VOR via N alter.; 10,000.

Section 95.6190 *VOR Federal airway 190* is amended by adding:

St. Johns, Ariz., VOR via S alter.; Garcia INT, N. Mex., via S alter.; *12,000. *11,000—MOCA.

Garcia INT, N. Mex., via S alter.; Albuquerque, N. Mex., VOR via S alter.; 8,900.

Section 95.6190 *VOR Federal airway 190* is amended to read in part:

Suwanee INT, N. Mex.; *Albuquerque, N. Mex., VOR; 8,300. *11,500—MCA Albuquerque VOR, northeastbound. Albuquerque, N. Mex., VOR; Rencona INT, N. Mex.; *13,000. *12,900—MOCA.

Section 95.6194 *VOR Federal airway 194* is amended to read in part:

McComb, Miss., VOR; *Rose Hill INT, Miss.; **3,000. *3,000—MRA. **2,000—MOCA.

Rose Hill INT, Miss.; Meridian, Miss., VOR; *2,000. *1,500—MOCA.

Section 95.6195 *VOR Federal airway 195* is amended to read in part:

Cordelia INT, Calif.; *Rag INT, Calif.; **6,500. *6,500—MRA. **4,800—MOCA.

Rag INT, Calif.; *Berryessa INT, Calif.; **6,500. *6,500—MCA Berryessa INT, southbound. **5,000—MOCA.

Section 95.6243 *VOR Federal airway 243* is amended to read in part:

Cabins INT, Ga., via W alter.; Waycross, Ga., VOR via W alter.; 2,200.

Section 95.6252 *VOR Federal airway 252* is amended to read in part:

Binghamton, N.Y., VOR; Thompson INT, Pa.; 4,000.

Thompson INT, Pa.; Rowlands INT, N.Y.; 4,400.

Rowlands INT, N.Y.; Huguenot, N.Y., VOR; 4,000.

Section 95.6291 *VOR Federal airway 291* is amended to delete:

Grants, N. Mex., VOR.; Gallup, N. Mex., VOR; 11,000.

Section 95.6291 *VOR Federal airway 291* is amended by adding:

Albuquerque, N. Mex., VOR; Arroyo INT, N. Mex.; 8,300.

Arroyo INT, N. Mex.; *Taylor INT, N. Mex.; 9,500. *12,400—MCA Taylor INT, westbound.

Taylor INT, N. Mex.; Bluewater INT, N. Mex.; 13,300.

Bluewater INT, N. Mex.; Gallup, N. Mex., VOR; 10,600.

Albuquerque, N. Mex., VOR via N alter.; *Cuba INT, N. Mex., via N alter.; 8,600. *9,000—MRA. *10,000—MCA Cuba INT, westbound.

From, To, and MEA

Cuba INT, N. Mex., via N alter.; Gallup, N. Mex., VOR via N alter.; 11,200.

Section 95.6308 *VOR Federal airway 308* is amended to read in part:

Avalon INT, N.Y.; Harbor INT, N.J.; *3,000. *2,000—MOCA.

Harbor INT, N.J.; Manta INT, N.J.; *5,000. *2,000—MOCA.

Manta INT, N.J.; Dutch INT, N.Y.; *6,000. *2,000—MOCA.

Dutch INT, N.Y.; Int. 124° M rad, Kennedy VOR and 236° M rad, Hampton VOR; *6,000. *3,000—MOCA.

Int. 124° M rad, Kennedy VOR and 236° M rad, Hampton VOR; Beach INT, N.Y.; *5,000. *3,000—MOCA.

Section 95.6322 *VOR Federal airway 322* is amended to read in part:

Berlen, N.H., VOR; Sherbrooke, Canada, VOR; #5,300. #For that portion over U.S. Territory.

Section 95.6448 *VOR Federal airway 448* is amended to read in part:

Appleton INT, Wash.; Simcoe INT, Wash.; southwestbound, *14,500; northeastbound, *8,000. *7,500—MOCA.

Section 95.6455 *VOR Federal airway 455* is amended to read in part:

Hattiesburg, Miss., VOR via W alter.; *Rose Hill INT, Miss., via W alter.; **3,000. *3,000—MRA. **1,800—MOCA.

Rose Hill INT, Miss., via W alter.; Meridian, Miss., VOR via W alter.; *2,000. *1,500—MOCA.

Section 95.6456 *VOR Federal airway 456* is amended by adding:

Cold Bay, Alaska, VOR; King Salmon, Alaska, VOR; *14,000. *3,300—MOCA.

Section 95.6459 *VOR Federal airway 459* is amended to read in part:

Seal Beach, Calif., VOR; *Berry INT, Calif.; 5,000. *8,000—MCA Berry INT, northwestbound.

Berry INT, Calif.; *Saugus INT, Calif.; 8,000. *6,600—MCA Saugus INT, northwestbound.

Section 95.6475 *VOR Federal airway 475* is amended to read in part:

Deer Park, N.Y., VOR; Inlet INT, N.Y.; 2,000.

Inlet INT, N.Y.; Jefferson INT, N.Y.; 1,900.

Section 95.6402 *Hawaii VOR Federal airway 2* is amended to read in part:

Honolulu, Hawaii, VOR; Kahala INT, Hawaii; 4,000.

Kahala INT, Hawaii; Penguin INT, Hawaii; 2,000.

Penguin INT, Hawaii; *Lanai, Hawaii, VOR; 4,000. *4400—MCA Lanai VOR, eastbound.

Ono INT, Hawaii, via S alter.; Sampan INT, Hawaii, via S alter.; 2,000.

Lanai, Hawaii, VOR; Keiki INT, Hawaii; 5,000.

Keiki INT, Hawaii; Mango INT, Hawaii; 3,000.

Section 95.6406 *Hawaii VOR Federal airway 6* is amended to read in part:

Marlin INT, Hawaii; *Pumice INT, Hawaii; 4,000. *10,000—MRA.

Pumice INT, Hawaii; *Arbor INT, Hawaii; 4,000.

Section 95.6408 *Hawaii VOR Federal airway 8* is amended to delete:

Southgate INT, Hawaii; Palmtree INT, Hawaii; 2,000.

From, To, and MEA

Section 95.6408 *Hawaii VOR Federal airway 8* is amended by adding:

Makai INT, Hawaii; Palmtree INT, Hawaii; 2,000.

Section 95.6411 *Hawaii VOR Federal airway 11* is amended by adding:

Sweet Pea INT, Hawaii; Maui, Hawaii, VOR; 5,000.

Maui, Hawaii, VOR; Snapper INT, Hawaii; 5,000.

Snapper INT, Hawaii; Molokai, Hawaii, VOR; 7,000.

Molokai, Hawaii, VOR; Palmtree INT, Hawaii; 3,000.

Palmtree INT, Hawaii; Makai INT, Hawaii; 2,000.

Section 95.6415 *Hawaii VOR Federal airway 15* is amended to read in part:

Marlin INT, Hawaii; *Pumice INT, Hawaii; 4,000. *10,000—MRA.

Pumice INT, Hawaii; *Arbor INT, Hawaii; 4,000.

South Kauai, Hawaii, VOR; Honolulu, Hawaii, VOR; 5,000.

Section 95.6416 *Hawaii VOR Federal airway 16* is amended to read in part:

Pineapple INT, Hawaii; Makai INT, Hawaii; *2,000. *1,000—MOCA.

Makai INT, Hawaii; Sampan INT, Hawaii; 2,000.

Section 95.6421 *Hawaii VOR Federal airway 21* is added to read:

Hibiscus INT, Hawaii; *Pumice INT, Hawaii; 14,000. *10,000—MRA.

Pumice INT, Hawaii; *Harpoon INT, Hawaii; 10,000. *7,000—MCA Harpoon INT, eastbound.

Harpoon INT, Hawaii; Mango INT, Hawaii; 6,000.

Mango INT, Hawaii; Keiki INT, Hawaii; 3,000.

Keiki INT, Hawaii; *Lanai, Hawaii, VOR; 5,000. *4,400—MCA Lanai VOR, eastbound.

Lanai, Hawaii, VOR; Sampan INT, Hawaii; 4,000.

Sampan INT, Hawaii; Makai INT, Hawaii; 2,000.

Section 95.6422 *Hawaii VOR Federal airway 22* is added to read:

Maui, Hawaii, VOR; *Barracuda INT, Hawaii; 7,000. *11,000—MCA Barracuda INT, southbound.

Barracuda INT, Hawaii; Bonita INT, Hawaii; 11,000.

Bonita INT, Hawaii; Hilo, Hawaii, VOR; 6,000.

Section 95.6506 *VOR Federal airway 506* is amended to read in part:

*Kodiak, Alaska, VOR; Brooks DME Fix, Alaska; **13,000. *4,000—MCA Kodiak VOR, westbound. **9,700—MOCA.

*Brooks DME Fix, Alaska; King Salmon, Alaska, VOR; **5,000. *7,000—MCA Brooks DME Fix, eastbound. **4,500—MOCA.

Section 95.7040 *Jet Route No. 40* is amended to read in part:

From, to, MEA, and MAA

Richmond, Va., VORTAC; Int. 015° M rad, Richmond VORTAC and 065° M rad, Gordonsville VORTAC; 18,000; 45,000.

Section 95.7048 *Jet Route No. 48* is amended by adding:

Westminster, Md., VORTAC; Putnam, Conn., VORTAC; 18,000; 45,000. Putnam, Conn., VORTAC; Boston, Mass., VORTAC; 18,000; 45,000.

From, to, MEA, and MAA

Section 95.7070 *Jet Route No. 70* is amended to read in part:

Pullman, Mich., VORTAC; Int, 091° M rad, Pullman VORTAC and 010° M rad, Rosewood VORTAC; 18,000; 45,000.
Int, 091° M rad, Pullman VORTAC and 010° M rad, Rosewood VORTAC; United States-Canadian border; 22,000; 45,000.

Section 95.7115 *Jet Route No. 115* is amended by adding:

Shemya, Alaska, NDB; Adak, Alaska, NDB; 18,000; 45,000.
Adak, Alaska, NDB; Nikolski, Alaska, NDB; 18,000; 45,000.
Nikolski, Alaska, NDB; Cold Bay, Alaska, VORTAC; 18,000; 45,000.
Cold Bay, Alaska, VORTAC; King Salmon, Alaska, VORTAC; 18,000; 45,000.

Section 95.7152 *Jet Route No. 152* is amended to read in part:

Capital, Ill., VORTAC; Int, 264° M rad, Rosewood VORTAC and 087° M rad, Capital VORTAC; 18,000; 45,000.
Int, 264° M rad, Rosewood VORTAC and 087° M rad, Capital VORTAC; Rosewood, Ohio, VORTAC; 23,000; 45,000.

Section 95.7547 *Jet Route No. 547* is amended by adding:

United States-Canadian border; Buffalo, N.Y., VORTAC; 18,000; 45,000.

2. By amending subpart D as follows:

Section 95.8003 *VOR Federal airway changeover points:*

Airway segment: from; to—Changeover point: distance; from

V-12 is amended to delete:
Zuni, N. Mex., VOR; Grants, N. Mex. VOR; 38; Zuni.
Grants, N. Mex., VOR; Albuquerque, N. Mex., VOR; 26; Grants.
V-291 is amended by adding:
Albuquerque, N. Mex., VOR; Gallup, N. Mex., VOR; 60; Gallup.
V-506 is amended by adding:
Kodiak, Alaska, VOR; King Salmon, Alaska, VORTAC; 45; Kodiak.

Hawaii

V-15 is amended by adding:
South Kauai, Hawaii, VOR; Honolulu, Hawaii, VOR; 40; Honolulu.

Section 95.8005 *Jet routes changeover points:*

J-32 is amended to delete:
Reno Nev., VOR; Elko, Nev., VORTAC; 44; Reno.
J-80 is amended to read in part:
Grand Junction, Colo., VORTAC; Denver, Colo., VORTAC; 115; Grand Junction.
J-88 is amended to delete:
Ukiah, Calif., VORTAC; Medford, Oreg., VORTAC; 121; Ukiah.
J-94 is amended to delete:
Reno, Nev., VOR; Elko, Nev., VORTAC; 44; Reno.
J-502 is amended by adding:
Ukiah, Calif., VORTAC; Medford, Oreg., VORTAC; 121; Ukiah.

(Secs. 307, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510)

Issued in Washington, D.C., on February 20, 1969.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 69-2514; Filed, Mar. 3, 1969; 8:45 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-563, Amdt. 2]

PART 240—INSPECTION OF ACCOUNTS AND PROPERTY

Miscellaneous Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 26th day of February 1969.

Section 240.1(b) of Part 240 construes the terms "special agent" and "auditor" in section 407(e) of the Act as including, inter alia, "any employee of the Bureau of Safety", a staff component no longer in existence. Section 240.1(b) will therefore be amended to delete this reference and also to reflect the current designation of certain other staff components.

This regulation is issued by the undersigned pursuant to a delegation of authority from the Board to the General Counsel in 14 CFR 385.19, and shall become effective 20 days after publication in the FEDERAL REGISTER. Procedures for review of this amendment by the Board are set forth in Subpart C of Part 385 (14 CFR 385.50–385.54).

Accordingly, the Board hereby amends Part 240 of the economic regulations (14 CFR Part 240) effective March 24, 1969, as follows:

1. Amend § 240.1(b) to read:

§ 240.1 Interpretation.

* * * * *

(b) The terms "special agent" and "auditor" are respectively construed to mean (1) any employee of the Bureau of Enforcement, and any other employee of the Board specifically designated by it or by the Director, Office of Facilities and Operations; and (2) any employee of the Field Audits Division, Bureau of Accounts and Statistics.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324)

By the Civil Aeronautics Board.

[SEAL] JOSEPH B. GOLDMAN,
General Counsel.

[F.R. Doc. 69-2603; Filed, Mar. 3, 1969; 8:49 a.m.]

[Reg. ER-562, Amdt. 22]

PART 241—UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

Deletion of Filing of Monthly Interim Financial Reports

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 26th day of February 1969.

The Board has determined to delete from the uniform system of accounts and reports the requirement for filing monthly balance sheets and income statements by the route and supplemental air carriers. Because of the interim nature of these statements, and the fact that it has not been practicable to establish detailed reporting requirements governing their form and content, these statements are often subject to substantial adjustment in the more definitive quarterly reports. Accordingly, the reports have proved of only limited value to the Board, and little use is now made of them. In general, the Board's needs for maintaining surveillance of current carrier conditions will be adequately met by the monthly traffic statistics report, as well as the monthly report of current and long-term receivables and payables filed by supplemental carriers. These reports will be retained.

The Board, of course, has power to require special reports from any carrier if regulatory needs warrant. In light of our special responsibility for supplemental carriers, we are contemporaneously delegating to the Director, Bureau of Accounts and Statistics, authority to require interim reports under certain circumstances.

Since this amendment relieves a restriction, the Board finds that notice and public procedure hereon are not required and the rule may be made effective immediately.

Accordingly, the Civil Aeronautics Board hereby amends Part 241 of its economic regulations (14 CFR Part 241), effective February 26, 1969, as follows:

1. By amending paragraph (a) in section 22—*General Reporting Instructions* as follows:

A. By revising the paragraph to read:

(a) The CAB Form 41 report is comprised of schedules to be filed at the frequency indicated below. Four copies of each schedule shall be filed with the Civil Aeronautics Board and shall be received, or postmarked, on or before expiration of the indicated interval subsequent to the period for which the report is being made.

B. By deleting from the table of schedules the following lines:

Interim Balance Sheet—Monthly—30.
Interim Income Statement—Monthly—30.

2. By deleting from section 23—*Certification and Balance Sheet Elements* the subheading "Interim Balance Sheet" and the paragraph directly thereunder.

3. By deleting from section 24—*Profit and Loss Elements* the subheading "Interim Income Statement" and paragraphs (a) and (b) directly thereunder.

4. By amending paragraph (a) in Section 32—*General Reporting Instructions* as follows:

A. By revising the paragraph to read:

(a) The CAB Form 41 report is comprised of schedules to be filed at the frequency indicated below. Four copies of each schedule shall be filed with the Civil Aeronautics Board and shall be received, or postmarked, on or before expiration of the indicated interval subsequent to the period for which the report is being made.

B. By deleting from the table of schedules the following lines:

Interim Balance Sheet—Monthly—30.
Interim Income Statement—Monthly—30.

5. By deleting from section 33—*Certification and Balance Sheet Elements* the subheading "Interim Balance Sheet" and the paragraph directly thereunder.

6. By deleting from section 34—*Profit and Loss Elements* the subheading "Interim Income Statement" and paragraphs (a) and (b) directly thereunder.

(Secs. 204(a), 407(a), Federal Aviation Act of 1958, as amended; 72 Stat. 743, 766; 49 U.S.C. 1324, 1377)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary*.

[F.R. Doc. 69-2604; Filed, Mar. 3, 1969; 8:49 a.m.]

SUBCHAPTER E—ORGANIZATION REGULATIONS

[Reg. No. OR-34, Amdt. 9]

PART 385—DELEGATIONS AND REVIEW OF ACTION UNDER DELEGATION; NONHEARING MATTERS

Delegation of Authority To Require Monthly Financial Reports From Supplemental Air Carriers

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 26th day of February 1969.

In Regulation ER-562 issued concurrently herewith, the Board has amended Part 241 to delete the requirement of filing monthly interim financial reports by route and supplemental air carriers. The Board, however, has the duty of maintaining surveillance of the continuing fitness of supplemental air carriers under section 401(n)(4) of the Act, and our proper performance of this duty may require interim reporting by particular carriers. Accordingly, the Board is hereby delegating to the Director, Bureau of Accóunts and Statistics, authority to require such reports of any supplemental carrier where he finds it necessary for determining the continuing fitness of such carrier pursuant to section 401(n)(4) of the Act.

Since this amendment is a matter relating to agency management, notice and public procedure hereon are not required and the rule may be made effective immediately.

Part 385 of the Organization Regulations is hereby amended by adding new paragraph (j) to § 385.17 (14 CFR 385.17), effective February 26, 1969, to read as follows:

§ 385.17 Delegation to the Director, Bureau of Accounts and Statistics.

* * * * *

(j) Require monthly balance sheets and income statements of any supplemental air carrier, where he finds that such reports are necessary for the purpose of determining whether such carrier meets the standards of continuing fitness required by section 401(n)(4) of the Act.

(Sec. 204(a), 401(n)(4), and 407 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 754 (as amended by 76 Stat. 143), 766; 49 U.S.C. 1324, 1371, 1377)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary*.

[F.R. Doc. 69-2605; Filed, Mar. 3, 1969; 8:49 a.m.]

SUBCHAPTER F—POLICY STATEMENTS

[Reg. PS-38, Amdt. 17]

PART 399—STATEMENTS OF GENERAL POLICY

Miscellaneous Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 26th day of February 1969.

Section 399.70 and the title to Subpart F of Part 399 pertain to policies relating to aircraft accident investigations, a function which has been transferred to the National Transportation Safety Board by section 5 of the Department of Transportation Act of 1966 (80 Stat. 1935). Accordingly, the section will be deleted as obsolete.

This regulation is issued by the undersigned pursuant to a delegation of authority from the Board to the General Counsel in 14 CFR 385.19, and shall become effective 20 days after publication in the FEDERAL REGISTER. Procedures for review of this amendment by the Board are set forth in Subpart C of Part 385 (14 CFR 385.50-385.54).

For the above reason, the Board hereby amends Part 399 (14 CFR Part 399), effective March 24, 1969, as follows:

1. Delete references to former § 399.26 and present § 399.70 in the Table of Cross References. (Policy Statement 21, 29 F.R. 1446, Jan. 29, 1964)

2. Revise the table of contents to read, in part:

* * * * *

Subpart F—[Reserved]

Subpart G—Policies Relating to Enforcement

* * * * *

3. Delete § 399.70 and reserve Subpart F, as follows:

Subpart F—[Reserved]

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324)

By the Civil Aeronautics Board.

[SEAL] JOSEPH B. GOLDMAN, *General Counsel*.

[F.R. Doc. 69-2602; Filed, Mar. 3, 1969; 8:49 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Disclosure Not Required of Origin of Imported Upper Material Used in Shoes

§ 15.327 Disclosure not required of origin of imported upper material used in shoes.

(a) The Commission rendered an advisory opinion to a manufacturer of athletic shoes stating that it would not be necessary to disclose the country of origin of the imported upper material.

(b) The imported upper material will represent approximately one-third of total material costs, and the remaining two-thirds will be composed of material made either in the United States or Puerto Rico. Concluding that a disclosure of the imported upper material would not be required, the Commission said: "In the absence of any affirmative misrepresentation as to origin, the Commission is of the opinion that, under the facts as presented, it will not be necessary to disclose the country of origin of the imported upper material."

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: March 3, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary*.

[F.R. Doc. 69-2558; Filed, Mar. 3, 1969; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Organization of Warehouse Distribution Center for a Jobber Buying Group

§ 15.328 Organization of warehouse distribution center for a jobber buying group.

(a) The Commission issued an advisory opinion warning of probable violations of law in the proposed organization by an automotive replacement parts manufacturers' representative of a warehouse distribution center buying group of jobbers.

(b) According to the information submitted, the applicant is now, and intends to continue to be, a sales agent for several automotive parts manufacturers. He proposes to organize and operate a warehouse distribution center for automotive parts, obtaining quantity discounts on purchases from suppliers and then reselling at a 5 percent to 7 percent markup to "member" jobbers. The quantities will be the result of pooled orders

from the jobbers. Jobbers will be "members" only in the sense that they will contribute $1,000 each to the applicant in return for the privilege of sharing some of the quantity discounts on purchases from suppliers. The applicant and his wife will be the sole owners, operators, and employees of the warehouse distribution center. Drop shipments will be used when orders are large enough to obtain quantity discounts for the particular orders. The applicant intends to organize only one jobber in each of the smaller towns and perhaps two or more in larger towns "where they would not be competing for the same customers." The center will place orders with manufacturers, receive goods not otherwise drop-shipped and distribute them, bill jobber-customers (i.e., "members"), and slowly accumulate an inventory in its warehouse.

(c) The Commission is of the opinion that the applicant would probably violate section 2(c) of the amended Clayton Act if he receives commissions from manufacturers whom he represents as a sales agent on purchases for his own account for resale to jobbers.

(d) The Commission also pointed out that, while buying groups of jobbers are not illegal per se, they may function in ways to violate section 2(f) of the amended Clayton Act if they refuse membership to jobbers who compete with each other and thereafter obtain unjustified price discriminations.

(38 Stat. 717, as amended; 15 U.S.C. 41-58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: March 3, 1969.

By direction of the Commission.

Commissioner Elman did not concur in the foregoing action.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-2559; Filed, Mar. 3, 1969; 8:45 a.m.]

Title 42—PUBLIC HEALTH

Chapter II—Children's Bureau, Social and Rehabilitation Service, Department of Health, Education, and Welfare

PART 205—RESEARCH PROJECTS RELATING TO MATERNAL AND CHILD HEALTH SERVICES AND CRIPPLED CHILDREN'S SERVICES, AND RESEARCH OR DEMONSTRATION PROJECTS RELATING TO CHILD WELFARE SERVICES

This part provides regulations for the program of research grants for projects in the field of maternal and child health and crippled children's services authorized by section 512 of the Social Security Act, as amended (42 U.S.C. 712), and for the program of research or demonstration grants for projects in the field of child welfare authorized by section 426 of the Social Security Act, as amended (42 U.S.C. 626).

Federal financial assistance extended under this part is subject to the regulations in 45 CFR Part 80, issued by the Secretary of Health, Education, and Welfare, and approved by the President, to effectuate the provisions of section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d).

Sec.
205.1 Nature and purpose of grants.
205.2 Definitions.
205.3 Eligibility for grants.
205.4 Application.
205.5 Grant awards.
205.6 Use of funds.
205.7 Cost sharing.
205.8 Payment.
205.9 Rebudgeting.
205.10 Records and reports.
205.11 Patent policy.
205.12 Publication and copyright policy.
205.13 Accounting for equipment.
205.14 Termination of grant award.
205.15 Final accounting and settlement.
205.16 Interest and project income.
205.17 Confidentiality.

AUTHORITY: The provisions of this Part 205 issued under sec. 1102, 49 Stat. 647, as amended, 42 U.S.C. 1302; sec. 240(c), 301, 81 Stat. 915, 927, 42 U.S.C. 626, 706, 712.

§ 205.1 Nature and purpose of grants.

(a) The Chief of the Children's Bureau is authorized to make grants:

(1) As authorized in section 426 of the Social Security Act for:

(i) Special research or demonstration projects in the field of child welfare which are of regional or national significance;

(ii) Special projects for the demonstration of new methods or facilities which show promise of substantial contribution to the advancement of child welfare;

(iii) Projects for the demonstration of the utilization of research (including findings resulting therefrom) in the field of child welfare in order to encourage experimental and special types of welfare services; and

(2) As authorized in section 512 of the Social Security Act, for research projects relating to maternal and child health services or crippled children's services which show promise of substantial contribution to the advancement thereof. Within this program, special emphasis will be accorded to projects which will help in studying the need for, and the feasibility, costs, and effectiveness of, comprehensive health care programs in which maximum use is made of health personnel with varying levels of training and in studying methods of training for such programs.

(b) Grants and contracts are authorized for these purposes. This part is applicable to grants.

§ 205.2 Definitions.

As used in this part, unless the context otherwise requires:

(a) "Applicant" means any institution, agency, or organization which files an application for a grant of Federal funds under this part.

(b) "Bureau" means the Children's Bureau in the Social and Rehabilitation Service, Department of Health, Education, and Welfare.

(c) "Chief" means the Chief of the Bureau.

(d) "Project" means an undertaking to conduct research or a demonstration in the fields specified in § 205.1 with funds granted under this part.

(e) "Project period" means the approved period of time reasonably required to carry out a project with Federal support.

§ 205.3 Eligibility for grants.

(a) Grants for projects specified in § 205.1(a)(1)(i) and (ii) may be made to public or other nonprofit institutions of higher learning, and to public or other nonprofit agencies and organizations engaged in research or child welfare activities.

(b) Grants for projects specified in § 205.1(a)(1)(iii) may be made to state or local public agencies responsible for administering, or supervising the administration of, the child welfare services plan under title IV, Part B, of the Social Security Act.

(c) Grants for projects specified in § 205.1(a)(2) may be made to public or other nonprofit institutions of higher learning, and public or nonprofit private agencies and organizations engaged in research or in maternal and child health or crippled children's programs.

§ 205.4 Application.

(a) Any applicant for a grant under this part may file application therefor at any time with the Children's Bureau, Social and Rehabilitation Service, Department of Health, Education, and Welfare, Washington, D.C. 20201, on such forms and containing such information as the Bureau may prescribe.

(b) The application shall be executed by an individual authorized to act for the applicant, and to assume for the applicant the obligations imposed by the terms and conditions of any grant, including these regulations. The principal professional personnel contributing to the drafting of the proposal, including the writer of the narrative portion, must be identified by name and by title and status with respect to the applicant (e.g., staff, consultant, contractor).

(c) Each application shall set forth:

(1) A description of the project in sufficient detail to indicate the nature, duration, purpose, cost, and proposed method of conduct of the project;

(2) Provisions for qualified and adequate staff, including a project director, and for adequate supervision to accomplish the purpose of the project;

(3) Plans for continuation of the project activity, if appropriate, including anticipated sources of funding, after expiration of the project period;

(4) Methods for communicating and disseminating the findings of the project; and

(5) Any other information required by the Bureau.

(d) After a project is approved, the grantee shall submit in writing to the Bureau, for prior approval, information

as to any substantial alteration in the scope, purpose, operation, or administration of a project, any change in project director, and any change which increases or decreases the total cost of the project.

§ 205.5 Grant awards.

All grant awards shall be in writing, shall set forth the amount of funds granted, and shall constitute for such amounts the encumbrance of Federal funds available for such purposes on the date of the award. The initial grant award shall also specify the total project period for which support is contemplated. The Chief may, from time to time within the project period, upon application by the grantee, make additional grant awards as support is needed, if the project is being carried out satisfactorily and Federal funds are available.

§ 205.6 Use of funds.

(a) Grants under this part will be available for the following types of expenditures for approved projects:

(1) Salaries and related expenses of project personnel;

(2) Domestic travel necessary for the conduct of the project;

(3) Costs of necessary supplies and equipment, and related expenses;

(4) Purchase or provision of services to individuals served by the project;

(5) Costs of administration and indirect costs of the project, at rates set by or agreed to by the Department of Health, Education, and Welfare;

(6) Costs of training health personnel for work in research projects specified in § 205.1(a)(2) relating to comprehensive health care programs in which maximum use is made of health personnel with varying levels of training;

(7) Such other items as are included in the project plan and budget as approved.

(b) Grant funds may not be used for the following types of expenditures:

(1) Construction of buildings;

(2) Bonus payments;

(3) Consultant fees to Federal employees, regardless of pay status;

(4) Consultant fees to persons in the grantee institution, agency, or organization, whether on full-time, part-time, or courtesy appointments, or on a different geographic campus;

(5) Contingency funds;

(6) Entertainment expenses;

(7) Rental charges for equipment, property, or space owned by the grantee;

(8) Foreign travel;

(9) Any other costs not in the project plan and budget as approved.

§ 205.7 Cost sharing.

Grantees are required to share in the costs of projects. The contribution may be in any or all of the budget categories. The cost sharing must be an actual cash outlay by the grantee, or a deduction from the indirect costs category.

§ 205.8 Payment.

(a) Payments for an approved project shall be made periodically, either in advance or by way of reimbursement, as the Bureau may determine, based on the estimated requirements or actual expenditures, respectively, for each period.

(b) Supplemental payment in any period may be made upon submission of an application therefor, accompanied by justification satisfactory to and accepted by the Bureau.

(c) No payment shall be made so long as the grantee fails to comply substantially, as determined by the Chief, with any conditions imposed by or pursuant to these regulations, unless the grantee specifically undertakes to comply with such conditions.

§ 205.9 *Rebudgeting.

(a) Expenditures are to be made in accordance with cost estimates in the budget of the approved application. If necessary, grantees may transfer funds from one category to another without approval from the Bureau, except in the following cases, where prior approval must be obtained:

(1) When the transfer would result in a cumulative increase of 25 per centum or more in any single category of expense;

(2) When the transfer would result in an expenditure in a category for which no funds were budgeted in the approved application;

(3) When a transfer, regardless of amount, would result in a significant change in the project;

(4) When the transfer would increase the amount budgeted for travel to conferences or professional meetings, for purchase or rental of equipment, for alterations or renovations, or for consultant fees.

(b) If funds are transferred to salaries and wages by a grantee which uses a salaries and wages base for computing indirect costs, additional funds are not available to make up the proportionate increase in indirect costs. The grantee may transfer funds from other categories to indirect costs in an amount sufficient to maintain the grantee's indirect cost rate allowed in the approved budget.

§ 205.10 Records and reports.

(a) The grantee shall establish and follow such accounting, budgetary, and other fiscal procedures as are necessary for the proper and efficient administration of the project, and shall maintain fiscal records. Such records shall show for each grant period the amount and disposition by the grantee of Federal and cost sharing funds, the total cost for the grant period and such other records as will facilitate an effective audit. All such records, and any other books, documents, or papers of the grantee pertinent to the grant shall be accessible for purpose of audit by Federal officials, and shall be maintained for 5 years after the termination of the project, or until audit, whichever occurs first.

(b) The grantee shall retain all basic data, cards, tapes, print-outs, tables, charts, and data analysis until notified in writing that the final audit has been completed, or for 5 years after termination of the project, whichever occurs first.

(c) The grantee shall provide a progress report with each submission of an application for continuation support. A final project report shall be submitted on or before the termination date of the project period. Failure to submit a final report when due will be indicative of noncompletion of the project. The final report shall include:

(1) A comprehensive summary of progress toward the achievement of the originally stated aims;

(2) A list of significant positive and/or negative results;

(3) A list of and copies of publications resulting from the project;

(4) An evaluation of the accomplishments of the project;

(5) Acknowledgment of the support received from the Bureau;

(6) Identification of the project director, grant number, institution, and title of the project.

(d) The grantee shall maintain such other records and make such other reports, in such form and containing such information as the Bureau may require.

(e) The grantee shall account for all expenditures of Federal and non-Federal funds by presenting or otherwise making available vouchers or other evidence, satisfactory to the Bureau, of such expenditures.

§ 205.11 Patent policy.

Any invention arising out of activities assisted by a grant under this part shall be promptly and fully reported to the Bureau. The ownership and manner of disposition of all rights in and to such invention shall be subject to determination by the Department of Health, Education, and Welfare, in accordance with Department patent regulations (45 CFR Part 8).

§ 205.12 Publication and copyright policy.

Grantees may publish the results of any project supported by the Bureau without prior review by the Bureau. Such publication must show acknowledgment of the support received under the grant. Copies must be furnished to the Bureau. Where a grant results in a book or other copyrightable material, the grantee is free to copyright the work, but the Bureau reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use, all copyrightable or copyrighted material resulting from the grant supported activity.

§ 205.13 Accounting for equipment.

Any equipment on hand at the termination of the project shall be accounted for as the Bureau may determine, under one or more of the following procedures:

(a) If the grantee is a nonprofit institution of higher education or a nonprofit organization whose primary purpose is the conduct of scientific research, the obligation to account for the value of any equipment may be waived by the Bureau under the terms of the Act of September 6, 1958 (42 U.S.C. § 1892).

(b) Equipment may, without adjustment of accounts, be retained and used

by the grantee for the purposes for which the grant was made, and no other accounting is required. No charge for depreciation, amortization or for any other use of the equipment shall be made against any other Federal grant or contract. If within the period of its useful life such equipment is transferred by sale or otherwise outside the grant purposes, the proportion of the fair market value at the time of transfer equal to the proportion of Federal participation in its cost shall be payable to the Bureau.

(c) In the case of certain equipment, designated by the Bureau at the termination of the project, the proportion of its fair market value at the termination of the project equal to the proportion of Federal participation in its cost shall be payable to the Bureau. Equipment so accounted for may be sold or used or disposed of in any way by the grantee.

§ 205.14 Termination of grant award.

(a) Any grant award may be terminated by the Chief in whole or in part at any time within the project period whenever the Chief finds that the grantee has failed in a substantial way to comply with the conditions of the grant, or the requirements of this part, or both. The grantee shall be promptly notified of such finding in writing and given the reasons therefor.

(b) Upon termination pursuant to paragraph (a), the grantee shall render a final accounting and settlement as provided in §§ 205.10 and 205.15.

§ 205.15 Final accounting and settlement.

(a) In addition to such other accounting as the Bureau may require, the grantee shall render with respect to each approved project a full account as provided herein, as of the termination date which shall be either (1) the end of the project period, or (2) the date of any termination of grant support under § 205.14, whichever occurs first.

(b) There shall be payable to the United States as final settlement with respect to each approved project the total sum of any amount not accounted for under § 205.10(e) and of any amount payable to the United States under § 205.13. In the case of grants terminated by the Chief under § 205.14, all grant funds not expended or obligated prior to the receipt of notice of termination shall be payable to the United States.

§ 205.16 Interest and project income.

(a) Pursuant to section 203 of the Intergovernmental Cooperation Act of 1968 (Public Law 90-577), a State, as defined in section 102 of that Act, will not be held accountable for interest earned on grant funds, pending their disbursement for program purposes. A State, as defined in the Intergovernmental Cooperation Act, section 102, means any one of the several States, the District of Columbia, Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State, but does not include the governments of the political subdivisions of the State. All other grantees must return to the Social and Rehabilitation Service all interest earned on grant funds.

(b) All grantees must return to the Bureau a part of any other project income proportionate to the grant contribution to the support of the project.

§ 205.17 Confidentiality.

All personal information concerning individuals served or studied under the project is confidential and such information may not be disclosed by the grantee, except for purposes directly connected with the conduct of the project, or to the individual involved, or with his consent.

Effective date. The regulations in this part shall be effective on the date of their publication in the FEDERAL REGISTER.

Dated: January 18, 1969.

JOSEPH H. MEYERS,
Acting Administrator,
Social and Rehabilitation Service.

Approved: January 19, 1969.

WILBUR J. COHEN,
Secretary.

[F.R. Doc. 69-2598; Filed, Mar. 3, 1969; 8:48 a.m.]

Title 45—PUBLIC WELFARE

Chapter II—Social and Rehabilitation Service (Assistance Programs), Department of Health, Education, and Welfare

PART 250—ADMINISTRATION OF MEDICAL ASSISTANCE PROGRAMS

Subpart A—General Administration

UTILIZATION REVIEW OF CARE AND SERVICES

Interim Policy Statement No. 5 setting forth regulations to implement the provisions of section 1902(a)(30) of the Social Security Act as amended, with respect to utilization review of services provided under title XIX of the Act, was published in the FEDERAL REGISTER on July 17, 1968 (33 F.R. 10232).

Suggestions made in response to that publication were (1) utilization review should be restricted to institutions, (2) existing peer review mechanisms should be used, (3) committee organization might not be feasible in small institutions, (4) both encouragement and opposition to delegation of hospital and skilled nursing home utilization review activities to title XVIII agencies. The Department's responses to the suggestions are, respectively, (1) utilization review is required by law for all services, (2) agreement that existing peer review mechanisms should be used to the extent possible, (3) committee size and composition is not fixed, so use of committees is considered feasible, (4) the Federal Government cannot demand, in a State-administered program, that delegation be made, but delegation is encouraged to avoid duplication of effort and expense and to achieve Departmental uniformity. Changes to reflect items (2) and (4), and to provide a statement on Federal financial participation, have been made.

Accordingly, such regulations as so amended are hereby codified as Part 250—Subpart A, § 250.20 of Chapter II of Title 45 of the Code of Federal Regulations as set forth below.

§ 250.20 Utilization review of care and services.

(a) *State plan requirements.* A State plan for medical assistance under title XIX of the Social Security Act must:

(1) Provide that a process(es) of utilization review is established for each item of care or service listed in section 1905(a) of the Act that is included in the State's medical assistance program.

(i) The agency(ies) which monitors utilization review activities on inpatient hospital and extended care services under title XVIII of the Act may be designated by the single State agency to monitor those activities similarly for inpatient hospital and skilled nursing home services under title XIX. Such delegation may incorporate the monitoring of utilization review activities in provider institutions not participating under the XVIII. If such an arrangement is secured, the single State agency and the agency(ies) to which delegation is made should work closely together (in addition to any formal written agreement) in order to accommodate their mutual utilization review requirements. Such delegation is encouraged to avoid duplication of effort and expense and to achieve uniformity of utilization review requirements and methods. Such common effort is a means of striving for efficiency and economy in administration.

(ii) For all items of care or service for which utilization review is not delegated under subdivision (i) of this subparagraph, the medical assistance unit of the single State agency will perform untilization reviews itself and/or monitor those utilization reviews which may be performed by agents for the State government, or by agencies of local governments, or by individual provider organizations or institutions as in subparagraph (2)(i). Review of professional services through existing peer review mechanism is encouraged to the fullest extent possible.

(iii) Utilization review requirements for providers of inpatient hospital and extended care services under title XVIII will be considered to meet the utilization review requirements for providers of inpatient hospital and skilled nursing home services under title XIX, except as in subparagraph (2)(i)(*b*).

(2) Provide that the medical assistance unit of the single State agency is responsible for all utilization review plans and activities under the medical assistance program. If utilization review is not delegated as in subparagraph (1)(i) of this section, the following will be met in each utilization review plan:

(i) The activities of utilization review will be performed by a utilization review committee with representation appropriate to the medical care or service to be reviewed. Determination of committee

composition and selection of committee membership will be made at the point where utilization review will be performed.

(a) A professional practitioner, e.g., physician, dentist, optometrist, etc., may not review cases in which he is the attending practitioner or in which he has (or has had) significant professional responsibility.

(b) The committee may include no member who has an ownership interest in the facility under review, except in the case of committees which conduct review on both title XVIII and XIX patients.

(ii) Utilization review will be based on a statistically significant sample or other reasonable basis of pertinent data as determined appropriate to the medical care or service under scrutiny; for example, admissions, duration of stays, number of visits, number and kind of prescriptions, relation of tests or medications to diagnosis, etc. While some services may lend themselves to review both concurrently with and subsequent to the rendering of care (e.g. institutional care), other services may be best reviewed only subsequently. Since, for many provider services, the measurements will apply to patterns of care rather than to individual episodes of care and because of the difficulties inherent in evaluating medical necessity, a postaudit procedure will be employed. Utilization review will be made within the context of medical necessity (including overutilization and underutilization and appropriateness of care rendered) and availability of facilities and services.

(iii) The utilization review process will not be limited to isolated cases, but will be considered in the context of overall utilization within an institution, or in a service area, or in a provider's total title XIX workload, etc., as appropriate to the medical care or service under scrutiny.

(iv) A utilization review plan will be developed by the agency, organization, or institution which determines the committee composition as in subparagraph (2) (i). Each plan developed by an agent, organization, or institution other than the single State agency will be submitted to the medical assistance unit of the single State agency for approval. In all cases a utilization review plan will describe:

(a) Objectives.

(b) Authority, responsibility, accountability.

(c) Organization.

(1) Composition of committee and subgroups, if any.

(2) Frequency of meetings.

(3) Format and/or description of records and minutes.

(d) Definitions.

(e) Data.

(1) Methods of case selection.

(2) Relationship of utilization review to title XIX claims administration and medical assistance unit of the single State agency.

(f) Arrangements for committee reports, recommendations, and followup.

(g) Responsibilities of related administrative staff in support of utilization review.

(v) A utilization review committee will maintain appropriate records and prepare regular reports of its activities and findings. The State Medical Advisory Committee will advise the responsible medical assistance unit of any recommendations or requirements on utilization review, consolidated reporting, etc. The medical assistance unit of the single State agency will maintain surveillance of the committees' activities and provide appropriate consultation to committees in order to insure adequate functioning.

(b) *Federal financial participation.* Federal financial participation is available for the costs of utilization review, in accordance with the conditions, and at the rates, applicable under title XIX.

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

Effective date. The regulations in this section are effective on the date of their publication in the FEDERAL REGISTER.

Dated: January 17, 1969.

MARY E. SWITZER,
Administrator, Social and Rehabilitation Service.

Approved: January 18, 1969.

WILBUR J. COHEN,
Secretary.

[F.R. Doc. 69-2599; Filed, Mar. 3, 1969; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1021]

PART 1033—CAR SERVICE

Missouri-Kansas-Texas Railroad Co. Authorized To Operate Over Tracks of Fort Worth and Denver Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 26th day of February 1969.

It appearing that because the condition of track and roadbed between Whitesboro, Tex., and Wichita Falls, Tex., on the Henrietta Branch of the Missouri-Kansas-Texas Railroad Co. prevents the safe handling of certain traffic; that the Missouri-Kansas-Texas Railroad Co., in Finance Docket No. 25542, has filed an application with the Commission to operate over trackage of the Fort Worth and Denver Railway Co., between points of connection between these companies at Fort Worth and Denver Railway Co. Milepost 0.01 at Fort Worth, Tex., and its Milepost 113.617 at Wichita Falls, Tex., a distance of approximately 114 miles; that the Commission is of the opinion that operation by the Missouri-Kansas-Texas Railroad Co. over this trackage of the Fort Worth and Denver Railway Co. is necessary to enable the Missouri-Kansas-Texas Railroad Co. to handle this traffic, in the interest of the public and the commerce of the people pending final disposition of the application of the Missouri-Kansas-Texas Railroad Co. in Finance Docket No. 25542; that notice and public procedure herein are impractical and contrary to the public interest; and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 1033.1021 Service Order No. 1021.

(a) *Missouri-Kansas-Texas Railroad Co. authorized to operate over Fort Worth and Denver Railway Co.* The Missouri-Kansas-Texas Railroad Co. be, and it is hereby, authorized to operate over tracks of the Fort Worth and Denver Railway Co. between points of connection between these companies at Fort Worth and Denver Railway Co. Milepost 0.01 at Fort Worth, Tex., and its Milepost 113.617 at Wichita Falls, Tex., a distance of approximately 114 miles.

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

(c) *Rates applicable.* Inasmuch as this operation by the Missouri-Kansas-Texas Railroad Co. over tracks of the Fort Worth and Denver Railway Co. is deemed to be due to carrier's disability, the rates applicable to traffic moved by the Missouri-Kansas-Texas Railroad over tracks of the Fort Worth and Denver Railway shall be the rates which were applicable on the shipments at the time of shipment as originally routed.

(d) *Effective date.* This order shall become effective at 12:01 a.m., March 1, 1969.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., September 30, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

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

By the Commission, Railroad Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-2580; Filed, Mar. 3, 1969; 8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Arrowwood National Wildlife Refuge, N. Dak.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; Arrowwood National Wildlife Refuge.

NORTH DAKOTA

ARROWWOOD NATIONAL WILDLIFE REFUGE

Sport fishing on the Arrowwood National Wildlife Refuge, N. Dak., is permitted only on the areas designated by signs as open to fishing. These open areas comprising 1,550 acres are delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge shall extend from May 3, 1969, to September 15, 1969, daylight hours only.

(2) The use of boats with motors is prohibited.

The provisions of these special regulations supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through September 15, 1969.

ARNOLD D. KRUSE,
Refuge Manager, Arrowwood National Wildlife Refuge, Edmunds, N. Dak.

FEBRUARY 20, 1969.

[F.R. Doc. 69-2561; Filed, Mar. 3, 1969; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF LABOR

Bureau of Employment Security

[20 CFR Part 604]

EMPLOYABILITY DEVELOPMENT SERVICES

Pursuant to the Wagner-Peyser Act (29 U.S.C. 49 et seq.) and Reorganization Plan No. 2 of 1949 (3 CFR 1949–53 Comp., p. 998), I hereby propose to amend Part 604 of Chapter V of Title 20 of the Code of Federal Regulations by establishing a new 604.21 to read as set forth below.

Interested persons may within 15 days after publication of this proposal in the FEDERAL REGISTER, mail written statements of data, views, or argument concerning it to the Secretary of Labor, U.S. Department of Labor, Washington, D.C. 20210.

The new 20 CFR 604.21 would read as follows:

§ 604.21 Employability development services.

(a) It is the policy of the United States Employment Service to be responsible for the provision of employability development services which shall include at least the following: reaching out to, and orientation of, individuals who are chronically unemployed or underemployed or have poor employment prospects; assessment of their capabilities through interviewing, counseling, and testing techniques adapted to their special needs, arrangements for and referrals to other agencies for related supportive services such as health and welfare; selection and referral to employment and training; and followup to training and placement to assist such individuals in finding and keeping suitable jobs.

(b) In connection with the provision of employability development services, it is the policy of the U.S. Employment Service:

(1) To be responsible for the provision of the services authorized by this part tailored to the needs of individuals who are unable to obtain or retain suitable employment to enable them to become fully functioning participants in the labor force;

(2) To insure that methods designed to directly contact and inform individuals of services available to them and to encourage them to make use of such services are utilized (often known as programs of "Outreach");

(3) To receive and interview applicants, to help them to assess their employability development needs, and to establish their eligibility for relevant programs;

(4) To refer applicants to appropriate services, to employment, or to programs such as those provided under the Manpower Development and Training Act, the Vocational Education Act and the Economic Opportunity Act;

(5) To refer or arrange for applicants to utilize community resources which provide medical, legal, welfare, daycare, family counseling or other appropriate employability or employment related supportive services;

(6) To follow up those referred to training or jobs to assure that the individuals' employability development and employment needs are being met;

(7) To provide orientation to job and training requirements through such services as exploration of vocational interests and aptitudes and furnishing information about community services;

(8) To provide coaching and individual support to help in solving training and job-related problems throughout the employability development process;

(9) To provide maximum feasible opportunities for employment and other forms of participation by representatives of the groups served in the planning, conduct, and evaluation of comprehensive work and training programs under title I–B of the Economic Opportunity Act of 1964, as amended, and specifically as such programs relate to employability development services;

(10) To negotiate contracts or other appropriate agreements with sponsors of comprehensive work and training programs under which it becomes responsible for supplying employability development, placement, and related services to participants in such programs.

(48 Stat. 117, as amended; 29 U.S.C. 49k)

Signed at Washington, D.C., this 26th day of February 1969.

GEORGE P. SHULTZ,
Secretary of Labor.

[F.R. Doc. 69-2570; Filed, Mar. 3, 1969; 8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Proposal Regarding Food Starch-Modified

Section 121.1031 *Food starch-modified* provides for a number of modifications of food starch by treatment with propylene oxide but does not uniformly include a tolerance for propylene chlorohydrin as an impurity in such food starch.

The Commissioner of Food and Drugs has evaluated information confirming the possibility of propylene chlorohydrin formation in the production of food starch treated with propylene oxide and concludes that a tolerance is necessary to limit propylene chlorohydrin as an impurity. Available data indicate that a safe residual level of no more than 5 parts per million can be reasonably achieved in such production of food starch-modified consistent with good manufacturing practice.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409, 72 Stat. 1785 et seq.; 21 U.S.C. 348) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that § 121.1031 be amended by revising the items "Propylene oxide * * *" in paragraph (e) and "Phosphorus oxychloride * * *" in paragraph (f) and by revising paragraph (g), as follows:

§ 121.1031 Food starch-modified.

* * * * *

(e) * * *

	Limitation
* * *	* * *
Propylene oxide, not to exceed 25 percent.	Residual propylene chlorohydrin not more than 5 parts per million in food starch-modified.

(f) * * *

	Limitation
* * *	* * *
Phosphorus oxychloride, not to exceed 0.1 percent, and propylene oxide, not to exceed 10 percent.	Residual propylene chlorohydrin not more than 5 parts per million in food starch-modified.

(g) Food starch may be modified by treatment with one of the following:

	Limitation
Chlorine, as sodium hypochlorite, not to exceed 0.055 pound of chlorine per pound of dry starch; 0.45 percent of active oxygen obtained from hydrogen peroxide; and propylene oxide, not to exceed 25 percent.	Residual propylene chlorohydrin not more than 5 parts per million in food starch-modified.
Sodium hydroxide, not to exceed 25 percent.	

* * * * *

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written comments (preferably in quintuplicate) regarding this proposal. Comments may be

accompanied by a memorandum or brief in support thereof.

Dated: February 26, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-2560; Filed, Mar. 3, 1969; 8:45 a.m.]

Social and Rehabilitation Service

[42 CFR Part 209]

SPECIAL PROJECT GRANTS FOR HEALTH OF SCHOOL AND PRESCHOOL CHILDREN

Notice is hereby given that the regulations set forth in tentative form below are proposed by the Administrator, Social and Rehabilitation Service, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations relate to the program of special project grants for health of school and preschool children authorized by section 509 of the Social Security Act, 42 U.S.C. 706, 709.

Prior to the adoption of the proposed regulations, consideration will be given to any comments, suggestions, or objections thereto which are submitted in writing to the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, D.C. 20201, within a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER.

The proposed regulations are to be issued under the authority contained in section 1102, 49 Stat. 647, 42 U.S.C. 1302; section 301, 81 Stat. 921, 42 U.S.C. 706, 709.

Dated: January 18, 1969.

JOSEPH H. MEYERS,
Acting Administrator, Social and Rehabilitation Service.

Approved: January 19, 1969.

WILBUR J. COHEN,
Secretary.

Chapter II of Title 42 of the Code of Federal Regulations is amended by deleting Part 203—Special Project Grants for Health of School and Preschool Children, which was published in the FEDERAL REGISTER on January 7, 1966 (31 F.R. 203), and by adding a new Part 209, as follows:

This part is added to provide regulations for the program of special project grants for health of school and preschool children authorized by section 509 of the Social Security Act, 42 U.S.C. 706, 709 (as amended by section 301 of the Social Security Amendments of 1967 (Public Law 90-248)).

Federal financial assistance extended under this part is subject to the Regulations in 45 CFR Part 80, issued by the Secretary of Health, Education, and Welfare, and approved by the President, to effectuate the provisions of section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d).

PART 209—SPECIAL PROJECT GRANTS FOR HEALTH OF SCHOOL AND PRESCHOOL CHILDREN

§ 209.1 Purpose.

In order to promote the health of children and youth of school or preschool age, particularly in areas with concentrations of low-income families, the Children's Bureau is authorized to make grants for projects of a comprehensive nature for health care and services for children and youth of school age or for preschool children (to help them prepare to start school).

§ 209.2 Definitions.

Unless the context otherwise requires, the following terms, as used in this part, have the following meanings:

(a) "State" means the several States, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

(b) "Health" means a state of physical and mental well-being, not merely the absence of disease or infirmity.

(c) "Health care and services" means services by physicians and the allied services of dentists, nurses, medical social workers, nutritionists, optometrists, physical therapists, speech pathologists, audiologists, occupational therapists, and other related personnel whose services are needed, hospital care, convalescent or foster home care, appliances, and related care.

(d) "Department" means the U.S. Department of Health, Education, and Welfare.

(e) "Bureau" means the Children's Bureau of the Social and Rehabilitation Service.

(f) "Teaching hospital affiliated with a school of medicine" is a hospital which conducts a recognized program for teaching medical students, interns, and residents under an affiliation with a school of medicine or college of osteopathy. The affiliation may be by formal agreement or by an informal understanding established by precedent.

§ 209.3 Eligibility for grants.

The Bureau is authorized to make grants under this part:

(a) To the State health agency of any State;

(b) With the consent of such agency, to the health agency of any political subdivision of the State;

(c) To the State crippled children's agency;

(d) To any school of medicine (with appropriate participation by a school of dentistry); and

(e) To any teaching hospital affiliated with a school of medicine.

§ 209.4 Application.

(a) Any applicant for a grant under this part may file application therefor with the Regional Commissioner of the Social and Rehabilitation Service, for the region of the Department in which the project is to be conducted, on such forms and containing such information as the Bureau may prescribe. The application shall contain a budget and a narrative plan of the way the applicant intends to conduct the project and carry out the requirements of this part. A revision of the budget and project plan is required whenever there is to be a significant change in the scope of project activities.

(b) The application shall be executed by an individual authorized to act for the applicant and to assume on behalf of the applicant the obligations imposed by the terms and conditions of the grant, including this part and the policies and procedures for these grants.

(c) The applicant will be notified of action taken on his application. If a grant is made, the initial award will specify the project period for which support is contemplated if the activity is satisfactorily carried out and Federal funds are available. For continuation support, grantees must make separate application annually.

§ 209.5 Matching requirements.

(a) Federal funds will be granted on the basis of the approved project applications and will not exceed 75 per centum of the cost of the project. The non-Federal participation may be derived from a variety of sources including:

(1) New State or local appropriations, or other new grantee funds;

(2) Existing funds and time of personnel used for the ongoing activities of the grantee agency which are made a part of the project;

(3) Funds, time of personnel, or space made available by other agencies;

(4) Similar items or gifts from other sources.

(b) Grantee funds or services derived from other Federal funds or used for matching any other Federal grant may not be used to match the Federal funds in this program, except as otherwise specifically allowed by Federal statute.

§ 209.6 Personnel and facilities standards.

The application shall describe the standards required for personnel and facilities utilized in the provision of services under the program. These standards for personnel and facilities must be those which (a) are found, upon investigation by the grantee, to be best adapted for the attainment of the specific purpose, (b) will assure a reasonably high standard of care, and (c) are in substantial accordance with national standards as accepted by the Social and Rehabilitation Service or standards prescribed by the Social and Rehabilitation Service. However, if a project is planned for an area in which it is not possible to meet such standards, the best available resources must be used, and steps must be taken to improve the care. The application must include a description of such steps.

§ 209.7 Project director.

Each project shall be under the control of a project director who will be a Doctor of Medicine or a Doctor of Osteopathy and a full-time employee of the grantee. The Administrator of the Social and Rehabilitation Service may

waive the requirement of full-time employment if the grantee presents satisfactory evidence justifying such action.

§ 209.8 Comprehensiveness in projects for preschool children.

(a) Projects for preschool children must be comprehensive, and the provisions of § 209.9 will be considered in determining whether such a project is of a comprehensive nature, except that projects which do not include screening may be approved if screening is not feasible.

§ 209.9 Comprehensiveness in projects for children and youth of school age.

(a) Projects for children and youth of school age must be comprehensive, and the following standards will be considered in determining whether such a project is of a comprehensive nature:

(1) The project includes screening, diagnosis, preventive services, treatment, correction of defects, and aftercare.

(2) The program elements specified in paragraph (a)(1) of this section are provided with respect to dental and medical needs. For this purpose, medical needs include emotional as well as physical conditions.

(3) The health care and services furnished meet high quality standards for the attainment of the objectives of the program.

(4) The scope and content of the services provided with respect to each of the program elements specified in paragraph (a)(1) of this section are in accordance with recognized standards, e.g., preventive services include accepted immunization practices; diagnosis includes thorough examination, indicated laboratory tests and evaluations by indicated specialists; treatment includes services of medical practitioners and medically related personnel providing various therapies, inpatient and outpatient hospital services, and such other care and services as are medically indicated.

(5) Health care and services are provided promptly. There are procedures to insure coordination and continuity of care and services, including active followup of cases.

(6) Within the geographic area of the project, screening, diagnosis and preventive services are made available to all children and youth of school age. Active efforts are made to reach the children, through such methods as publicity, and the furnishing of screening services in schools, community centers and other places where there are groups of children.

(7) Treatment, correction of defects, or aftercare are available only to children who would not otherwise receive them because they are from low-income families or for other reasons beyond their control. However, where specific income standards are used, they are to be applied flexibly, with due regard for the medical needs of the child and total family needs in the particular case.

(8) No otherwise eligible child is excluded from the project because of a requirement unrelated to medical need, e.g., a durational residence requirement.

(9) The project provides for the coordination of health care and services provided under it with, and utilization (to the extent feasible) of, other State or local health, welfare, and education programs for the children. However, reliance is not placed upon other programs where the care and services are of lesser quality than if directly provided under the project or where there is a significant delay in the furnishing of care and services.

(10) To the extent that funds are otherwise inadequate for the project to be of a comprehensive nature, the project is curtailed in terms of area served or similar factors, and not in terms of the comprehensiveness of the care and services furnished to children included in the project, or in terms of the financial eligibility requirements.

(b) The determination of whether the project is of a comprehensive nature will be made through evaluation of the overall conformity of the project with the foregoing standards in the light of the purpose of section 509 of the Social Security Act and this part.

§ 209.10 Limitations of provision of services.

Hospital, convalescent or foster home care, or appliances provided to individuals under the project will be made available only to individuals who are receiving services provided or arranged by the project in accordance with its standards and policies.

§ 209.11 Confidentiality of information.

All information as to personal facts and circumstances obtained by the project staff shall constitute privileged communications, shall be held confidential, and shall not be divulged without the individual's consent except as may be necessary to provide services to the individual. Information may be disclosed in summary, statistical, or other form which does not identify particular individuals.

§ 209.12 Records and reports.

(a) The grantee shall maintain such records, including medical, fiscal, and other health records, and make such reports, as the Bureau may prescribe.

(b) All fiscal transactions by a grantee relating to grants under this part are subject to audit by the Department to determine whether expenditures have been made in accordance with this part, policies and procedures governing the project, and the project plan and budget as approved.

§ 209.13 Project expenditures.

(a) Project funds (Federal and matching) are available for the direct costs of operating and maintaining the project approved in the plan and budget.

(b) Funds may not be used for the following:

(1) Construction of buildings;

(2) Depreciation of existing buildings or equipment;

(3) Dues to societies, organizations, or federations;

(4) Entertainment costs;

(5) General agency overhead;

(6) Food, except for demonstrations by project staff and special dietary products for the treatment of inborn errors of metabolism;

(7) Consultants or other personnel paid from other Federal grant funds;

(8) Any other costs not in the approved plan and budget.

§ 209.14 Rates of remuneration for hospital care.

The project shall pay the reasonable cost of inpatient hospital care provided under the project. This shall be determined in accordance with standards approved by the Administrator of the Social and Rehabilitation Service.

§ 209.15 Payment for services for medical care, appliances, and convalescent and foster home care.

(a) Project plans shall set forth the methods utilized by the grantee in establishing the rates of payment for medical care, appliances, and convalescent and aftercare, and in substantiating that the rates are reasonable and necessary to maintain the standards relating to the provision of services established pursuant to § 209.6. Grantees will maintain a schedule of rates for such services.

(b) All services purchased for project patients must be authorized by the project director or his designee on the project staff.

(c) No charge shall be made to any person or family for services under the project, except for inpatient hospital care and physicians' services rendered in hospitals, and then only to the extent that payment will be made by a third party (including a Government agency) which is authorized or is under legal liability to pay such charges.

§ 209.16 Equipment.

Items of equipment purchased with project funds are to be used for the purposes of the project, and the grantee shall maintain complete equipment inventory and adequate property controls.

§ 209.17 Control of project funds and services.

Funds or services made available to the project for project purposes, whether or not utilized to meet the grantee's share of the costs, shall be under the control of the grantee and expended and utilized in accordance with this part, policies and procedures governing the project, and the project plan and budget as approved.

§ 209.18 Determination of eligibility.

Determination of eligibility for services under the project shall be made by the project director or someone on the project staff designated by him, and shall be made in accordance with this part, policies and procedures governing the project, and the project plan and budget as approved.

§ 209.19 Copyright.

The Government of the United States reserves a royalty free, nonexclusive license to use and authorize others to use

all copyrightable or copyrighted material resulting from a project.

§ 209.20 Effect of State or local law.

Except as otherwise authorized, where the grantee is a public agency, administrative provisions of State or local law applicable to the moneys appropriated to the public agency shall apply to the project funds.

§ 209.21 Effect of payment.

Neither the approval of a project plan nor any certification of funds or payment to a grantee pursuant thereto shall be deemed to waive the obligation of the grantee to observe before or after such action any Federal requirements, or to waive the right or duty of the Administrator of the Social and Rehabilitation Service to withhold funds for noncompliance with Federal requirements.

§ 209.22 Interest and other income.

(a) Pursuant to section 203 of the Intergovernmental Cooperation Act of 1968 (Public Law 90-577), a State, as defined in section 102 of that Act, will not be held accountable for interest earned on grant funds, pending their disbursement for program purposes. A State, as defined in the Intergovernmental Cooperation Act, section 102, means any one of the several States, the District of Columbia, Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State, but does not include the governments of the political subdivisions of the State. All other grantees must return to the Social and Rehabilitation Service all interest earned on grant funds.

(b) All grantees must return to the Social and Rehabilitation Service a part of any other project income proportionate to the grant contribution to the support of the project.

§ 209.23 Termination.

A grant may be terminated in whole or in part at any time at the discretion of the Administrator of the Social and Rehabilitation Service. Noncancellable obligations of the grantee properly incurred prior to the receipt of the notice of termination will be honored. The grantee shall be promptly notified of such termination in writing and given the reasons therefor.

[F.R. Doc. 69-2600; Filed, Mar. 3, 1969; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 121]

[Docket No. 9443; Notice 69-5]

MEGAPHONE LOCATION REQUIREMENTS

Deviation

The Federal Aviation Administration is considering amending § 121.309(f)(1) of the Federal Aviation Regulations to provide for grants of deviation from the megaphone location requirements in cases where the Administrator finds that a different location would be more advantageous for purposes of emergency evacuation.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Office of the General Counsel, Federal Aviation Administration, Department of Transportation, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before May 5, 1969, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Section 121.309(f)(1) now requires that on airplanes with a seating capacity of more than 60 and less than 100 passengers the megaphone be located at the most rearward location in the passenger cabin where it would be readily accessible to a normal flight attendant seat.

The FAA has received a petition from an airline requesting an exemption from § 121.309(f)(1) to permit it to relocate the megaphone on its Boeing 727-023 and BAC 1-11 401A/K aircraft to the forward area of the passenger cabin as the main evacuation route in these aircraft is forward and there are flight attendant seats located in the forward cabin area as well as in the rear. A petition has also been received from the Air Transport Association to amend this section to provide for a deviation from the location requirement if the Administrator finds that a different location would be more advantageous from an emergency evacuation standpoint.

The FAA is aware that some airplanes with a seating capacity of more than 60 and less than 100 passengers have more emergency exits in the forward portion of the airplane than in the rear. Therefore, in such aircraft, the main evacuation route is the forward portion of the airplane with the evacuating passengers using the over-the-wing exits, the forward entrance door, and the galley door as emergency exits.

In the circumstances, deviations from § 121.309(f)(1) should be granted for these aircraft.

In consideration of the foregoing, it is proposed to amend § 121.309(f)(1) by adding the following new sentence at the end thereof:

However, the Administrator may grant a deviation from the requirements of this subparagraph if he finds that a different location would be more useful for evacuation of persons during an emergency.

This amendment is proposed under the authority of sections 313(a), 601, 603, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354, 1421, 1423, and 1424), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on February 26, 1969.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 69-2567; Filed, Mar. 3, 1969; 8:45 a.m.]

[14 CFR Part 147]

[Docket No. 9444; Notice 69-6]

CERTIFICATED MECHANIC SCHOOLS

Name, Operations, and Curriculums

The Federal Aviation Administration is considering amending Part 147 of the Federal Aviation Regulations to change the name of mechanic schools certificated under that part to "aviation maintenance technician schools"; provide more specific guidelines for the certification and operations of these schools; and provide new minimum curriculum requirements reflecting technological advancements of the aviation industry.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before June 4, 1969, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

The aviation industry of today, with its phenomenal technological and engineering advances, requires changes in the performance of maintenance inspection and servicing of aircraft that were not contemplated by the present provisions of Part 147. These changes have made the current rules for certificated mechanic schools insufficiently definitive to provide standards reflecting the present intricacy and complexity of aircraft maintenance, and this directly affects the training requirements for mechanics.

During the last 3 years a planned effort has been made to formulate rules to modernize training programs required of certificated mechanic schools. The chief objective has been to determine means of producing mechanic school graduates capable of meeting the demands of today's technology. As the result of this effort, it is proposed to amend Part 147 in the following respects:

(1) A number of certificated schools have urged that the term "mechanic school", as it now appears in the title of and throughout Part 147, as well as in the certificates issued thereunder, is no longer aptly descriptive of them. They have asserted that with the great technological and engineering advances in the aviation industry, wide expansion has occurred in the substance and complexities of subjects taught to prepare mechanics to maintain and service modern aircraft, for instance, in the fields of electrical and electronic systems. In this situation, it appears that a new name for these schools for regulatory and certification purposes may properly be adopted that would be more descriptive of the level of skill attainment sought than "mechanic school". Conformably with the general tenor of requests that have been made, it is proposed now to adopt the name "aviation maintenance technician school". This would, of course, be a change of name only, without substantive impact upon the requirements for certification or operations.

(2) In order to make the new minimum curriculum requirements applicable to schools already holding certificates (as well as to those applying after the rule change becomes effective), under a new paragraph (c) in § 147.7 these schools would be allowed to apply for approval of amended curriculums conforming with the new minimum requirements. If the school does not sooner apply, its certificate would expire at the end of 2 years. It is believed that the 2-year period provided for this purpose is sufficiently long for a school to determine whether it desires to retain certification and to make arrangements for whatever changes are necessary to prepare new curriculums.

(3) Section 147.15 would be amended in several respects:

(a) Paragraph (a) would now require an "enclosed classroom, separate from other space and facilities, suitable for teaching theory classes". This would insure that a classroom is available that provides suitable accommodations and is free from shop noise.

(b) A separate classroom is no longer considered necessary to teach drafting, therefore paragraph (b) of § 147.15 would be eliminated.

(c) The present requirement of paragraph (c) for a stockroom would be eliminated, and "suitable facilities" required instead. This would permit (in redesignated paragraph (b)) schools to have tool and supply cabinets in each major training area, or in a central location, as they desire.

(d) Curriculum requirements for "doping and paint spraying" training have decreased to the point where the only requirement is for separate space. A "permanent or temporary structure with proper temperature control" is no longer needed. Present paragraph (d) would be changed accordingly (as a redesignated paragraph (c)).

(e) The requirement for test clubs for running-in engines would be eliminated from paragraph (f) and the remainder of this paragraph redesignated as paragraph (e). Current engine manufacturers' overhaul procedures do not require the use of test clubs for running-engine after overhaul.

(f) Present paragraphs (g), (h), and (i) of § 147.15 would remain unchanged in substance but redesignated paragraphs (f), (g), and (h).

(4) Section 147.17 would be amended to require items of instructional equipment of a quantity and type suitable to complete the practical projects required by proposed new § 147.21(d)(1), instead of listing specific items. It is now considered impracticable to attempt to list all of the instructional equipment required by the new curriculum.

(5) Section 147.21(b) would be changed, first, to require more hours of instruction now considered necessary to adequately train personnel in the complexities of today's technology. The minimum hours of instruction required for airframe rating would be increased from 960 to 1,150 (400 general plus 750 airframe); those for powerplant rating would be increased from 960 to 1,150 (400 general plus 750 powerplant); and those for combined airframe and powerplant rating would be increased from 1,650 to 1,900.

Second, the current curriculum requirements, presently listed in § 147.21 (c) and (d), would be replaced by more detailed and comprehensive ones, to be provided by new Appendices A, B, C, and D. Comprehensive studies have been made of the tasks performed by certificated airframe and powerplant mechanics, the frequency of performance, and the technical knowledge needed to perform the tasks, in developing these curriculum requirements.

Third, a 10-percent reduction in the minimum curriculum time spent in shop and laboratory instruction would be effected. This is because the increasing complexity of today's technology requires more basic knowledge before the mechanic can be taught to maintain or service modern aircraft. The reduction in the required shop and laboratory instruction would leave more time for allocation to instruction in basic subjects.

(6) Section 147.31 would be amended in several respects:

(a) Paragraph (a) would be amended to prohibit a school from allowing, as well as requiring, any student to attend classes of instruction for more than the specified time.

(b) It would provide in paragraph (c) that a school may not credit a student with training received at that school prior to its certification. This would tend to encourage schools to seek certification without delay.

(c) Paragraph (c) also would prohibit a school from graduating a student unless he has completed all of the appropriate curriculum requirements. However, under paragraph (c) a school could allow a student to be credited with previous experience to the extent that the experience is comparable to the required curriculum subjects. This would allow students with considerable practical experience to receive credit for it.

(d) A new paragraph (e) would be added to require schools to establish and maintain a system acceptable to the FAA for determining final course grades, and for recording and controlling student attendance. At present these requirements are lacking, but they would be desirable for the sake of uniformity.

(7) Section 147.33(a)(1) would be amended to require current records of each school to specifically show grades for each test required by this Part, whether theoretical or practical.

(8) Sections 147.33(b) and 147.35 would be amended to delete references to "phases" and "courses", terms that would no longer be meaningful with respect to the new minimum curriculum requirements.

(9) Section 147.35 would be amended to provide for a certificate of completion, as well as for a certificate of graduation. This would allow schools in a State that allows its schools to issue only one graduation certificate, to also issue a certificate of completion for the appropriate mechanic's rating. Some tax-supported technician training programs exist at high schools, junior colleges, colleges or universities and the only graduation certificate that they are allowed to issue is the one indicating that the student graduated from the school. This proposed rule change would allow these schools to issue a certificate of completion concurrent with a certificate of graduation, if appropriate, without conflicting with State laws. In addition, paragraph (b) of this section would be amended to delete the present requirement that the certificate issued should show the student's average grade.

(10) Provisions would be added, in new §§ 147.36 and 147.38 to require certificated schools to continue to provide the requisite number of certificated instructors, and to maintain and adhere to their approved curriculums. In § 147.36 (as well as in § 147.23), a requirement would be added that the school shall provide, and continue to provide, at least one certificated instructor for each 25 students in each shop or laboratory class.

(11) A new § 147.38a would be added to provide for control of the quality of the school's instruction, by requiring a named proportion of its graduates who apply within 60 days after graduation, to pass the FAA written tests during a specified period of time. The proportion would vary according to the number of students graduated. This addition to the rules is considered necessary as an effective means of evaluating the overall quality of instruction received at a school. Comparison would be made with a "national passing norm" computed as follows: the number representing the percentage of all graduates (of a curriculum for a particular rating) of all certificated schools who apply for a mechanic certificate or additional rating within 60 days after they are graduated and pass the applicable FAA written test on their first attempt during the period of 24 calendar months described in this section.

(12) An Appendix A would be added to describe the level of proficiency at which the items of subjects in each curriculum must be taught, as set forth in new Appendices B, C, and D, and to define the terms used in those Appendices.

The levels of proficiency were arrived at after considerable consultation with both educators and technical specialists. They reflect the tasks normally performed by mechanics at particular levels of skill in given time, as well as the level of training required by industry for the task.

(13) Finally, new minimum required curriculums are proposed. New Appendices B, C, and D would cover general curriculum subjects, airframe curriculum subjects, and powerplant curriculum subjects, respectively. These curriculums were prepared after extensive consultations with a broad segment of the aviation community.

A national study of the aviation mechanics occupations was used as the basis for developing these curriculums. Approximately 507 tasks commonly performed by mechanics were analyzed along with the results of a survey. The information collected showed the proportion of over 18,000 certificated mechanics who performed each task, the frequency with which the task was performed, and the degree of industry training involved. A National Advisory Committee, consisting of 15 members representing a broad segment of the aviation community, assisted in determining the tasks to be performed and the level of proficiency required of a student at a certificated school.

In consideration of the foregoing, it is proposed to amend Part 147 of the Federal Aviation Regulations as follows:

1. By amending the title to read "Part 147—Aviation Maintenance Technician Schools".

2. By striking out the words "mechanic school" wherever they appeared in the part before [effective date of amendment], and inserting the words "aviation maintenance technician school" in place thereof.

3. By amending § 147.3 as follows:

a. By inserting the paragraph designation "(a)" before the first sentence.

b. By inserting a new paragraph (b) to read as follows:

§ 147.3 Certificate required.

* * * * *

(b) After [day before effective date of amendment] each person holding a valid mechanic school certificate shall be considered to hold an aviation maintenance technician school certificate.

4. By inserting the following new paragraph (c) in § 147.7:

§ 147.7 Duration of certificates.

* * * * *

(c) Each holder of an aviation maintenance technician school certificate issued before [effective date of amendment] may, before [2 years after effective date of amendment], change its approved curriculum to conform with § 147.21 and have it approved. If the holder does not sooner apply for approval, his certificate expires on the latter date.

5. By amending paragraphs (a) through (h) of § 147.15 to read as follows:

§ 147.15 Space requirements.

* * * * *

(a) An enclosed classroom, separate from other space and facilities, suitable for teaching theory classes.

(b) Suitable facilities, either central or located in training areas, arranged to assure proper separation from the working space for the segregation and protection of parts, tools, materials, and similar articles.

(c) Suitable separate space for doping and paint spraying.

(d) Suitable separate space equipped with washtank and degreasing equipment with air pressure, or other adequate cleaning equipment.

(e) Suitable separate space with permanent, portable, or mobile test stands for running-in engines.

(f) Suitable separate space, with adequate equipment, including benches, tables, and instruments, to disassemble, repair, assemble, test, service, and inspect—

(1) Ignition, electrical equipment, and appliances;

(2) Carburetors and fuel systems; and

(3) Hydraulic and vacuum systems for aircraft, aircraft engines, and their appliances.

(g) Suitable space, with adequate equipment including tables, benches, horses, stands, and jacks, for disassembling, inspecting, assembling, and rigging aircraft.

(h) Suitable space, with adequate equipment, for disassembling, inspecting, overhauling, assembling, troubleshooting, and timing engines.

6. By amending subparagraph (a)(1) of § 147.17 to read as follows:

§ 147.17 Instructional equipment requirements.

* * * * *

(1) Various kinds of airframe structures, airframe systems and components, powerplants, and powerplant systems and components (including propellers), of a quantity and type suitable to complete the practical projects required by its approved curriculums.

* * * * *

7. By amending paragraphs (b), (c), (d), and (e) of § 147.21 to read as follows:

§ 147.21 General curriculum requirements.

* * * * *

(b) The curriculum must offer at least the following number of hours of instruction for the rating shown:

(1) Airframe—1150 hours (400 general plus 750 airframe).

(2) Powerplant—1150 hours (400 general plus 750 powerplant).

(3) Combined airframe and powerplant—1900 hours (400 general plus 750 airframe and 750 powerplant).

(c) The curriculum must cover the subjects and items prescribed in Appendix B, and in Appendix C or D as applicable. Each item must be taught at the indicated level of proficiency, as defined in Appendix A.

(d) The curriculum must show—

(1) The required practical projects to be completed;

(2) For each subject, the proportions of theory and other instruction to be given; and

(3) A schedule of the required school tests to be given.

(e) The curriculum must be so designed that at least 50 percent of the total curriculum time is spent in shop and laboratory instruction.

8. By amending § 147.23 to read as follows:

§ 147.23 Instructor requirements.

An applicant for an aviation maintenance technician school certificate and rating, or for an additional rating, must provide the number of instructors holding appropriate mechanic certificates and ratings that the Administrator determines necessary to provide adequate instruction and supervision of the students, including at least one such instructor for each 25 students in each shop or laboratory class. However, the applicant may provide specialized instructors, who are not certificated mechanics, to teach only mathematics, physics, drawing, and similar subjects.

9. By amending § 147.31 to read as follows:

§ 147.31 Attendance and enrollment, tests, and credit for prior instruction or experience.

(a) A certificated aviation maintenance technician school may not require or allow any student to attend classes of instruction more than 8 hours in any day or more than 6 days or 40 hours in any 7-day period.

(b) Each school shall give an appropriate test to each student who completes a subject at that school.

(c) A school may not graduate a student unless he has completed all of the appropriate curriculum requirements. However, the school may credit a student with instruction or previous experience as follows:

(1) A school may credit a student with instruction he has satisfactorily completed at an accredited college, State-owned vocational or trade school, or military technical specialty school, or at an aviation maintenance technician school other than the crediting school before the latter was certificated. It may determine the amount of credit to be allowed by giving the applicant an entrance test equal to the one given to students who complete a comparable required curriculum subject at the school, or by an authenticated transcript of his grades from his former school, showing the curriculum in which he was enrolled, the hours of attendance, and his grades in each subject. However, in the case of an applicant with military technical specialty training, it may determine the amount

of credit only on the basis of an entrance test.

(2) A school may credit a student with previous mechanic experience comparable to required curriculum subjects. It must determine the amount of credit to be allowed by documents verifying that experience, and by giving the student a test equal to the one given to students who complete the comparable required curriculum subject at the school.

(d) A school may not have more students enrolled than the number stated in its application for a certificate, unless it amends its application and has it approved.

(e) A school shall use an approved system for determining final course grades, and for recording and controlling student attendance. The system must show hours of absence allowed, and makeup provisions for classes missed.

§ 147.33 [Amended]

10. By amending subparagraph (a) (1) of § 147.33 to read as follows: "(1) His attendance, tests, and grades received on the subjects required by this part;"

11. By amending paragraph (b) of § 147.33 by striking out the words "phase of his course", and inserting the word "subject" in place thereof.

§ 147.35 [Amended]

12. By amending § 147.35 as follows:

a. By striking out the words "and courses" wherever they appear in the third sentence of paragraph (a).

b. By amending paragraph (b) to read as follows:

(b) Each school shall give a graduation certificate or certificate of completion to each student that it graduates. An official of the school shall authenticate the certificate. The certificate must show the date of graduation and the approved curriculum title, and reflect his standard of performance during the entire curriculum.

13. By inserting the following new § 147.36:

§ 147.36 Maintenance of instructor requirements.

Each certificated aviation maintenance technician school shall, after certification or addition of a rating, continue to provide the number of instructors holding appropriate mechanic certificates and ratings that the Administrator determines necessary to provide adequate instruction and supervision of the students, including at least one such instructor for each 25 students in each shop or laboratory class. The school may continue to provide specialized instructors, who are not certificated mechanics, to teach only mathematics, physics, drawing, and similar subjects.

14. By inserting the following new §§ 147.38 and 147.38a:

§ 147.38 Maintenance of curriculum requirements.

(a) Each certificated aviation maintenance technician school shall adhere to its approved curriculum.

(b) A school may not change its approved curriculum unless the change is approved in advance.

§ 147.38a Quality of instruction.

Each certificated aviation maintenance technician school shall provide instruction of such quality that, of its graduates of a curriculum for each rating who apply for a mechanic certificate or additional rating within 60 days after they are graduated, the percentage of those passing the applicable FAA written test on their first attempt during any period of 24 calendar months is at least the percentage figured as follows:

(a) For a school graduating fewer than 51 students during that period—the national passing norm minus the number 20.

(b) For a school graduating at least 51, but fewer than 201, students during that period—the national passing norm minus the number 15.

(c) For a school graduating more than 200 students during that period—the national passing norm minus the number 10.

As used in this section, "national passing norm" is the number representing the percentage of all graduates (of a curriculum for a particular rating) of all certificated aviation maintenance technician schools who apply for a mechanic certificate or additional rating within 60 days after they are graduated and pass the applicable FAA written test on their first attempt during the period of 24 calendar months described in this section.

15. By inserting new Appendices A, B, C, and D after § 147.45, to read as follows:

APPENDIX A

CURRICULUM REQUIREMENTS

This appendix defines terms used in Appendices B, C, and D of this part, and describes the levels of proficiency at which items under each subject in each curriculum must be taught, as outlined in Appendices B, C, and D.

(a) *Definitions.* As used in Appendices B, C, and D:

(1) "Inspect" means to examine by sight and touch.

(2) "Check" means to verify proper operation.

(3) "Troubleshoot" means to analyze and identify malfunctions.

(4) "Service" means to perform functions that assure continued operation.

(5) "Repair" means to correct a defective condition. Repair of an airframe or powerplant system includes component replacement and adjustment, but not component repair.

(6) "Overhaul" means to disassemble, inspect, repair as necessary, and check.

(b) *Teaching levels.*

(1) Level 1 requires:

(i) Knowledge of general principles, but no practical application.

(ii) No development of manipulative skill.

(iii) Instruction by lecture, demonstration, and discussion.

(2) Level 2 requires:

(i) Knowledge of general principles, and limited practical application.

(ii) Development of sufficient manipulative skill to perform basic operations.

(iii) Instruction by lecture, demonstration, discussion, and limited practical application.

(3) Level 3 requires:

(i) Knowledge of general principles, and performance of a high degree of practical application.

(ii) Development of sufficient manipulative skill to accomplish return to service.

(iii) Instruction by lecture, demonstration, discussion, and a high degree of practical application.

APPENDIX B

GENERAL CURRICULUM SUBJECTS

This appendix lists the subjects required in at least 400 hours in general curriculum subjects.

The number in parentheses before each item listed under each subject heading indicates the level of proficiency at which that item must be taught.

Teaching level

A. *Basic Electricity*

(1) 1. Measure capacitance and inductance.

(2) 2. Calculate and measure conductivity and electrical power.

(3) 3. Measure voltage, current, resistance, continuity, and leakage.

(3) 4. Determine the relationship of voltage, current, and resistance in electrical circuits.

(3) 5. Read and interpret electrical circuit diagrams.

(3) 6. Inspect and service batteries.

B. *Aircraft Drawings*

(2) 7. Use drawings, symbols, and schematic diagrams.

(3) 8. Draw sketches of repairs and alterations.

(3) 9. Use blueprint information.

(3) 10. Use graphs and charts.

C. *Weight and Balance*

(2) 11. Weigh aircraft.

(3) 12. Perform complete weight-and-balance check and record data.

D. *Fluid Lines and Fittings*

(3) 13. Fabricate and install rigid and flexible fluid lines and fittings.

E. *Materials and Processes*

(1) 14. Identify and select appropriate nondestructive testing methods.

(2) 15. Perform penetrant, chemical etching, and magnetic particle inspections.

(2) 16. Perform basic heat-treating processes.

(3) 17. Identify and select aircraft hardware and materials.

(3) 18. Inspect and check welds.

(3) 19. Perform precision measurements.

F. *Ground Operation and Servicing*

(2) 20. Start, ground operate, move, service, and secure aircraft.

(2) 21. Identify and select fuels.

G. *Cleaning and Corrosion Control*

(3) 22. Identify and select cleaning materials.

(3) 23. Perform aircraft cleaning and corrosion control.

H. *Mathematics*

(1) 24. Extract roots and raise numbers to a given power.

(2) 25. Determine areas and volumes of various geometrical shapes.

(3) 26. Solve ratio, proportion, and percentage problems.

(3) 27. Perform algebraic operations involving addition, subtraction, multiplication, and division of positive and negative numbers.

I. Maintenance Forms and Records

Teaching level

(3) 28. Write descriptions of aircraft condition and work performed.

(3) 29. Complete required maintenance forms, records, and inspection reports.

J. Basic Physics

(2) 30. Use the principles of simple machines; sound, fluid, and heat dynamics.

K. Maintenance Publications

(3) 31. Select and use FAA and manufacturer's aircraft maintenance specifications, data sheets, manuals, and publications, and related Federal Aviation Regulations.

(3) 32. Read technical data.

L. Mechanic Privileges and Limitations

(3) 33. Exercise mechanic privileges within the limitations prescribed by FAR 65.

APPENDIX C

AIRFRAME CURRICULUM SUBJECTS

This appendix lists the subjects required in at least 750 hours of each airframe curriculum, in addition to at least 400 hours in general curriculum subjects.

The number in parentheses before each item listed under each subject heading indicates the level of proficiency at which that item must be taught.

I. AIRFRAME STRUCTURES

Teaching level

A. Wood Structures

(1) 1. Service and repair wood structures.
(2) 2. Identify wood defects.
(2) 3. Inspect wood structures.

B. Aircraft Covering

(1) 4. Select and apply fabric and fiberglass covering materials.

(3) 5. Inspect, test, and repair fabric and fiberglass.

C. Aircraft Finishes

(1) 6. Apply trim, letters, and touchup paint.

(2) 7. Identify and select aircraft finishing materials.

(2) 8. Apply paint and dope.

(2) 9. Inspect finishes and identify defects.

D. Sheet Metal Structures

(2) 10. Install special rivets and fasteners.

(2) 11. Inspect bonded structures.

(2) 12. Inspect and repair plastics, honeycomb, and laminated structures.

(2) 13. Inspect, check, service, and repair windows, doors, and interior furnishings.

(3) 14. Inspect and repair sheet-metal structures.

(3) 15. Install conventional rivets.

(3) 16. Hand form, lay out, and bend sheet metal.

E. Welding

(1) 17. Weld magnesium and titanium.
(1) 18. Solder stainless steel.
(1) 19. Fabricate tubular structures.
(2) 20. Solder, braze, gas-weld, and arc-weld steel.
(2) 21. Weld aluminum and stainless steel.

F. Assembly and Rigging

Teaching level

(1) 22. Rig rotary-wing aircraft.
(2) 23. Rig fixed-wing aircraft.
(2) 24. Check alignment of structures.
(3) 25. Assemble aircraft.
(3) 26. Balance and rig movable surfaces.
(3) 27. Jack aircraft.

G. Airframe Inspection

(3) 28. Perform airframe conformity and airworthiness inspections.

II. AIRFRAME SYSTEMS AND COMPONENTS

A. Aircraft Landing Gear Systems

(3) 29. Inspect, check, service, and repair landing gear, retraction systems, shock struts, brakes, wheels, tires, and steering systems.

B. Hydraulic and Pneumatic Power Systems

(2) 30. Repair hydraulic and pneumatic power systems components.

(3) 31. Identify and select hydraulic fluids.

(3) 32. Inspect, check, service, troubleshoot, and repair hydraulic and pneumatic power systems.

C. Cabin Atmosphere Control Systems

(1) 33. Repair heating, cooling, air-conditioning, pressurization, and oxygen system components.

(1) 34. Inspect, check, troubleshoot, service, and repair heating, cooling, air-conditioning, and pressurization systems.

(2) 35. Inspect, check, troubleshoot, service and repair oxygen systems.

D. Aircraft Instrument Systems

(1) 36. Install instruments.
(1) 37. Inspect, check, service, troubleshoot and repair heading, speed, altitude, time, attitude, temperature, pressure and position indicating systems.

E. Communication and Navigation Systems

(1) 38. Inspect, check, and service autopilot and approach control systems.

(1) 39. Inspect, check, and service aircraft electronic communication and navigation systems.

(2) 40. Inspect and repair antenna and electronic equipment installations.

F. Aircraft Fuel Systems

(1) 41. Check and service fuel dump systems.

(1) 42. Perform fuel management, transfer, and defueling.

(1) 43. Inspect, check, and repair pressure fueling systems.

(2) 44. Repair aircraft fuel system components.

(2) 45. Inspect and repair fluid quantity indicating systems.

(2) 46. Troubleshoot, service, and repair fluid pressure and temperature warning systems.

(3) 47. Inspect, check, service, troubleshoot, and repair aircraft fuel systems.

G. Aircraft Electrical Systems

(2) 48. Repair aircraft electrical system components.

(3) 49. Install, check, and service airframe electrical wiring, controls, switches, indicators, and protective devices.

(3) 50. Inspect, check, troubleshoot, service, and repair alternating current and direct current electrical systems.

H. Position and Warning Systems

Teaching level

(1) 51. Inspect, check, and service speed- and takeoff-warning systems, electrical brake controls, and antiskid systems.

(3) 52. Inspect, check, troubleshoot, service, and repair landing gear position indicating and warning systems.

I. Ice and Rain Control Systems

(2) 53. Inspect, check, troubleshoot, service, and repair airframe ice and rain control systems.

J. Fire Protection Systems

(1) 54. Inspect, check, and service smoke and carbon monoxide detection systems.

(3) 55. Inspect, check, service, troubleshoot, and repair aircraft fire detection and extinguishing systems.

APPENDIX D

POWERPLANT CURRICULUM SUBJECTS

This appendix lists the subjects required in at least 750 hours of each powerplant curriculum, in addition to at least 400 hours in general curriculum subjects.

The number in parentheses before each item listed under each subject heading indicates the level of proficiency at which that item must be taught.

I. POWERPLANT THEORY AND MAINTENANCE

Teaching level

A. Reciprocating Engines

(2) 1. Inspect and repair 14-cylinder or larger radial engine.

(2) 2. Overhaul reciprocating engine.

(3) 3. Inspect, check, service, and repair opposed and radial engines and reciprocating engine installations.

(3) 4. Install, troubleshoot, and remove reciprocating engines.

B. Turbine Engines

(2) 5. Overhaul turbine engine.

(2) 6. Inspect, check, service, and repair turbine engines and turbine engine installations.

(2) 7. Install, troubleshoot, and remove turbine engines.

C. Engine Inspection

(3) 8. Perform powerplant conformity and airworthiness inspections.

II. POWERPLANT SYSTEMS AND COMPONENTS

A. Engine Instrument Systems

(2) 9. Troubleshoot, service, and repair fluid rate-of-flow indicating systems.

(3) 10. Inspect, check, service, troubleshoot, and repair engine temperature, pressure, and r.p.m. indicating systems.

B. Engine Fire Protection Systems

(3) 11. Inspect, check, service, troubleshoot, and repair engine fire detection and extinguishing systems.

C. Engine Electrical Systems

(2) 12. Repair engine electrical system components.

(3) 13. Install, check, and service engine electrical wiring, controls, switches, indicators, and protective devices.

D. Lubrication Systems

(2) 14. Identify and select lubricants.
(2) 15. Repair engine lubrication system components.

D. Lubrication Systems—Continued

Teaching level

(3) 16. Inspect, check, service, troubleshoot, and repair engine lubrication systems.

E. Ignition Systems

(2) 17. Overhaul magneto and ignition harness.
(2) 18. Repair engine ignition system components.
(3) 19. Inspect, check, service, troubleshoot, and repair reciprocating and turbine engine ignition systems.

F. Fuel Metering Systems

(1) 20. Inspect, check, and service water injection systems.
(2) 21. Overhaul carburetor.
(2) 22. Repair engine fuel metering system components.
(3) 23. Inspect, check, service, troubleshoot, and repair reciprocating and turbine engine fuel metering systems.

G. Engine Fuel Systems

(2) 24. Repair engine fuel system components.
(3) 25. Inspect, check, service, troubleshoot, and repair engine fuel systems.

H. Induction Systems

(2) 26. Inspect, check, troubleshoot, service, and repair engine ice and rain control systems.
(2) 27. Inspect, check, service, and repair heat exchangers and superchargers.
(3) 28. Inspect, check, service, and repair carburetor air intake and induction manifolds.

I. Engine Cooling Systems

(2) 29. Repair engine cooling system components.
(3) 30. Inspect, check, troubleshoot, service, and repair engine cooling systems.

J. Engine Exhaust Systems

(2) 31. Repair engine exhaust system components.
(3) 32. Inspect, check, troubleshoot, service, and repair engine exhaust systems.

K. Propellers

Teaching level

(1) 33. Inspect, check, service, and repair propeller synchronizing and ice control systems.
(2) 34. Identify and select propeller lubricants.
(2) 35. Balance propellers.
(2) 36. Repair propeller control system components.
(3) 37. Inspect, check, service, and repair fixed-pitch, constant-speed, and feathering propellers, and propeller governing systems.
(3) 38. Install, troubleshoot, and remove propellers.

These amendments are proposed under the authority of sections 313(a), 601, and 607 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1427), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on February 26, 1969.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 69-2568; Filed, Mar. 3, 1969; 8:45 a.m.]

[14 CFR Part 157]

[Docket No. 9322; Reference Notice No. 68-36]

AIRPORTS

Notice of Construction, Alteration, Activation and Deactivation

The Federal Aviation Administration has had under consideration a proposal to amend Part 157 of the Federal Aviation Regulations to (1) separate the reporting standards for heliport proposals from proposals relating to fixed wing aircraft; (2) consider noise nuisance factors in aeronautical studies associated with proposed airport projects; (3) consider the airport or heliport proposals with regard to the effect of existing or proposed man-made objects and natural objects; and (4) require notification to the FAA upon completion of an airport project.

The proposal was published in the FEDERAL REGISTER (34 F.R. 16, dated Jan. 1, 1969), and circulated to the public as notice 68-36. Interested persons were afforded an opportunity to participate in the proposed rule making through submission of comments.

After publication of the notice, several additional factors have been brought to the attention of the Federal Aviation Administration. This new information warrants further study prior to the adoption of any amendment to Part 157 of the Federal Aviation Regulations. Therefore, it has been determined that notice 68-36 should not be adopted at this time.

Withdrawal of a notice of proposed rule making constitutes only such action, and does not preclude the FAA from issuing another notice in the future, nor commit the FAA to any course of action in the future.

In consideration of the foregoing, notice No. 68-36 entitled "Notice of Construction, Alteration, Activation and Deactivation of Airports" is hereby withdrawn.

This withdrawal shall become effective upon publication in the FEDERAL REGISTER.

This withdrawal is issued under the authority of sections 309 and 313(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1350 and 1354) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on February 26, 1969.

FERRIS J. HOWLAND,
Acting Director,
Air Traffic Service, AT-1.

[F.R. Doc. 69-2607; Filed, Mar. 3, 1969; 8:48 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

ELECTRONIC RECEIVING TUBES FROM JAPAN

Notice of Tentative Negative Determination

FEBRUARY 24, 1969.

Information was received on July 21, 1967, that electronic receiving tubes (except television picture tubes) from Japan were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.), (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of October 10, 1967, on page 14067.

I hereby make a tentative determination that electronic receiving tubes (except television picture tubes; such tubes are not involved in this proceeding) from Japan are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

Statement of reasons on which this tentative determination is based. Based on the available information it was determined that for fair value purposes purchase price should be compared with the applicable adjusted home market price of such or similar merchandise.

Purchase price was calculated by deducting from the f.o.b. or c.i.f. price for exportation to the United States the included freight charges, packing, and commission, as applicable.

Adjusted home market price was computed on the basis of either the delivered price or the weighted average of delivered prices as appropriate. From such prices were deducted, as applicable, inland freight charges, warranties, differences in credit terms, and packing. Where appropriate, a deduction was made for branding charges and a commission.

Comparsion of purchase price with adjusted home market price revealed that adjusted home market price was not higher than purchase price except in a few instances. The amounts involved in these sales were minimal. The exporters upon being advised of these sales at less than adjusted home market price provided assurances that they would make no future sales at less than fair value regardless of the disposition of the investigation.

In accordance with § 53.33(b), Customs Regulations (19 CFR 53.33(b)), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any such written views, arguments, or requests should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C. 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This tentative determination and the statement of reasons therefor are published pursuant to § 53.33 of the Customs Regulations (19 CFR 53.33).

[SEAL] MATTHEW J. MARKS,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 69-2601; Filed, Mar. 3, 1969; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. I-2784]

IDAHO

Order Providing for Opening of Public Lands

FEBRUARY 25, 1969.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended (43 U.S.C. 315g), the following described lands have been reconveyed to the United States:

BOISE MERIDIAN, IDAHO

T. 1 N., R. 34 E.,
Sec. 14, W½SW¼, SE¼SW¼;
Sec. 15, E½SE¼, SW¼SE¼;
Sec. 17, S½S½;
Sec. 20, N½NE¼, E½NW¼;
Sec. 21, NW¼, S½SW¼, NE¼SW¼;
Sec. 22, NW¼NE¼;
Sec. 23, NE¼NW¼;
Sec. 28, NW¼NW¼.

The area described aggregates 960 acres.

2. The lands are located in Bingham County, approximately 25 miles northwest of Blackfoot, Idaho, via State Highway No. 27 for 17 miles, then 8 miles of ungraded dirt roads. The lands are inaccessible during late winter and early spring months. Elevation is about 4,800 feet above sea level. Topography is flat to rolling, with scattered lava outcrops. Soils are volcanic ash. Vegetation is sagebrush, Western bunchgrass, rabbitbrush, and snake weed. There is no water supply available.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby opened to application, petition, location, and selection including location under the U.S. mining laws. All valid applications received at or prior to 10 a.m. on April 1, 1969, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, 550 West Fort Street, Boise, Idaho 83702.

CURTIS R. TAYLOR,
Acting Manager, Land Office.

[F.R. Doc. 69-2569; Filed, Mar. 3, 1969; 8:45 a.m.]

[Montana 10466]

MONTANA

Order Providing for Opening of Public Lands

FEBRUARY 24, 1969.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g), the following lands have been reconveyed to the United States:

PRINCIPAL MERIDIAN, MONTANA

T. 5 S., R. 60 E.,
Sec. 15, NE¼ and NE¼SE¼;
Sec. 22, S½NE¼ and SE¼;
Sec. 27, N½NE¼.

The areas described aggregate 520 acres.

2. These lands are rolling prairie with grass cover. The soils are clay to clay loam and parts of the land could be cultivated. These lands adjoin other public land and are presently licensed for grazing.

3. Subject to valid existing rights, the provisions of existing withdrawals, the provisions of the multiple-use classification of January 18, 1969, and the requirements of applicable law, the lands are hereby restored to the public domain status and open to application, petition, location, and selection. All valid applications received at or prior to 10 a.m. on March 31, 1969, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. The mineral rights in the lands were not exchanged. Therefore, the mineral status of the lands are not affected by this order.

5. Inquiries concerning the lands should be addressed to the Land Office Manager, Bureau of Land Management, Billings, Mont. 59101.

ROLAND F. LEE,
Acting Land Office Manager.

[F.R. Doc. 69-2565; Filed, Mar. 3, 1969; 8:45 a.m.]

Fish and Wildlife Service

[Docket No. A-487]

CECIL E. BROWN AND HENRY NESETH

Notice of Loan Application

FEBRUARY 24, 1969.

Cecil E. Brown and Henry Neseth, Post Office Box 236, Kodiak, Alaska 99615, have applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 41.5-foot length overall wood vessel to engage in the fishery for salmon and crab.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

WILLIAM M. TERRY,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 69-2562; Filed, Mar. 3, 1969; 8:45 a.m.]

[Docket No. A-486]

FRANK J. AND BETTY J. KOCH

Notice of Loan Application

FEBRUARY 24, 1969.

Frank J. Koch and Betty J. Koch, Post Office Box 74, Auke Bay, Alaska 99821, have applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 41.5-foot registered length wood vessel to engage in the fishery for salmon and tuna.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

WILLIAM M. TERRY,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 69-2563; Filed, Mar. 3, 1969; 8:45 a.m.]

[Docket No. G-421]

LOUIS EDWARD WILLIAMS

Notice of Loan Application

FEBRUARY 25, 1969.

Louis Edward Williams, 1507 Kathryn Street, Mount Pleasant, S.C. 29464, has applied for a loan from the Fisheries Loan Fund to aid in financing the construction of a new 80-foot length overall wood vessel to engage in the fishery for shrimp, crabs, and flounders.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

WILLIAM M. TERRY,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 69-2564; Filed, Mar. 3, 1969; 8:45 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Report 94]

LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through February 20, 1969, exclusive of those vessels that called at Cuba on U.S. Government-approved noncommercial voyages and those listed in section 2. Pursuant to established U.S. Government policy, the listed vessels are ineligible to carry U.S. Government-financed cargoes from the United States.

FLAG OF REGISTRY AND NAME OF SHIP	*Gross tonnage*
Total, all flags (177 ships)	1,263,181
British (48 ships)	285,706
Antarctica	8,785
Arctic Ocean	8,791
Athelcrown (tanker)	11,149
Athellaird (tanker)	11,150
Athelmere (tanker)	7,524
Athelmonarch (tanker)	11,182
Avisfaith	7,868
Baxtergate	8,813
Changpaishan	8,929
Cheung Chau	8,566
Chiang Kiang	10,481
East Sea	9,679
Eastfortune	8,789
Eastglory	8,995
Fortune Enterprise	7,696
Hemisphere	8,718
Ho Fung	7,121
Huntsland	9,353
Huntsville	9,486
Inchstuart	7,043
**Jeb Lee (trip to Cuba under ex-name Garthdale—British)	7,542
Jollity	8,819
**Kali Elpis (trips to Cuba under ex-name Ardmore—British)	4,664
**Kelso trip to Cuba under ex-name Ardgem—British)	6,981
Kinross	5,388
Magister	2,239
**Meadow Court (trip to Cuba under ex-name Ardrossmore—British)	5,820
Nancy Dee	6,597
Nebula	8,907
Newglade	7,368
Newheath	7,643
Newmoat	7,151
Oceantramp	6,185
Oceantravel	10,419
Peony	9,037
Red Sea (previous trip to Cuba under ex-name Grosvenor Mariner—British)	7,026
**Rosetta Maud (trips to Cuba under ex-name Ardtara—British)	5,795
Ruthy Ann	7,361
Sea Amber	10,421
Sea Coral	10,421
Sea Empress	9,841
Seasage	4,330
**Shun Wah (trips to Cuba under ex-name Vercharmian—British)	7,265
Southgate (previous trips to Cuba under ex-name Arlington Court—British)	9,662
**Tetrarch (trips to Cuba under ex-name Ardrowan—British)	7,300
Venice	8,611
Vergmont	7,381
Yunglutaton	5,414
Cypriot (38 ships)	285,888
Acme	7,173
Aegis Hope (previous trips to Cuba under ex-name Huntsmore—British)	5,678
Aioloe II (previous trips to Cuba—Lebanese)	7,256
Akmeon (tanker)	11,105
Alda	7,292
Alice (previous trips to Cuba—Greek)	7,189
Amfithea (previous trip to Cuba under ex-name . Antonia—Greek)	5,171
Angeliki	8,482
Anka	7,314

See footnotes at end of document.

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
Cypriot—Continued	
Antonia II (previous trip to Cuba under ex-name Stylianos N. Vlassopulos—Greek)	7,281
Apollonian	7,229
Areti (previous trips to Cuba—Lebanese)	7,176
Captain Papalios (tanker)	11,676
Claire (previous trips to Cuba—Lebanese)	5,411
Degedo	9,000
Dolphin	3,550
Dorine Papalios (previous trips to Cuba under ex-name Formentor—British)	8,424
E. D. Papalios	9,431
El Toro	5,949
Free Navigator (previous trips to Cuba under ex-name Newdene—British)	7,165
Free Trader (previous trips to Cuba—Lebanese)	7,061
Huntsfield (previous trips to Cuba—British)	9,483
Johnny	9,689
Katerina (previous trips to Cuba—Lebanese)	9,357
**Kounistra (trips to Cuba under ex-names Nicolaos Frangistas and Nicolaos F.—Greek	7,199
Marika (previous trip to Cuba—Lebanese)	7,290
Mery (previous trips to Cuba—Greek)	7,258
Newforest (previous trips to Cuba—British)	7,189
Newgate (previous trips to Cuba—British)	6,743
**Newlane (trips to Cuba—British)	7,043
Newmoor (previous trips to Cuba—British)	7,168
Olga (previous trips to Cuba—Lebanese and Greek)	7,265
Protoklitos	6,154
Suerte	7,267
Sunrise (previous trips to Cuba under ex-name Anatoli—Greek)	7,216
Tina (previous trips to Cuba—Greek)	7,362
Vassiliki (previous trips to Cuba—Lebanese)	7,192
*Venturer	9,000
Polish (21 ships)	150,590
Baltyk	6,984
Bialystok	7,173
Bytom	5,967
Chopin	9,231
Chorzow	7,237
Energetyk	10,876
Grodziec	3,379
Huta Florian	7,258
Huta Labedy	7,221
Huta Ostrowiec	7,179
Huta Zgoda	6,840
Hutnik	10,847
Kopalnia Bobrek	7,221
Kopalnia Czladz	7,252
Kopalnia Miechowice	7,223
Kopalnia Siemianowice	7,165
Kopalnia Wujek	7,033
Narwik	7,065
Piast	3,184
Rejowiec	3,401
Transportowiec	10,854
Lebanese (13 ships)	85,753
Antonis	6,259
Astir	5,324
Atticos	7,257
Giannis	5,270
Giorgos Tsakiroglou	7,240
Ilena	5,925
Lebanese—Continued	
Marichristina	7,124
Mousse	9,307
Noelle	7,251
**Tania (trip to Cuba under ex-name Al Fares—Lebanese—now Cuban—will be deleted from future reports)	1,143
Tony	7,176
Toula	6,426
Yanxilas	10,051
Greek (11 ships)	73,531
Agios Therapon	7,205
**Aliartos (trip to Cuba under ex-name Loradore—British)	8,078
Andromachi (previous trips to Cuba under ex-name Penelope—Greek)	6,712
**Anna Maria (trips to Cuba under ex-name Helka—British)	2,111
Barbarino	7,084
Eftyhia	9,844
**Gold Land (trip to Cuba under ex-name Amfred—Swedish)	2,838
Irena	7,232
**Lambros M. Fatsis (trips to Cuba under ex-name La Hortensia—British)	9,486
Redestos	5,911
Sophia	7,030
Yugoslav (7 ships)	46,150
Agrum	2,449
Bar	8,776
Kolasin	7,217
Piva	7,519
Plod	3,657
Subicevac	9,033
Tara	7,499
Panamanian (7 ships)	45,065
**Ampuria (trips to Cuba under ex-name Roula Maria—Greek)	10,608
**Avrancholse (trips to Cuba under ex-name Avranches—French)	7,199
**Chung Thai (trip to Cuba under ex-name Somalia—Italian)	3,352
**Renown Trader (trips to Cuba under ex-name Suva Breeze—British)	4,996
**Robertina (trips to Cuba under ex-name Anacreon—Greek)	6,935
**Tynlee (trip to Cuba under ex-name Ardenode—British)	7,036
**Yu Lee (trips to Cuba under ex-name Dairen—British)	4,939
French (6 ships)	19,316
**Atlanta (trip to Cuba under ex-name Enee—French)	1,232
Circe	2,874
Foulaya	3,739
Mungo	4,820
Nelee	2,874
Penja	3,777
Italian (4 ships)	33,275
Elia (tanker)	11,021
San Francesco	9,284
Santa Lucia	9,278
Somalia	3,692
Finnish (3 ships)	20,966
Augusta Paulin	7,096
Ragni Paulin	6,823
Verna Paulin	7,047
Maltese (3 ships)	19,293
Ispahan	7,169
Soclyve (previous trips to Cuba—British)	7,291
Timios Stavros (previous trips to Cuba—British and Greek)	5,333
Moroccan (4 ships)	32,746
Atlas	10,392
Marrakech	3,214
Mauritanie	10,392
Toubkal	8,748
Somali (6 ships)	37,746
Aragon	7,248
Aria	5,059
**Atlas (trip to Cuba—Finnish)	3,916
Erato (previous trips to Cuba under ex-name Eretria—Greek)	7,199
Stevo (previous trips to Cuba—Lebanese)	7,066
Thios Costas	7,258
Netherlands (2 ships)	1,615
Meike	500
Tempo	1,115
Guinean (1 ship)	852
**Drame Oumar (trip to Cuba under ex-name Neve—French)	852
Japanese (1 ship)	8,627
Chokyu Maru	8,627
Pakistani (1 ship)	8,708
**Maulabaksh (trip to Cuba under ex-name Phoenician Dawn and East Breeze—British)	8,708
Singapore (1 ship)	6,854
**Glaisdale (trip to Cuba—British)	6,854

See footnotes at end of document.

SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuban trade so long as it remains the policy of the U.S. Government to discourage such trade; and

(b) That no other vessel under their control will thenceforth be employed in the Cuban trade, except as provided in paragraph (c); and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuban trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY AND NAME OF SHIP

a. Since last report:

	Gross tonnage
Italian (1 ship)	1,595
Graziella Zeta	1,595

b. Previous reports:

	Number of ships
Flag of registry (total)	123
British	44
Cypriot	3
Danish	1
Finnish	4
French	1
German (West)	1
Greek	30
Israeli	1
Italian	12
Japanese	1
Kuwaiti	1
Lebanese	9
Liberian	1
Norwegian	5
Somali	1
Spanish	6
Swedish	1
Yugoslav	1

SEC. 3. The following number of vessels have been removed from this list, since they have been broken up, sunk, etc.

a. since last report:

	Gross tonnage
Shienfoon (British)	7,127
Yungfutary (British)	5,388
Agenor (Cypriot)	7,139
Gloria (Cypriot)	7,277
Laurel (Cypriot)	7,297
Jytte Paulin (Finnish)	7,010
Mantric (Lebanese)	7,255
San Spyridon (Lebanese)	7,260
Amalia (Maltese)	7,304
Mojkovac (Yugoslav)	7,142

b. Previous reports:

Flag of registry:	Broken up, sunk or wrecked
British	13
Cypriot	14
Finnish	1
French	1
Greek	13
Italian	4
Lebanese	29
Maltese	1
Monaco	1
Moroccan	1
Norwegian	1
Pakistan	1
Panamanian	2
South African	2
Swedish	1
Yugoslav	5
Total	90

SEC. 4. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through February 20, 1969.

Flag of registry	Number of trips											
						1968					1969	
	1963	1964	1965	1966	1967	Jan. thru Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Total
British	133	180	126	101	78	41	4	8	3	3	2	679
Lebanese	64	91	58	25	16	12	1		1	2		270
Greek	99	27	23	27	29	4		2		1		212
Cypriot		1	17	27	42	41	7	9	4	7	5	160
Italian	16	20	24	11	11	5	1	2		1	1	92
Yugoslav	12	11	15	10	14	5	1	1	1	1		71
French	8	9	9	10	10	3			1		1	51
Finnish	1	4	5	11	12	5	1		2			41
Spanish	8	17										25
Norwegian	14	10										24
Moroccan	9	13	1									23
Maltese		2	6	1	4	6	1			1		21
Somali					2	6		2	1	2	1	14
Netherlands		4	2									6
Swedish	3	3										6
Kuwaiti		2	1									3
Israeli			2									2
Japanese	1					1						2
Danish	1											1
German (West)	1											1
Haitian			1									1
Monaco				1								1
Subtotal	370	394	290	224	218	129	16	24	13	18	10	1,706
Polish	18	16	12	10	11	6	1					74
Grand total	388	410	302	234	229	135	17	24	13	18	10	1,780

NOTE.—Trip totals in this section exceed ship totals in sections 1 and 2 because some of the ships made more than 1 trip to Cuba. Monthly totals subject to revision as additional data becomes available.

*Added to Rept. 93, appearing in the FEDERAL REGISTER issue of January 8, 1969.

**Ships appearing on the list which have made no trips to Cuba under the present registry.

Dated: February 26, 1969.

By order of the Acting Maritime Administrator.

JOHN M. O'CONNELL,
Acting Secretary.

[F.R. Doc. 69-2625; Filed, Mar. 3, 1969; 8:49 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HUD OFFICERS AND EMPLOYEES

Revocation of Temporary Suspension of Certain Delegations and Redelegations of Authority To Approve Grants, Contracts, Other Subsidies, Loans, Commitments, or Reservations

The notice published at 34 F.R. 1740, February 5, 1969, relating to the temporary suspension of certain delegations and redelegations of authority to HUD officers and employees to approve, execute, or increase the amount of any grant, contract, subsidy, loan, commitment, or reservation is hereby revoked except with respect to all programs listed under the following heading:

E—Director, Office of Urban Technology and Research.

(Sec. 7(d), Department of HUD Act, 42 U.S.C. 3535(d))

Effective date: This revocation shall be effective as of February 27, 1969.

GEORGE ROMNEY,
Secretary of Housing and Urban Development.

[F.R. Doc. 69-2633; Filed, Mar. 3, 1969; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20291; Order 69-2-123]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 25th day of February 1969.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreement, which was adopted at the Cannes Worldwide Passenger Fares Conference in September and October 1968, has been assigned the above-designated CAB agreement number.

The agreement, which we are herein approving, encompasses fares to apply within the Western Hemisphere for a limited duration of 6 months, beginning April 1, 1969. Essentially, the agreement would maintain the status quo in fares with a limited number of adjustments in isolated markets, including some markets to and from the United States.

Normal fare adjustments proposed in air transportation generally relate to

United States-Bahamas and Mexico fares. For example, certain fares between the United States and the Bahamas would be increased, although some reductions are proposed in other Bahamas markets. With respect to Mexico fares, the carriers propose to eliminate the round-trip discounts in the relatively few markets between U.S. points and Mexico City where they have not previously been eliminated. The resulting increases in round-trip fares would apply primarily to first-class service and conform the pattern of round-trip fares to that now generally applicable.

Excursion fare adjustments include the cancellation of those now offered between the United States and Acapulco, except those to/from Houston. However, reduced excursion fares would still be available at many interior points by combination of domestic reduced excursion fares and Houston-Acapulco excursion fares. Another adjustment would increase Buffalo/Syracuse-Bermuda fares so as to conform with the revised pattern of excursion fares between United States Northeast Coast points and Bermuda which the Board has recently approved.

We are also herein approving a number of collateral type fare resolutions, including a revalidation for a 6-month period of construction rules within the Western Hemisphere. This resolution has been amended to require a charge for side trips in conformity with the rules that the Board has approved for application in the Pacific. Additionally, the agreement would extend the existing baggage rules for a 1-year period in all areas except the North Atlantic. Current provisions governing the extension of ticket validity would be amended so as to permit, in the event of illness attested to by a medical certificate, the extension of travel under special fares, which is now precluded.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. The Board does not find that the following resolutions, incorporated in Agreement CAB 20691,[1] affect air transportation within the meaning of the Act:

[1] R-1 through R-23, R-25 through R-54, R-56 and R-57, R-60 through R-62, R-68 and R-69, and R-84 through R-86.

Agreement CAB 20691	IATA No.	Title	Application
R-9	002	Standard Revalidation Resolution—insofar as applicable to the following resolutions:	
		004g—Restrictions of Applicability—Congo (Kinshasa) (Kingdom of Burundi—Republic of Rwanda.	2.
		014d—Special Construction Rule Directional Fares	2.
		115c—Meeting Non-IATA Competition in the Middle East (Passenger).	2.
		115e—Meeting Rates and Practices—Non-IATA Carriers (Passenger).	2.
		200d—Transportation of Human Eyes and Dehydrated Corneas.	2.
		311a—Charges for Specific Baggage Items	2.
		315—Air Ferry Rates for Vehicles	2.
R-10	002	Standard Revalidation Resolution—insofar as applicable to the following resolutions:	
		004d—Restriction of Applicability—New Guinea	3
		200e—Transportation of Human Eyes and Dehydrated Corneas.	3.
R-12	002	Standard Revalidation Resolution—insofar as applicable to the following resolutions:	
		115b—Meeting Non-IATA Competition in Certain Areas (Passenger).	2/3.
		200c—Transportation of Human Eyes.	2/3.
R-41	(070y)(080y)	South Atlantic Economy Class Excursion Fares-Readopting and Amending.	1/2 (South Atlantic).
R-44	(096d)(072g)	"B" Fares—South America Revalidating and Amending	1.

2. The Board does not find that the following resolutions, incorporated in Agreement CAB 20691 and which do not directly affect air transportation as defined by the Act, to be adverse to the public interest or in violation of the Act:

Agreement CAB 20691	IATA No.	Title	Application
R-24	014a	Construction Rule for Passenger Fares—South Atlantic—Revalidating and Amending.	1/2 (South Atlantic).
R-34	054c	South Atlantic Normal First Class Fares (New)	1/2 (South Atlantic).
R-38	064c	South Atlantic Economy Class Fares (New)	1/2 (South Atlantic).
R-40	070t (080j)	Canada-Bermuda/Caribbean 21-Day Round-Trip Excursion Fares—Revalidating and Amending.	1.
R-56	276	Period of Ticket Validity	2.
R-62	311g	Charges for Angling Equipment—United Kingdom-Ireland (New).	2.
R-86	072h	TC2 Fly/Drive Package, United Kingdom-Republic of Ireland (New).	2.

3. The Board does not find the following resolutions incorporated in Agreement CAB 20691, to be adverse to the public interest or in violation of the Act:

Agreement CAB 20691	IATA No.	Title	Application
R-1	001b	TC1-Special Effectiveness Resolution (New)	1.
R-2	001b	South Atlantic—Special Effectiveness Resolution (Tie in)	1/2 (South Atlantic).
R-3	001d	South Atlantic Escape (New)	1/2 (South Atlantic).
R-4	001k	Special Effectiveness Resolution (New)	1.
R-5	001m	Special Effectiveness Resolution (New)	1.
R-6	001n	Special Effectiveness Resolution-Instruction of Agents (New)	1.
R-7	001q	South Atlantic Escape (New)	1/2 (South Atlantic).
R-8	002	Standard Revalidation Resolution	1.
R-9	002	Standard Revalidation Resolution (excluding that portion relating to the resolutions listed in finding paragraph 1 above).	2.
R-10	002	Standard Revalidation Resolution (excluding that portion relating to the resolutions listed in finding paragraph 1 above).	3.
R-11	002	Standard Revalidation Resolution—South Atlantic	1/2 (South Atlantic).
R-12	002	Standard Revalidating Resolution (excluding that portion relating to the resolutions listed in finding paragraph 1 above).	1/2; 2/3; 3/1; 1/2/3.
R-13	002d	Revalidation for Indefinite Expiry (Revalidating and Amending).	Worldwide. (Except 2/3.)
R-14	003	Standard Rescission Resolution	1.
R-15	005	Changes to Fares and Conditions Within Scandinavia (Revalidating and Amending).	2.
R-16	011a	Mileage Manual—Non-IATA Sectors (New)	Worldwide.
R-17	014a	Construction Rule for Passenger Fares—Revalidating and Amending.	1.
R-19	014e	Computer Constructed Fares Revalidating and Amending	Worldwide.
R-20	020	Means of Payment (Amending)	1; 2; 3.
R-21	021b	Rates of Exchange (Revalidating and Amending)	1; 2; 3.
R-22	021f	Special Conversion Rates (Revalidating and Amending)	1; 2; 3.
R-25	049b	Changes in Fares—Brazil (Amending)	1.
R-26	049c	Changes in Fares—Colombia (Revalidating and Amending)	1.
R-27	049d	Changes in Fares—Argentina (New)	1.
R-28	049e	Changes in Fares—Chile (New)	1.
R-29	049f	Changes in Fares—Paraguay (New)	1.
R-30	049g	Changes in Fares—Uruguay (New)	1.
R-31	049h	Changes in Fares—Peru (New)	1.
R-32	050	First Class Conditions of Service (Revalidating and Amending).	1; 1/2-(South Atlantic).
R-23	025	Definition of Days (Revalidating and Amending)	Worldwide.
R-33	051	TC1 First Class Fares (New)	1.
R-35	060	Economy Class Conditions of Service (Revalidating and Amending).	1.
R-36	060	Economy Class Conditions of Service (Revalidating and Amending).	1/2 (South Atlantic).
R-37	061	TC1 Economy Class Fares (New)	1.
R-39	070(080)	TC1 Excursion Fares—Revalidating and Amending	1.
R-42	072(084)	TC1 Creative Fares—Revalidating and Amending	1.

Agreement CAB 20691	IATA No.	Title	Application
R-43	002	Student Fares—Revalidating and Amending	Worldwide (Except North Atlantic).
R-45	100	Conditions of Service—In Flight Entertainment (Revalidating and Amending).	Worldwide.
R-46	102	Passenger Expenses En Route (Revalidating and Amending)	Worldwide.
R-47	115	TC1 Meeting Rates and Practices (Revalidating and Amending).	1.
R-48	180	Definition of Round-Trip (Amending)	1; 2; 3.
R-49	200	Free and Reduced Fare or Rate Transportation (Revalidating and Amending).	1.
R-50	200f	Effect of Government Orders (Revalidating and Amending)	Worldwide.
R-51	201	TC1 Children's Fares (New)	1.
R-52	203	Reduced Fares for Passenger Agents—U.S.A. (Amending)	Worldwide.
R-53	203	Reduced Fares for Passenger Agents (Except U.S.A.) (Amending).	Worldwide.
R-54	250	Sleeper Surcharge (New)	1; 2; 3; 2/3; 3/1; 1/2/3; 1/2 (South Atlantic).
R-38	064e	South Atlantic Economy Class Fares (New)	1.
R-57	277	Extension of Ticket Validity (Revalidating and Amending)	Worldwide.
R-60	310	Free Baggage Allowance (Revalidating and Amending)	Worldwide (Except North Atlantic).
R-61	311	Baggage Excess Weight Charges	Worldwide (Except North Atlantic).
R-68	810e	Inclusive Tours Initiated by Tour Operators (Revalidating and Amending).	1.
R-69	810e	Inclusive Tours Initiated by Tour Operators (Revalidating and Amending).	3.
R-84	1008	Glossary of Air Traffic Terms Commonly Used	1; 2; 3.
R-85	084e(087b)	Long Haul-South American Group Inclusive Tour Basing Fares—Revalidating and Amending.	1.

Accordingly, it is ordered, That:

1. Jurisdiction is disclaimed with respect to that portion of Agreement CAB 20691 as set forth in finding paragraph 1; and

2. Those portions of Agreement CAB 20691 described in finding paragraphs 2 and 3 be approved.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statement should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-2551; Filed, Mar. 3, 1969; 8:45 a.m.]

[Docket No. 18586]

SERVICE TO ALBUQUERQUE CASE

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled case is assigned to be heard on March 26, 1969, at 10 a.m., e.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., February 27, 1969.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 2606; Filed, Mar. 3, 1969; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License No. 707]

AIRBORNE FREIGHT CORP.

Revocation of License

By letter dated January 15, 1969, Airborne Freight Corp., Colman Building, Seattle, Wash. 98104, has voluntarily requested the cancellation of its independent ocean freight forwarder license No. 707 effective that date.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order 201.1, section 6.03.

It is ordered, That the independent ocean freight forwarder license No. 707 of Airborne Freight Corp. be and is hereby revoked effective January 15, 1969.

It is further ordered, That this cancellation is without prejudice to reapplication at a later date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon the licensee.

LEROY F. FULLER,
Director,
Bureau of Domestic Regulation.

[F.R. Doc. 69-2597; Filed, Mar. 3, 1969; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-3784 etc.]

SOHIO PETROLEUM CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

FEBRUARY 24, 1969.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 14, 1969.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however*, That pursuant to § 2.56 of the Commission's general policy and interpretations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after July 1, 1967, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed for filing protests or petitions to intervene, the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-3784 (G-8409) 1-24-69 [1]	Sohio Petroleum Co. (Operator) et al. (successor to Blanco Oil Co.), 970 First National Bldg., Oklahoma City, Okla. 73102.	Transcontinental Gas Pipe Line Corp., Greta Field, Refugio County, Tex.	[2] 11.0 [3] 12.0 [4] 13.0	14.65
G-6931 (G-3012) C 1-30-69 [5]	Star Gas Co. (successor to United Carbon Co.), 809 Kanawha Valley Bldg., Charleston, W. Va. 25301.	United Fuel Gas Co., Poca District, Kanawha County, W. Va.	18.0	15.325
G-7972 E 1-21-69	Eastern Exploration & Development (successor to Kewanee Oil Co.), c/o Thomas Householder, agent, 1112 Main St., Lancaster, Ohio 43130.	Consolidated Gas Supply Corp., Center District, Gilmer County, W. Va.	20.0	15.325
G-19968 D 1-31-69	Magna Oil Corp., 1000 Mercantile Continental Bldg., Dallas, Tex. 75201 (partial abandonment).	Southern Natural Gas Co., East Happytown Field, Iberville Parish, La.	Depleted	....
CI60-172 E 1-13-69	Roy O. Davisson & Freeda M. Davisson (successor to Lawrence Jacob II, (Operator) et al.), Vadis, W. Va. 26445.	Equitable Gas Co., acreage in Lewis County, W. Va.	25.0	15.325
CI60-467 E 2-3-69 [6]	John L. Harlan, Trustee (Operator) et al. (successor to American Petrofina Co. of Texas (Operator) et al.), c/o Henry W. Simon, attorney, 816 First National Bank Bldg., Fort Worth, Tex. 76102.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Southeast Tomball Field, Harris County, Tex.	[7] 15.5	14.65
CI61-1024 D 1-24-69	Mobil Oil Corp. (Operator) et al., Post Office Box 1774, Houston, Tex. 77001.	Natural Gas Pipeline Co. of America, North Custer City Field, Custer County, Okla.	Assigned	....
CI61-1265 C 2-5-69	Southern Union Production Co., Fidelity Union Tower, Dallas, Tex. 75201.	Southern Union Gathering Co., acreage in San Juan County, N. Mex.	13.0	15.025
CI62-1104 (CI66-290) C 1-21-69 [8]	Union Producing Co., 900 Southwest Tower, Houston, Tex. 77002.	United Gas Pipe Line Co., South Downsville Field, Union and Lincoln Parishes, La.	18.75	15.025
CI63-1335 E 1-31-69	J. Gregory Merrion & Robert L. Bayless (successor to Fred W. Pool (Operator) et al. d.b.a. Durango Syndicate), Box 1541, Farmington, N. Mex. 87401.	El Paso Natural Gas Co., Ignacio Field, La Plata County, Colo.	[9] 13.0	15.025
CI63-234 D 1-24-69	Mobil Oil Corp. (Operator) et al.	Arkansas Louisiana Gas Co., Red Oak Area, Latimer et al. Counties, Okla.	Assigned	....
CI63-1000 D 2-—69	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	Arkansas Louisiana Gas Co., Lacey Area, Kingfisher County, Okla.	Assigned	....
CI64-175 C 1-15-67 [10]	Pan American Petroleum Corp. (Operator) et al., Post Office Box 591, Tulsa, Okla. 74102.	El Paso Natural Gas Co., Basin Dakota Field, San Juan and Rio Arriba Counties, N. Mex.	13.0	15.025
CI64-998 D 2-3-69	Tenneco Oil Co., Post Office Box 2511, Houston, Tex. 77001.	Lone Star Gas Co., Katie Field, Garvin County, Okla.	Assigned	....
CI64-1506 C 1-15-69 [10]	Pan American Petroleum Corp. (Operator) et al.	El Paso Natural Gas Co., Gallup Field, San Juan County, N. Mex.	13.0	15.025
CI66-917 E 1-30-69	Herbert H. Champlin et al. (successor to Joe N. Champlin, Trustee), 700 First National Bank Bldg., Enid, Okla. 73701.	Michigan Wisconsin Pipe Line Co., Woodward Area, Dewey County, Okla.	[11] 15.0	14.65
CI67-286 C 2-5-69 [12]	Monsanto Co., 1300 Main St., Houston, Tex. 77002.	Arkansas Louisiana Gas Co., Arkoma Area, Le Flore County, Okla.	15.0	14.65
CI67-1224 E 1-29-69	Herbert H. Champlin et al. (successor to Joe N. Champlin).	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	[13] 17.0	14.65
CI67-1795 C 1-27-69	Southwest Oil Industries, Inc., 803 First National Bldg., Oklahoma City, Okla. 73102.	Northern Natural Gas Co., Fincham Field, Meade County, Kans.	16.0	14.65
CI68-63 E 1-29-69	Herbert H. Champlin et al. (successor to Joe N. Champlin, Trustee).	Oklahoma Natural Gas Gathering Corp.,[15] Ringwood Field, Major County, Okla.	[14] 12.0	14.65
CI68-105 E 1-30-69	Western Oil & Minerals Corp. (successor to Intermountain Petroleum Corp.), Post Office Box 191, Farmington, N. Mex. 87401.	El Paso Natural Gas Co., South Blanco Pictured Cliffs, Rio Arriba County, N. Mex.	13.0	15.025
CI68-650 C 1-28-69	Texas Oil & Gas Corp. (Operator) et al., 1001 Americana Bldg., Houston, Tex. 77002.	Cities Service Gas Co., Mocane Laverne Area, Beaver County, Okla.	[16] 17.0	14.65
CI68-1243 B 4-25-68	Burk Royalty Co.	Lone Star Gas Co., Sherman North Field, Grayson County, Tex.	([17])	....
CI69-228 C 2-3-69	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla. 74102.	Transwestern Pipeline Co., North Gruver Field, Hansford County, Tex.	[18] 18.95	14.65
CI69-573 A 12-16-68	Union Producing Co.	Natural Gas Pipeline Co. of America, Cavasso Creek Field, Aransas County, Tex.	[19] 17.8	14.65
CI69-638 A 1-13-69	Mobil Oil Corp.[20]	Transwestern Pipeline Co., Rock Tank (Morrow) Field, Eddy County, N. Mex.	16.57902	14.65
CI69-639 (CI67-851) F 1-10-69	Cabot Corp. (SW) (successor to Pan American Petroleum Corp.), Post Office Box 1101, Pampa, Tex. 79065.	El Paso Natural Gas Co., Gomez (Ellenburger) Field, Pecos County, Tex.	17.5	14.65
CI69-694 A 1-27-69	Offshore Exploration Corp., 202 Pere Marquette Bldg., New Orleans, La. 70112.	United Gas Pipe Line Co., Roanoke Field, Jefferson Davis Parish, La.	20.0	15.025
CI69-695 A 1-23-69	Robert J. Riedel et al., d/b/a R & R Lease Service, Post Office Box 72, Plains, Kans. 67869.	Panhandle Eastern Pipe Line Co., acreage in Seward and Meade Counties, Kans.	[21] 16.0	14.65
CI69-696 (G-4555) F 1-27-69	Phillips Petroleum Co. (successor to Humble Oil & Refining Co.), Bartlesville, Okla. 74003.	Arkansas Louisiana Gas Co., Ivan Field, Bossier and Webster Parish, La.	14.403	15.025
CI69-697 (G-10230) F 1-27-69	do.	Louisiana Nevada Transit Co., Red Rock and East Red Rock Fields, Webster Parish, La.	18.75	15.025
CI69-698 (G-18289) F 1-27-69	do.	Texas Gas Transmission Corp., Red Rock, North Shongaloo and Carterville Fields, Webster and Claiborne Parishes, La.	18.25	15.025
CI69-699 (G-18290) F 1-27-69	do.	Texas Gas Transmission Corp., Red Rock and North Shongaloo Fields, Webster Parish, La.	[22] 17.25	15.025
CI69-700 (G-18291) F 1-27-69	do.	do.	13.75	15.025
CI69-701 (G-11378) F 1-27-69	do.	Arkansas Louisiana Gas Co., Ada Field, Webster Parish, La.	13.903	15.025
CI69-702 A 1-21-69	Midwest Oil Corp., 1700 Broadway, Denver, Colo. 80202.	Kansas-Nebraska Natural Gas Co., Inc., Red Lion Area, Sedgwick County, Colo.	14.0	14.65
CI69-703 A 1-21-69	Petroleum, Inc., Operator (successor to Cities Service Oil Co.), 300 West Douglas, Wichita, Kans. 67202.	Panhandle Eastern Pipe Line Co., South Guymon Field, Texas County, Okla.	[23] 17.0	14.65
CI69-704 (CI64-998) F 1-24-69	Farmers Royalty Pool and Robert J. Wagner (successor to Tenneco Oil Co. et al.).	Lone Star Gas Co., Katie Field, Garvin County, Okla.	10.25	14.65
CI69-705 B 1-27-69	Continental Oil Co., Post Office Box 2197, Houston, Tex. 77001.	Southern Natural Gas Co., Loisel Field, St. Mary and Iberia Parishes, La.	Depleted	....
CI69-706 A 1-21-69	Eastern Exploration and Development.	Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va.	25.0	15.325
CI69-707 B 1-30-69	Federal Oil & Gas Co., Marshall Wyant No. 1, 1715 Grant Bldg., Pittsburgh, Pa. 15219.	Equitable Gas Co., Glenville District, Gilmer County, W. Va.	Uneconomical	....
CI69-708 A 1-30-69	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	Texas Eastern Transmission Corp., Block 280 Field, West Cameron Area, Offshore Louisiana.	21.25	15.025
CI69-709 B 1-28-69	Commonwealth Gas Corp., Post Office Box 1433, Charleston, W. Va. 25325.	United Fuel Gas Co., Poca District, Kanawha County, W. Va.	Depleted	....
CI69-710 B 1-28-69	Mobil Oil Corp.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Placedo Field, Victoria County, Tex.	Depleted	....
CI69-711 A 1-30-69	J. M. Huber Corp., 2401 East Second Ave., Denver, Colo. 80206.	Natural Gas Pipeline Co. of America, acreage in Woodward County, Okla.	[24] 18.241	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI69-712 (G-14628) F 1-28-69	Nielson Enterprises, Inc. (successor to Sinclair Oil Corp.), Post Office Box 370, Cody, Wyo. 82414.	Northern Natural Gas Co., Mocane Field, Harper County, Okla.	[11] 15.0	14.65
CI69-713 B 1-31-69	Amerada Petroleum Corp. (Operation) et al., Post Office Box 2040, Tulsa, Okla. 74102.	Florida Gas Transmission Co., Port Allen Field, West Baton Rouge Parish, La.	Depleted	
CI69-714 A 1-31-69	C. L. Kingsbury et al., 2 Kingsbury Dr., Huntington, W. Va. 25701.	United Fuel Gas Co., acreage in Gilmer County, W. Va.	25.0	15.325
CI69-715 A 1-31-69	Texaco, Inc., Post Office Box 52332, Houston, Tex. 77052.	Arkansas Louisiana Gas Co., Cedar Springs Field, Upshur County, Tex.	[21] 13.4001 [22] 13.1477	14.65
CI69-716 (G-13299) (G-13308) (G-16579) (CI60-785) (CI61-1642) (G-13299) (G-18916) F 1-29-69 1-30-69	Southwest Oil Industries, Inc. (successor to Trans-Viking Petroleum, Inc.,[23] Shell Oil Co.; Riddell Petroleum Corp.; Thomas E. Berry; Continental Oil Co.; Sinclair Oil Corp.; Ashland Oil & Refining Co.).	Michigan Wisconsin Pipe Line Co., Mocane-Laverne Field, Harper County, Okla.	17.0	14.65
CI69-717 (CI64-672) F 1-27-69	Southwest Oil Industries, Inc. (successor to Cities Service Oil Co. (Operator) et al.).	Northern Natural Gas Co., Fincham Field, Meade County, Kans.	16.0	14.65
CI69-718 (CI61-1024) F 1-27-69	Southwest Oil Industries, Inc. (successor to Mobil Oil Corp.).	Natural Gas Pipeline Co. of America, North Custer City Field, Custer County, Okla.	19.0	14.65
CI69-720 (CI60-138) 1-30-69 [24]	Signal Oil & Gas Co., 1010 Wilshire Blvd., Los Angeles, Calif. 90017.	Lone Star Gas Co., West Marlow Field, Stephens County, Okla.	12.0	14.65
CI69-721 A 2-3-69	Sohio Petroleum Co., 970 First National Bank Bldg., Oklahoma City, Okla. 73102.	Northern Natural Gas Co., Northwest Camrick Pool, Texas County, Okla.	[25] 18.75	14.65
CI69-722 A 2-3-69	Hassie Hunt Trust, 1401 Elm St., Dallas, Tex. 75202.	Texas Eastern Transmission Corp., Northeast Lisbon (Deep) Field, Claiborne Parish, La.	19.0	15.025
CI69-723 B 2-3-69	General American Oil Co. of Texas, Meadows Bldg., Dallas, Tex. 75206.	West Lake Natural Gasoline Co., West Lake Trammel Pool, Nolan County, Tex.	Depleted	
CI69-724 A 1-30-69	J. M. Huber Corp.	Sea Robin Pipeline Co., Ship Shoal Area, Offshore Louisiana.	21.25	15.025
CI69-725 A 2-4-69	Cecil Meadows Enterprises et al., 122 Janis Rae Pl., San Antonio, Tex. 78201.	Consolidated Gas Supply Corp., Glenville District, Gilmer County, W. Va.	25.0	15.325
CI69-726 A 2-4-69	Talkington-Brady et al., c/o Troy A. Brady, Jr., agent, Box 371, Buckhannon, W. Va. 26201.	Consolidated Gas Supply Corp., Meade District, Upshur County, W. Va.	25.0	15.325
CI69-727 A 2-3-69	Hunt Oil Co., 1401 Elm St., Dallas, Tex. 75202.	Trunkline Gas Co., South Timbalier Blocks 179 and 187, Offshore Louisiana.	21.25	15.025
CI69-728 A 2-5-69	Belle Bower Producing Co., Inc., 1014 Lane Bldg., Shreveport, La. 71102.	Texas Eastern Transmission Corp., Grand Cane Area, De Soto Parish, La.	17.0	15.025
CI69-730 B 2-5-69	Amerada Petroleum Corp.	Texas Eastern Transmission Corp., Willow Springs Field, Gregg County, Tex.	Depleted	
CI69-731 A 2-5-69	Russell V. Johnson, Jr., 925 Cravens Bldg., Oklahoma City, Okla. 73102.	Natural Gas Pipeline Co., of America, South Sayre Area, Beckham County, Okla.	[11] 15.0	14.65

[1] Sohio proposes in Docket No. G-3784 to continue pursuant to its FPC Gas Rate Schedule No. 133 the sale of natural gas heretofore authorized in Docket No. G-8409 to be made pursuant to Blanco Oil Co.'s FPC Gas Rate Schedule No. 2. Sohio states that its rate schedule presently provides for the subject service. Applicant requests that the certificate in Docket No. G-8409 be terminated.

[2] For gas that does not require compression.

[3] For gas compressed by purchaser if seller elects to take over operation and maintenance of compressors installed by buyer.

[4] For gas requiring compression if seller installs and operates the necessary compression facilities.

[5] Adds acreage acquired from United Carbon Co., Docket No. G-3913.

[6] Amendment to certificate to reflect change in Operator.

[7] Rate in effect subject to refund in Docket No. RI64-426.

[8] Adds acreage acquired from Franks Petroleum (Operator) et al., Docket No. CI66-290.

[9] Plus 1 cent per Mcf minimum guarantee for liquids.

[10] Application previously noticed Jan. 24, 1969, in Dockets Nos. G-3072 et al. at a total initial rate of 13 cents per Mcf. By letter filed Feb. 6, 1969, Applicant amended its application to reflect a total initial rate of 13 cents per Mcf in lieu of 14 cents.

[11] Subject to upward and downward B.t.u. adjustment.

[12] Amendment is also to include interest of nonoperators.

[13] National Fuels Corp. purchases liquids extracted from Applicant's gas at the Ringwood Gasoline Plant.

[14] Rate in effect subject to refund in Docket No. RI66-228.

[15] Pressure is insufficient to enter Buyer's pipeline.

[16] Includes 1.95 cents upward B.t.u. adjustment. Subject to upward and downward B.t.u. adjustnemt.

[17] Contract provides for rate of 17.8 cents per Mcf; however, by letter filed Jan. 10, 1969, Applicant agreed to accept certificate conditioned to 16 cents per Mcf.

[18] Applicant has agreed to accept certificate conditioned as Opinion No. 468, as modified by Opinion No. 468-A.

[19] Rate in effect subject to refund in Docket No. RI68-297.

[20] Includes 1.241 cents upward B.t.u. adjustment. Subject to upward and downward B.t.u. adjustment.

[21] For sweet gas.

[22] For sour gas. Subject to 0.25 cent per Mcf downward adjustment for treating sour gas.

[23] Coowner under Sinclair Oil Corp.'s contract.

[24] Applicant is filing for certificate to cover its own interest previously covered by certificate issued to Irl A. Nichol in Docket No. CI60-138.

[25] Includes 1.75 cents upward B.t.u. adjustment. Subject to upward and downward B.t.u. adjustment.

[F.R. Doc. 69-2484; Filed, Mar. 3, 1969; 8:45 a.m.]

[Docket No. CP69-221]

CITIES SERVICE GAS CO.

Notice of Application

FEBRUARY 26, 1969.

Take notice that on February 17, 1969, Cities Service Gas Co. (Applicant), Post Office Box 25128, Oklahoma City, Okla. 73125, filed in Docket No. CP69-221 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities in Haskell, Gray, and Ford Counties, Kans., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authority to sell and deliver gas to Peoples Natural Gas Division of Northern Natural Gas Co. for resale in the communities of Montezuma, Ensign, Cimarron, and Dodge City, Kans.; to tap its existing 12-inch Farmland line in Ford County, and to construct and operate approximately 0.3 mile of 12-inch pipeline in Ford County, and to there construct and operate measuring and regulating facilities; to tap its existing Kansas-Hugoton 26-inch pipeline system in Gray County, and to there construct and operate measuring and regulating facilities; and to construct approximately 1 mile of 26-inch loop pipeline in Haskell County, Kans.

Applicant states it entered into a contract with Peoples Natural Gas for the natural gas required for Montezuma, Ensign, Cimarron, and Dodge City. Applicant further states it contracted on December 24, 1968, to supply annually up to 2,486,424 Mcf (at 14.73 p.s.i.a.) to Central Telephone & Utilities Corp. for the gas and fuel requirements of its Fort Dodge steam electric generating station.

Applicant estimates the cost of the facilities at approximately $171,150.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before March 26, 1969.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a peti-

tion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-2608; Filed, Mar. 3, 1969; 8:48 a.m.]

[Docket No. CP69-222]

TENNESSEE GAS PIPELINE CO.

Notice of Application

FEBRUARY 26, 1969.

Take notice that on February 18, 1969, Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Applicant), Tennessee Building, Houston, Tex. 77002, filed in Docket No. CP69-222 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities in order to sell and deliver additional volumes of natural gas to meet the increased requirements of existing customers entirely dependent upon Applicant for their natural gas supply, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate 9.6 miles of 30-inch main line loop; 11,065 additional compressor horsepower at three existing compressor stations; 10,500 additional compressor horsepower at two new compressor stations; and to relocate 3,000 compressor horsepower.

Applicant states that construction of the proposed facilities will not increase its presently authorized system design day capacity, but will provide sufficient increased capacity cost of its underground storage fields to enable it to render the proposed service.

Applicant also seeks authorization to render additional long-term service to existing General Service customers requesting an additional supply of gas commencing with the 1969-70 winter heating season. The proposed additional maximum contract quantity is 60,223 Mcf per day. Applicant is also seeking authority to render interim service under its IG-6 Rate Schedule to 21 existing customers in its New England Rate Zone for the period beginning November 1, 1969, and extending to November 1, 1970. The proposed interim service will total 63,834 Mcf per day.

Applicant states the total estimated cost of the proposed facilities to be $11,153,700, which Applicant states it will finance initially from funds generated through operations of Applicant and from interim financing such as revolving credit. Applicant states that the amount drawn from revolving credit will be retired in the future through permanent financing or from the general funds of Applicant.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 517.10) on or before March 26, 1969.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-2609; Filed, Mar. 3, 1969; 8:49 a.m.]

[Docket No. E-7427]

WISCONSIN ELECTRIC POWER CO.

Notice of Application

FEBRUARY 26, 1969.

Take notice that by order issued August 13, 1965, the Federal Power Commission issued an order pursuant to section 204 of the Federal Power Act authorizing Wisconsin Electric Power Co. to issue short-term promissory notes not to exceed an aggregate of $40 million principal amount outstanding at any one time. The notes were to be issued on or before December 31, 1969, with a final maturity of not later than December 31, 1970.

On February 19, 1969, Wisconsin Electric Power Co. (Applicant) filed a supplemental application requesting that the Commission's order of August 13, 1968, be modified to the extent that Applicant be authorized to issue short-term promissory notes on or before December 13, 1969, in the aggregate principal amount of $50 million outstanding at any one time instead of the aggregate of $40 million as presently authorized, all other terms and conditions of the Commission's order to remain the same.

The proceeds from the notes will be used to provide current funds to finance in part expenditures to be made in 1969 in connection with Applicant's construction program.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 17, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-2610; Filed, Mar. 3, 1969; 8:49 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE REPUBLIC OF HONDURAS

Entry or Withdrawal From Warehouse for Consumption

FEBRUARY 27, 1969.

On October 31, 1968, the U.S. Government requested the Government of the Republic of Honduras to enter into consultations concerning exports to the United States of cotton textile products in Category 61 produced or manufactured in Honduras. In that request, the U.S. Government indicated a specific level at which it considered that exports in this category from Honduras should be restrained for the 12-month period, beginning October 31, 1968, and extending through October 30, 1969. Since no solution has been mutually agreed upon, the U.S. Government in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 3, paragraph 3 and Article 6(c) which relates to nonparticipants, is establishing a restraint at the level indicated in that request. This restraint does not apply to cotton textile products in Category 61, produced or manufactured in Honduras and exported to the United States prior to the beginning of the applicable 12-month period designated above.

There is published below a letter of February 27, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textile products in Category 61, produced or manufactured in Honduras which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning October 31, 1968, be limited to the designated level.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

FEBRUARY 27, 1969.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the 12-month period beginning October 31, 1968, and extending through October 30, 1969, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Category 61, produced or manufactured in the Republic of Honduras, in excess of a level of restraint for the period of 30,000 dozen.[1]

In carrying out this directive, entries of cotton textile products in Category 61, produced or manufactured in Honduras and which have been exported to the United States from Honduras prior to October 31, 1968, shall not be subject to this directive. In addition, cotton textile products in Category 61, which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of Category 61 in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of Honduras and with respect to imports of cotton textiles and cotton textile products from Honduras have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. (Supp. II, 1965-66). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

MAURICE H. STANS,
Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 69-2635; Filed, Mar. 3, 1969; 8:49 a.m.]

[1] This level has not been adjusted to reflect any entries made on or after Oct. 31, 1968.

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN POLAND

Entry or Withdrawal From Warehouse for Consumption

FEBRUARY 27, 1969.

On March 15, 1967, the U.S. Government, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, concluded a comprehensive bilateral agreement with the Government of the Polish People's Republic concerning exports of cotton textiles from Poland to the United States over a 3-year period. Under this agreement the Polish People's Republic has undertaken to limit its exports to the United States of certain cotton textiles and cotton textile products to specified annual amounts. Among the provisions of the agreement are those applying specific export limitations to Categories 19, 26 (including a sublimit on duck fabric), 28, 42, 43, 46, 53, 60, and 62, for the third agreement year beginning March 1, 1969.

There is published below a letter of February 27, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amounts of cotton textiles and cotton textile products in Categories 19, 26, 28, 42, 43, 46, 53, 60, and 62, produced or manufactured in Poland which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning on March 1, 1969, and extending through February 28, 1970, be limited to certain designated levels. This letter and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement but are designed to assist only in the implementation of certain of its provisions.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

FEBRUARY 27, 1969.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of March 15, 1967, between the Governments of the United States and Poland, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective March 1, 1969, and for the 12-month period extending through February 28, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textiles and cotton textile products produced or manufactured in Poland in excess of the following 12-month levels of restraint:

Category		Twelve-Month Level of Restraint
19	square yards	992,250
26	do[1]	551,250
28	pieces	220,500
42	dozen	27,563
43	do	49,613
46	do	11,025
53	do	12,128
60	do	14,884
61	pounds	162,062

[1] Of this amount, not more than 165,375 square yards may be in duck, T.S.U.S.A. Nos.:
320.--01 through 04, 06, 08
321.--01 through 04, 06, 08
322.--01 through 04, 06, 08
326.--01 through 04, 06, 08
327.--01 through 04, 06, 08
328.--01 through 04, 06, 08

In carrying out this directive, entries of cotton textiles and cotton textile products in Categories 19, 26, 28, 42, 43, 46, 53, 60, and 62, produced or manufactured in Poland and which have been exported to the United States from Poland prior to March 1, 1969, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period March 1, 1968, through February 28, 1969. In the event that the levels of restraint established for such goods for that period have been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of March 15, 1967, between the Governments of the United States and Poland which provides in part that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than 5 percent; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Poland and with respect to imports of cotton textiles and cotton textile products from Poland have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. II, 1965-66). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

ROCCO C. SICILIANO,
Acting Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 69-2636; Filed, Mar. 3, 1969; 8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[37-66, 70-4668]

CENTRAL AND SOUTH WEST CORP. ET AL.

Notice of Proposed Organization and Conduct of Business of Subsidiary Service Company in Registered Holding Company System and Related Transactions

FEBRUARY 26, 1969.

Notice is hereby given that Central and South West Corp. ("Central"), 902 Mar-

ket Street, Wilmington, Del. 19899, a registered holding company, and its four public utility subsidiary companies, Central Power and Light Co. ("CPL"), 120 North Chaparral Street, Corpus Christi, Tex. 78403, Public Service Company of Oklahoma ("Oklahoma"), 600 South Main Street, Tulsa, Okla. 74102, Southwestern Electric Power Co. ("Southwestern"), 428 Travis Street, Shreveport, La. 71102, and West Texas Utilities Co. ("West Texas"), 1062 North Third Street, Abilene, Tex. 79604, have filed with this Commission a joint application-declaration and amendments thereto, designating sections 6, 12(f), and 13 of the Public Utility Holding Company Act of 1935 ("Act") and Rules 40(b), 43(b)(3), and 87 to 93, inclusive, promulgated thereunder as being applicable to the proposed transactions. All interested persons are referred to the said amended application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Central proposes to organize a new wholly owned subsidiary company, CSR Services, Inc. ("CSR"), to perform services for all companies in the Central holding-company system. The public utility subsidiary companies of Central provide electric service in the States of Louisiana, Oklahoma and Texas, and for the 12 months ended June 30, 1968, Central and its subsidiaries reported consolidated gross operating revenues of $275,147,822.

CSR was incorporated under the laws of the State of Texas, and its principal office will be in Dallas, Tex. The company will have authorized capital of 10,000 shares of common stock with par value of $10 per share, and it will issue and sell to Central, and Central will acquire 5,000 shares of such stock for $50,000 cash. Approximately $25,000 of these funds will be used to purchase necessary office furniture, furnishings, and equipment, and the balance will be utilized for working capital and organization expense. Any additional capital required by CSR will be obtained by the issuance and sale of authorized but unissued shares of the company's common stock to Central.

The initial staff of CSR will consist of six officers, four of whom will also be officers of Central, and a stenographer. The President of CSR and of Central will divide his time about equally between the two companies, but all of his salary will continue to be paid by Central. Two officers of CSR, who also will be officers of Central, will devote approximately 80 percent of their time to CSR and 20 percent to Central, and their aggregate salaries will be divided between the two companies in the same ratio. Another officer of both CSR and Central will devote all of his time to Central and be compensated solely by such company. The compensation of all other personnel of CSR will be paid by that company, and its total salary expenses in the first year of operation will aggregate approximately $71,300.

The services to be performed by CSR for associate companies will embrace management and administration services, including development of employee benefit plans, and advisory and supervisory services relative to accounting and tax matters of such companies. It is estimated that CSR's total charges to associate companies for services rendered in the first year of operation will amount to $151,500, and that such charges will be billed 40 percent to Central, 20 percent to CPL, 17 percent to Oklahoma, 15 percent to Southwestern, and 8 percent to West Texas. Such allocation percentages represent management's considered estimate of the amounts of time of CSR's personnel to be spent on the affairs of each associate company, and these percentages will be reviewed from time to time for accuracy and appropriate changes.

The tax and accounting services which CSR proposes to perform for system companies formerly were rendered to such companies by Middle West Service Co. ("Middle West"), a former associate service company. See The Middle West Corporation, 30 S.E.C. 433 (1949). The application-declaration states that CSR will be able to perform such services more promptly and at a savings to associate companies of not less than $50,000 per annum. Middle West performs certain budgeting, engineering, economics, data processing, finance, rate, employee and public relations, and sales and marketing services for system operating companies, and it billed such companies $227,665 in 1967 and $249,388 in 1966 for services rendered. Two other former associate service companies perform stock transfer services and safety and insurance administration and coordination services at cost for one or more system companies, and the charges for such services totalled $852,025 in 1967 and $816,089 in 1966.

Central undertakes to cause CSR to take over as many of the services now performed by outside suppliers as is feasible, with the ultimate objective of making the system companies self-sufficient and independent to the extent and as soon as practicable. Central also undertakes to assure that any future commitments for service, sales, or construction contracts by the system companies with outside suppliers will be entered into under competitive conditions to the extent practicable.

It is estimated that legal fees of $1,000 and incidental expenses of $500 will be incurred by the applicants-declarants and CSR in connection with the proposed transactions.

It is further stated that no State commission and no Federal commission, other than this Commission, has jurisdiction with respect to the proposed transactions.

The applicants-declarants request that the said joint application-declaration, as amended, be granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule 24 promulgated under the Act, and to the following additional terms and conditions to which the applicants-declarants have expressly consented:

1. No change in the organization of CSR, the type and character of the companies to be serviced, the method of allocating costs among the system companies, or in the scope or character of services to be rendered, shall be made unless and until CSR shall first have given the Commission written notice of such proposed change not less than 60 days prior to the proposed effectiveness of any such change. If, upon the receipt of any such notice, the Commission within the 60-day period shall notify CSR that a question exists as to whether the aforesaid proposed change is consistent with the provisions of section 13 of the Act, or of any rule, regulation or order thereunder, the proposed change shall not become effective unless and until CSR shall have filed with the Commission an appropriate declaration with respect to such proposed change, and the Commission shall have permitted such declaration to become effective.

2. In the event the operation of the cost allocation plan of CSR does not result in a fair and equitable allocation of its costs among the system companies, the Commission reserves the right to require, after notice and opportunity for hearing, prospective adjustments, and, to the extent that it appears feasible and equitable, retroactive adjustment of such cost allocations.

3. Jurisdiction is reserved by the Commission to take such further action as may be necessary or appropriate to carry out the provisions of section 13 of the Act and the rules, regulations, and orders thereunder.

Notice is further given that any interested person may, not later than March 14, 1969, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the said joint application declaration, as filed and amended, or as it may be further amended, may be granted and permitted to become effective in the manner provided by Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from its rules under the Act as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F.R. Doc. 69-2571; Filed, Mar. 3, 1969; 8:46 a.m.]

CRESTLINE URANIUM & MINING CO.

Order Suspending Trading

FEBRUARY 25, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Crestline Uranium & Mining Co., Denver, Colo., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period February 26, 1969, through March 7, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F.R. Doc. 69-2572; Filed, Mar. 3, 1969; 8:46 a.m.]

ELECTROGEN INDUSTRIES, INC.

Order Suspending Trading

FEBRUARY 25, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Electrogen Industries, Inc. (formerly Jodmar Industries, Inc.) (may be known as American Lima Corp.), being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period February 26, 1969, through March 7, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F.R. Doc. 69-2573; Filed, Mar. 3, 1969; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[S.O. 1002; Car Distribution Direction No. 38]

CHICAGO, ROCK ISLAND, AND PACIFIC RAILROAD CO. AND NORTHERN PACIFIC RAILWAY CO.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Chicago, Rock Island, and Pacific Railroad Co. shall deliver to the Northern Pacific Railway Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 8 feet wide. Exception: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended*. The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date*. This direction shall become effective at 12:01 a.m., March 2, 1969.

(4) *Expiration date*. This direction shall expire at 11:59 p.m., March 29, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., February 26, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent*.

[F.R. Doc. 69-2581; Filed, Mar. 3, 1969; 8:46 a.m.]

[S.O. 1002; Car Distribution Direction No. 32]

ERIE-LACKAWANNA RAILWAY CO. ET AL.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Erie-Lackawanna Railway Co. shall deliver to the Chicago, Burlington & Quincy Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

(b) The Chicago, Burlington & Quincy Railroad Co. shall deliver to the Great Northern Railway Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(c) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(d) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulation suspended*. The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date*. This direction shall become effective at 12:01 a.m., March 2, 1969.

(4) *Expiration date*. This direction shall expire at 11:59 p.m., March 29, 1969, unless otherwise modified, changed, or suspended by order of this commission.

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

Issued at Washington, D.C., February 26, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent*.

[F.R. Doc. 69-2582; Filed, Mar. 3, 1969; 8:46 a.m.]

[S.O. 1002; Car Distribution Direction No. 27; Amdt. 2]

FLORIDA EAST COAST RAILWAY CO. ET AL.

Car Distribution

Upon further consideration of Car Distribution Direction No. 27 (Florida East Coast Railway Co.; Seaboard Coast Line Railroad Co.; Illinois Central Railroad Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 27 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) *Expiration date.* This Direction shall expire at 11:59 p.m., March 15, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., March 1, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., February 27, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 69-2583; Filed, Mar. 3, 1969; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 28; Amdt. 2]

LOUISVILLE AND NASHVILLE RAILROAD CO., AND ILLINOIS CENTRAL RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 28 (Louisville and Nashville Railroad Co.; Illinois Central Railroad Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 28 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) *Expiration date.* This direction shall expire at 11:59 p.m., March 15, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., March 1, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., February 27, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 69-2584; Filed, Mar. 3, 1969; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 33]

NORFOLK AND WESTERN RAILWAY CO. ET AL.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Norfolk and Western Railway Co. shall deliver to the Chicago, Rock Island and Pacific Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

(b) The Chicago, Rock Island and Pacific Railroad Co. shall deliver to the Minneapolis, Northfield and Southern Railway a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

(c) The Minneapolis, Northfield and Southern Railway shall deliver to the Great Northern Railway Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(d) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(e) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., March 2, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., March 29, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., February 26, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 69-2585; Filed, Mar. 3, 1969; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 34]

PENN CENTRAL CO. ET AL.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Penn Central Co. shall deliver to the Chicago, Burlington & Quincy Railroad Co. a weekly total of 245 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

(b) The Chicago, Burlington & Quincy Railroad Co. shall deliver to the Great Northern Railway Co. a weekly total of 245 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(c) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(d) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended*. The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date*. This direction shall become effective at 12:01 a.m., March 2, 1969.

(4) *Expiration date*. This direction shall expire at 11:59 p.m., March 29, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., February 26, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 69-2586; Filed, Mar. 3, 1969; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 36]

PENN CENTRAL CO. ET AL.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Penn Central Co. shall deliver to the Chicago, Burlington & Quincy Railroad Co. a weekly total of 245 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

(b) The Chicago, Burlington & Quincy Railroad Co. shall deliver to the Northern Pacific Railway Co. a weekly total of 245 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movements slips, and interchange records as moving under the provisions of this direction.

(c) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(d) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended*. The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date*. This direction shall become effective at 12:01 a.m., March 2, 1969.

(4) *Expiration date*. This direction shall expire at 11:59 p.m., March 29, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., February 26, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 69-2587; Filed, Mar. 3, 1969; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 35]

ST. LOUIS-SAN FRANCISCO RAILWAY CO. ET AL.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The St. Louis-San Francisco Railway Co. shall deliver to the Chicago, Burlington & Quincy Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

(b) The Chicago, Burlington & Quincy Railroad Co. shall deliver to the Great Northern Railway Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(c) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(d) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended*. The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date*. This direction shall become effective at 12:01 a.m., March 2, 1969.

(4) *Expiration date*. This direction shall expire at 11:59 p.m., March 29, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., February 26, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 69-2588; Filed, Mar. 3, 1969; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 30; Amdt. 1]

SEABOARD COAST LINE RAILROAD CO. AND ILLINOIS CENTRAL RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 30 (Seaboard Coast Line Railroad Co.; Illinois Central Railroad Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 30 be, and it is hereby, amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) *Expiration date*. This Direction shall expire at 11:59 p.m., March 15, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., March 1, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., February 27, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 69-2589; Filed, Mar. 3, 1969; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 37]

SEABOARD COAST LINE RAILROAD CO. ET AL.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Seaboard Coast Line Railroad Co. shall deliver to the Norfolk and Western Railway Co. a weekly total of 350 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

(b) The Norfolk and Western Railway Co. shall deliver to the Chicago, Burlington & Quincy Railroad Co. a weekly total of 350 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

(c) The Chicago, Burlington & Quincy Railroad Co. shall deliver to the Northern Pacific Railway Co. a weekly total of 350 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(d) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(e) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., March 2, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., March 29, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., February 26, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 69-2590; Filed, Mar. 3, 1969; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 39]

SOUTHERN RAILWAY CO. AND CHICAGO & EASTERN ILLINOIS RAILROAD CO.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) Southern Railway Co. shall deliver to the Chicago & Eastern Illinois Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., March 2, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., March 29, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C. February 26, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 69-2591; Filed, Mar. 3, 1969; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 29, Amdt. 1]

SOUTHERN RAILWAY CO. AND ILLINOIS CENTRAL RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 29 (Southern Railway Co.; Illinois Central Railroad Co.) and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 29 be, and it is hereby amendment by substituting the following paragraph (4) for paragraph (4) thereof:

(4) *Expiration date.* This Direction shall expire at 11:59 p.m., March 15, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., March 1, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., February 27, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 69-2592; Filed, Mar. 3, 1969; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 26; Amdt. 2]

TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS AND ILLINOIS CENTRAL RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 26 (Terminal Railroad Association of St. Louis; Illinois Central Railroad Co.), and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 26 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) *Expiration date*. This Direction shall expire at 11:59 p.m., March 15, 1969, unless otherwise modified changed or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., March 1, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., February 27, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 69-2593; Filed, Mar. 3, 1969; 8:47 a.m.]

[No. MC-128254 (Sub-No. 2) etc.]

THEODORE SAVAGE CONTRACT CARRIER APPLICATION, HUNTINGTON BEACH, CALIF.

Notice of Extension of Period for Filing Petitions

FEBRUARY 18, 1969.

At the request of interested persons, the time for filing petitions to reopen or for other appropriate relief with respect to the report and order of the Commission in the above-entitled proceedings, 108 M.C.C. 205 (decided Nov. 18, 1968), is extended to March 26, 1969.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-2594; Filed, Mar. 3, 1969; 8:47 a.m.]

[Notice 304]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 27, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. 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-70856. By order of February 19, 1969, the Motor Carrier Board approved the transfer to C-Line Express, a corporation, Napa, Calif., of the certificate of registration in No. MC-121346 (Sub-No. 1) issued February 27, 1964, to Stapel Truck Lines, Inc., Concord, Calif., evidencing a right to engage in transportation in interstate or foreign commerce solely within the State of California, corresponding in scope to the service authorized by certificate of public convenience and necessity granted in decision No. 63091, dated January 9, 1962, and transferred to transferor in decision No. 63693, dated May 14, 1962, as amended, by the Public Utilities Commission of the State of California. Raymond A. Greene, Jr., 405 Montgomery Street, San Francisco, Calif. 94104, attorney for applicants.

No. MC-FC-70923. By order of February 20, 1969, the Motor Carrier Board approved the transfer to Gene Flaugher, Butler, Ky., of certificate Nos. MC-125932 and MC-125932 (Sub-No. 2), issued January 7, 1965 and December 2, 1965, respectively, to Kenzie Biddle and Gene Flaugher, a partnership, doing business as Biddle & Flaugher, Foster, Ky., authorizing the transportation of: Milk products, milk byproducts, and fruit juices, fruit drinks, and fruit segments, in containers, except such products when unfrozen and in hermetically sealed containers, from the Sealtest Foods Division of National Dairy Products Corp., at Cincinnati, Ohio, to points as specified in Kentucky; and from the plantsite of French Bauer, Division of the CoOperative Pure Milk Association, located at Cincinnati, Ohio, to points as specified in Kentucky. Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind. 46204, attorney for applicants.

No. MC-FC-70961. By order of February 20, 1969, the Motor Carrier Board approved the transfer to Martin Trailer Service, Inc., 177 Middlesex Turnpike, Billerica, Mass. 01821 of certificate No. MC-113769 (Sub-No. 4), issued May 13, 1959, to Joseph W. Martin, Jr., doing business as The Martin Service, Billerica, Mass. 01821, authorizing the transportation of: House trailers designed to be drawn by passenger automobiles, in secondary movements, between points in that part of Massachusetts in and east of Middlesex, Norfolk, and Bristol Counties, Mass., on the one hand, and, on the other, points in New Hampshire, Vermont, Rhode Island, Connecticut, and Maine.

No. MC-FC-71026. By order of February 19, 1969, the Motor Carrier Board approved the transfer to Del Mar New England Express, Inc., Laurel, Del., of that portion of the operating rights in certificate No. MC-21006 issued February 7, 1950, to Joseph S. Triglia, 705 East State Street, Delmar, Del., 19940, authorizing the transportation of canned goods, from points in Worcester, Somerset, Wicomico, Dorchester, Caroline, Talbot, and Queen Anne Counties, Md., and those in Sussex and Kent Counties, Del., to Wilmington, Del., Philadelphia, Chester, Allentown, Delta, Easton, Greencastle, Harrisburg, New Freedom, Norristown, and Scranton, Pa.; Bordentown, Bridgeton, Atlantic City, Asbury Park, Camden, Hightstown, Hoboken, Jersey City, Newark, New Brunswick, and other specified points in New Jersey; New York, N.Y., and other points in New York; Bridgeport, Hartford, and New Haven, Conn.; Providence, R.I.; and Boston, Fall River, Holyoke, Springfield, and Worcester, Mass. Russell B. Curnett, Registered Practitioner, 36 Circuit Drive, Edgewood Station, Providence, R.I. 02905, representative for transferee.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-2595; Filed, Mar. 3, 1969; 8:48 a.m.]

[Notice 304A]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 27, 1969.

Application filed for temporary authority under section 210(a)(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-70938. By application filed February 26, 1969, R. D. LEWIS BANANA CO., INC., Post Office Box 387, Fowler, Colo. 81039, seeks temporary authority to lease the operating rights of H. L. HERRIN, JR., Post Office Box 23339, New Orleans, La. 70123, under section 210a(b). The transfer to R. D. LEWIS BANANA CO., INC., of the operating rights of H. L. HERRIN, JR., is presently pending.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-2596; Filed, Mar. 3, 1969; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MARCH

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during March

7 CFR

	Page
722	3733
730	3733
877	3733
891	3737
907	3738
910	3674, 3738
912	3674
913	3675
993	3675
1130	3676

14 CFR

	Page
39	3738
71	3655
73	3656
95	3738
151	3656
153	3656
199	3657
240	3741
241	3741
385	3742
399	3742
Proposed Rules:	
21	3695
43	3695
65	3695
71	3696–3699
91	3695
145	3695
121	3751
147	3751
157	3756

16 CFR

	Page
13	3658, 3659
15	3742

20 CFR

	Page
Proposed Rules:	
604	3748

21 CFR

	Page
Proposed Rules:	
121	3748

22 CFR

	Page
501	3659

25 CFR

	Page
131	3686

26 CFR

	Page
170	3662
179	3662
194	3663
196	3667
197	3667
201	3669
240	3670
245	3671
250	3673
251	3673
296	3672
301	3673
Proposed Rules:	
1	3700

29 CFR

	Page
1505	3776

42 CFR

	Page
205	3743
Proposed Rules:	
54	3689
209	3749

45 CFR

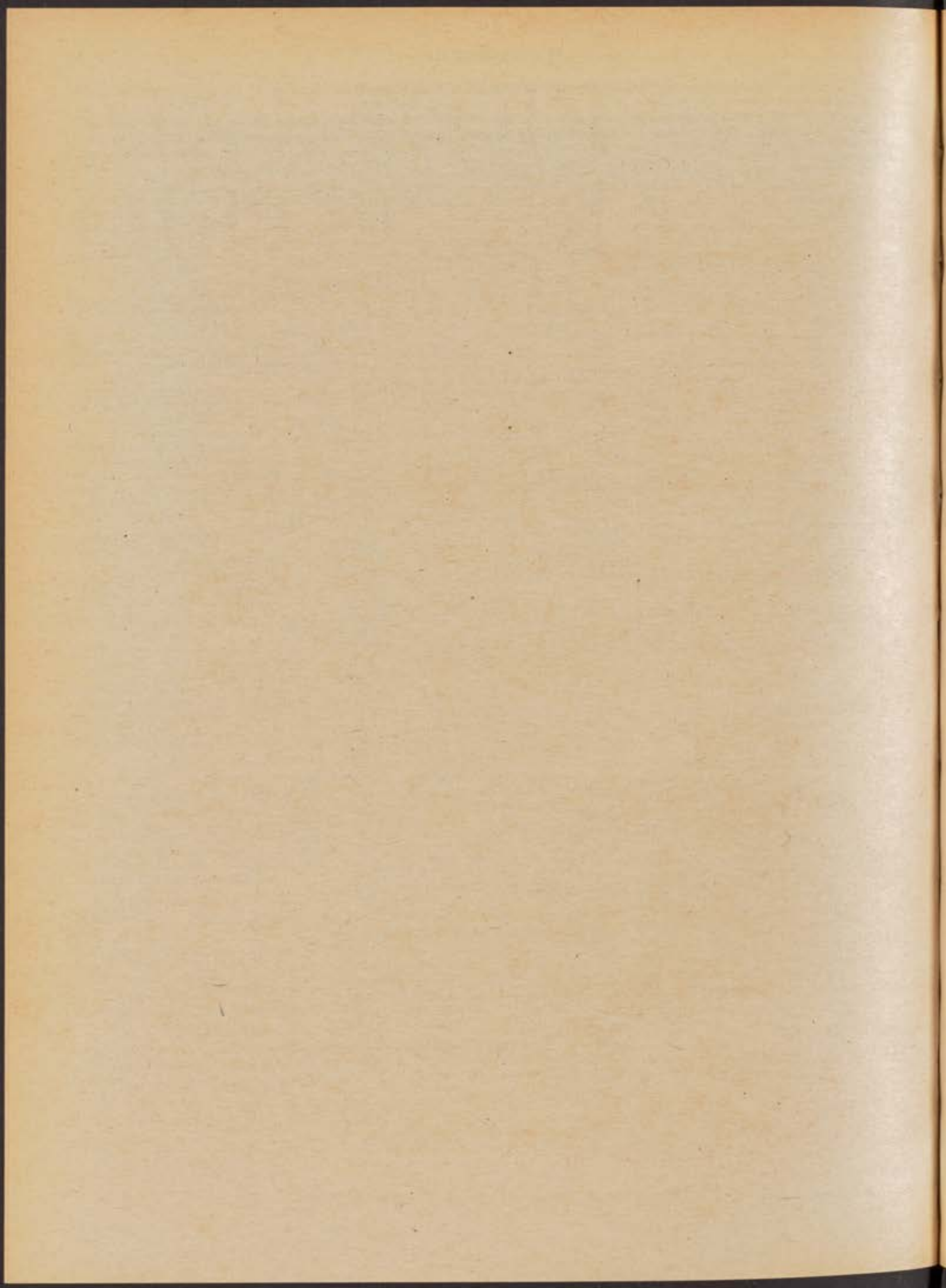
	Page
250	3745
1061	3689
Proposed Rules:	
416	3689

49 CFR

	Page
369	3687
371	3688
1033	3746
Proposed Rules:	
371	3699

50 CFR

	Page
33	3747



FEDERAL REGISTER

VOLUME 34 • NUMBER 42

Tuesday, March 4, 1969 • Washington, D.C.

PART II

Department of Labor

Bureau of Labor Standards

•

Gear Certification

Title 29—LABOR

Chapter XIII—Bureau of Labor Standards, Department of Labor

PART 1505—GEAR CERTIFICATION

On August 6, 1968, a proposal was published at 33 F.R. 11138 to amend 29 CFR Part 1505 with regard to certification of vessels' cargo handling gear and of shore-based material handling devices. Interested persons were given opportunity to participate in the rule making through submission of written comments. After consideration of all relevant matter submitted and pursuant to section 41 of the Longshoremen's and Harbor Workers' Compensation Act (33 U.S.C. 941) 29 CFR Part 1505 is hereby revised as set forth below, effective 30 days following the publication of this document in the FEDERAL REGISTER:

Subpart A—General Provisions

Sec.
1505.1 Purpose and scope.
1505.2 Definition of terms.

Subpart B—Procedure Governing Accreditation

1505.3 Application for accreditation.
1505.4 Action upon application.
1505.5 Duration and renewal of accreditation.
1505.6 Criteria governing accreditation to certificate vessels' cargo gear.
1505.7 Voluntary amendment or termination of accreditation.
1505.8 Suspension or revocation of accreditation.
1505.9 Reconsideration and review.

Subpart C—Duties of Persons Accredited to Certificate Vessels' Cargo Gear

1505.10 General duties; exemptions.
1505.11 Recordkeeping and related procedures concerning records in custody of accredited persons.
1505.12 Recordkeeping and related procedures concernnig records in custody of the vessel.

Subpart D—Certification of Vessels' Cargo Gear

1505.13 General.
1505.14 Initial tests of cargo gear and tests after alterations, renewals or repairs.
1505.15 Periodic tests, examinations and inspections.
1505.16 Heat treatment.
1505.17 Exemptions from heat treatment.
1505.18 Grace periods.
1505.19 Gear requiring welding.
1505.20 Damaged components.
1505.21 Marking and posting of safe working loads.
1505.22 Requirements governing braking devices and power sources.
1505.23 Means of derrick attachment.
1505.24 Limitations on use of wire rope.
1505.25 Limitations on use of chains.

Subpart E—Certification of Vessels: Tests and Proof Loads; Heat Treatment, Competent Persons

1505.26 Visual inspection before tests.
1505.27 Unit proof tests—winches, derricks and gear accessory thereto.
1505.28 Unit proof tests—cranes and gear accessory thereto.
1505.29 Limitations on safe working loads and proof loads.
1505.30 Examinations subsequent to unit tests.
1505.31 Proof tests—loose gear.

Sec.
1505.32 Specially designed blocks and components.
1505.33 Proof tests—wire rope.
1505.34 Proof tests after repairs or alterations.
1505.35 Order of tests.
1505.36 Heat treatment.
1505.37 Competent persons.

Subpart F—Accreditation to Certificate Shore-Based Equipment

1505.50 Eligibility for accreditation to certificate shore-based material handling devices covered by § 1504.13 of the safety and health regulations for longshoring.
1505.51 Provisions respecting application for accreditation, action upon the application, and related matters.

Subpart G—Duties of Persons Accredited to Certificates Shore-Based Material Handling Devices

1505.60 General duties, exemptions.

Subpart H—Certification of Shore-Based Material Handling Devices

1505.70 General provisions.
1505.71 Unit proof test and examination of cranes.
1505.72 Annual examination of cranes.
1505.73 Unit proof test and examination of derricks.
1505.74 Annual examination of derricks.
1505.75 Determination of crane or derrick safe working loads and limitations in absence of manufacturer's data.
1505.76 Safe working load reduction.
1505.77 Safe working load increase.
1505.78 Nondestructive examinations.
1505.79 Wire rope.
1505.80 Heat treatment.
1505.81 Examination of bulk cargo. Loading or discharging spouts or suckers.
1505.90 Documentation.

AUTHORITY: The provisions of this Part 1505 issued under sec. 41, 44 Stat. 1444, as amended; 33 U.S.C. 941.

Subpart A—General Provisions

§ 1505.1 Purpose and scope.

(a) The regulations in this part implement §§ 1504.12 (c) and (d)(3) and 1504.13 of this chapter. They provide procedures and standards governing accreditation of persons by the Bureau of Labor Standards, U.S. Department of Labor, for the purpose of certificating vessels' cargo gear and shore-based material handling devices, and the manner in which such certification shall be performed.

(b) Accreditation is not required, and the regulations of this part are not applicable, under the following circumstances:

(1) When cargo gear certification is performed for vessels inspected and certificated under the authority of the U.S. Coast Guard,[1] or for foreign vessels certificated under the requirements of a foreign nation or by persons acceptable for certification purposes by a foreign nation.

(2) When cargo gear certification is performed for shore-based material handling devices under standards established and enforced by the States wherein the devices are located, or by political subdivisions delegated this responsibility by the States, provided such standards meet the requirements of § 1504.13 (b)(2) of this chapter.

(c) Persons not required to be accredited for gear certification purposes, as set forth in paragraph (b) of this section, may, nevertheless, apply for and receive accreditation by the Bureau. The appropriate subparts of this part shall apply to persons accredited pursuant to this paragraph except insofar as exemptions may be granted.

§ 1505.2 Definition of terms.

(a) "Vessel" means every description of watercraft or other artificial contrivance used or capable of being used, as a means of transportation on water, including special-purpose floating structures not primarily designed for or used as a means of transportation on water.

(b) Except as otherwise noted, "cargo gear", as used in Subparts B through E of this part, includes that gear forming a part of a vessel's equipment which is used for the handling of cargo other than bulk liquids, but does not include gear which is used only for handling or holding hoses, handling ships' stores, handling the gangway, or boom conveyor belt systems for the self-unloading of bulk cargo vessels.

(c) With reference to equipment covered by this part—

(1) "Derrick" means—

(i) When applied to vessels' cargo handling gear, a mechanical device for lifting, including a boom which is suspended at its head by a topping lift from a mast, king post, or similar structure, controlled in the horizontal plane by vangs, and used either singly or in pairs with married falls;

(ii) When applied to shore-based material handling devices, a mechanical device intended for lifting, with or without a boom supported at its head by a topping lift from a mast, fixed A frame, or similar structure. The mast or equivalent member may or may not be supported by guys or braces. The boom, where fitted, may or may not be controlled in the horizontal plane by guys (vangs). The term includes shear legs.

(2) "Crane" means a mechanical device intended for lifting or lowering a load and moving it horizontally, in which the hoisting mechanism is an integral part of the machine. A crane may be a fixed or mobile machine.

(3) "Bulk cargo spout" means a spout, which may or may not be telescopic and may or may not have removable sections, but is suspended over the vessel from some overhead structure by wire rope or other means. Such a spout is often used with a "thrower" or "trimming machine". A grain loading spout is an example of those covered by this definition.

[1] Jurisdiction of the U.S. Coast Guard extends to matters within the scope of title 52 of the Revised Statutes and Acts supplementary or amendatory thereto (46 U.S.C. 1–1388, passim); to matters within the regulatory authority of the U.S. Coast Guard under the provisions of the Espionage Act of June 15, 1917, as amended (40 Stat. 220; 50 U.S.C. 191 et seq.; 22 U.S.C. 401 et seq.) or to matters within the regulatory authority of the U.S. Coast Guard under section 4(e) of the Outer Continental Shelf Lands Act of Aug. 7, 1953 (67 Stat. 462; 43 U.S.C. 1333).

(4) "Bulk cargo sucker" means a pneumatic conveyor which utilizes a spout-like device, which may be adjustable vertically and/or laterally, and which is suspended over a vessel from some overhead structure by wire rope or other means. An example of an installation of this nature is the "grain sucker" used to discharge grain from barges.

(d) "Director" means the Director of the Bureau of Labor Standards, U.S. Department of Labor, or his authorized representative.

(e) "Bureau" means the Bureau of Labor Standards, U.S. Department of Labor.

(f) "Person" includes any individual, partnership, corporation, agency, association, or organization.

(g) "Competent person" means:

(1) An individual qualified to perform gear certification functions with respect to vessels' cargo handling gear, as specifically set forth in § 1505.37.

(2) An individual qualified under the provisions of Subparts F and G of this part to perform gear certification functions with respect to shore-based material handling devices.

(h) "Ton" means a ton of 2,240 pounds when applied to vessels' cargo handling gear, and a ton of 2,000 pounds when applied to shore-based material handling devices or to shore-type cranes permanently mounted aboard barges or other vessels employed in domestic trade and designed on the basis of the 2,000-pound ton. Capacity ratings may be stated in pounds.

(i) "Nondestructive" examination means examination of structure or parts by electronic, ultrasonic, or other nondestructive examination suitable for the purpose.

Subpart B—Procedure Governing Accreditation

§ 1505.3 Application for accreditation.

(a) *Application*. Any person seeking accreditation shall file an original and duplicate copy of an application for accreditation with the Director of the Bureau of Labor Standards, United States Department of Labor, Washington, D.C. 20210, on a form provided by the Bureau for this purpose. Each application shall be signed and certified by the applicant and, if the applicant is an agency or organization, by a responsible officer of such agency or organization.

(b) *Contents of application*. The application form shall include the following information:

(1) A statement detailing the applicable types of work performed by the applicant in the past, noting the amount and extent of such work performed within the previous three years, listing representative vessels involved, and including representative job orders if available, or equivalent evidence;

(2) Descriptive details concerning any testing instruments and heat treatment furnaces which are to be used in conducting required tests or heat treatments. Test reports indicating that instruments meet the accuracy standards set forth in this part shall be included;

(3) A list setting forth the ports in which applicant currently conducts his business as well as those in which he proposes to conduct gear certification activities;

(4) A list of the applicant's responsible qualified personnel, both supervisory and managerial and including any surveyors, with resumes of their individual experience in the testing, examination, inspection and heat treatment of cargo gear. Such list shall include any branch office personnel or surveyors appointed to act in the applicant's behalf in any of the ports of the United States: *Provided, however*, That where the submission of individual resumes would be unduly burdensome because of the large number of persons engaged in the applicant's behalf, the applicant, after stating this fact, need only submit a list of its personnel together with a detailed statement of the qualifications upon which the appointment of surveyors is based;

(5) A detailed schedule of the fees proposed to be charged for the various gear certification services;

(6) Evidence of financial stability;

(7) Names of at least three business references who will furnish information regarding work performed by applicant;

(8) Any additional information the applicant deems to be pertinent.

§ 1505.4 Action upon application.

(a) Upon receipt of an application for accreditation, the Director shall approve or deny the application. The Director may conduct an investigation, which may include a hearing, prior to approving or denying an application. To the extent he deems appropriate, the Director may provide an opportunity to other interested persons to present data and views on the application prior to approval or denial.

(b) Any application which fails to present the information required by the prescribed form may be returned to the applicant with a notation of deficiencies and without prejudice to submission of a new or revised application.

(c) If the application is approved, notice of approval shall be mailed to the applicant. If the application is denied, notice of such denial shall be mailed to the applicant and such denial shall be without prejudice to any subsequent application except where such action is deemed to be in the public interest. In the event an application is denied with prejudice, the provisions of § 1505.9 shall be applicable.

(d) A copy of the notice of accreditation shall be kept on file by applicant at the applicant's place of business.

§ 1505.5 Duration and renewal of accreditation.

The period of accreditation shall not exceed three years. Applications for renewal of accreditation shall be made on the same form as described in § 1505.3. No accreditation shall expire until action on an application for renewal shall have been finally determined, provided that such application has been properly executed in accordance with § 1505.3 and filed with and received by the Director not less than 15 nor more than 60 days prior to the expiration date. A final determination means either the approval or initial denial of the application for renewal. The procedure specified in § 1505.4 shall be applicable to all applications for renewal.

§ 1505.6 Criteria governing accreditation to certificate vessels' cargo gear.

(a) (1) A person applying for accreditation to issue registers and pertinent certificates, to maintain registers and appropriate records, and to conduct initial, annual and quadrennial surveys, shall not be accredited unless he is engaged in one or more of the following activities:

(i) Classification of vessels;

(ii) Certification of vessels' cargo gear;

(iii) Shipbuilding or ship repairing, or both insofar as related to work on vessels' cargo handling gear;

(iv) Unit and loose gear testing of vessels' cargo handling gear.

(2) Applicants for accreditation under paragraph (a) (1) of this section for operations in coastal or Great Lakes ports who come within subdivisions (ii) or (iv) shall not be accredited unless they conduct at least 1,500 hours of cargo gear certification work per year.

(b) A person applying for accreditation to carry out tests of loose gear or wire rope, or both, or to carry out heat treatments, and to issue the related certificates, shall be engaged in one or both of the following activities:

(1) Testing of loose gear or wire rope, or both;

(2) Heat treatment of chains and loose cargo gear.

(c) (1) A person applying for accreditation shall be staffed by individuals technically qualified to conduct the inspections and examinations and to conduct or supervise tests and heat treatments prescribed in this part. Any representatives, agents or surveyors acting on behalf of a person applying for accreditation in ports in which such operations are conducted shall be similarly qualified.

(2) Accreditation to conduct such nondestructive examination as may be a part of any certification activity may be granted to applicants found competent and equipped to carry out this activity.

(d) Except as noted in § 1505.1(c), and unless exemptions are granted under § 1505.10(h), a person applying for accreditation as specified in paragraph (a) of this section shall be prepared to carry out all of the requirements of Subparts C, D, and E, of this part except that loose gear and wire rope tests and heat treatments may be carried out by the manufacturer of the gear concerned or by another person accredited specifically for this purpose.

(e) A person applying for accreditation shall have a satisfactory record of performance, and shall be in sound financial condition.

[28 F.R. 3082, Mar. 29, 1963, as amended at 31 F.R. 4786, Mar. 22, 1966]

§ 1505.7 Voluntary amendment or termination of accreditation.

The accreditation of any person may be voluntarily amended or terminated upon written request filed with the Director.

§ 1505.8 Suspension or revocation of accreditation.

The Director may suspend or revoke an accreditation of any person for cause. Except in cases of willfulness or cases in which the public interest requires otherwise, before any accreditation is suspended or revoked, facts or conduct which may warrant such action shall be called to the attention of the person involved in writing and that person shall be afforded an opportunity to achieve or demonstrate appropriate compliance.

§ 1505.9 Reconsideration and review.

(a) Any person aggrieved by the action of the Director or his authorized representative in denying, granting, suspending or revoking an accreditation under this part may within 15 days after such action, (1) file a written request for reconsideration thereof by the Director or the authorized representative of the Director who made the decision in the first instance, or (2) file a written request for review of the decision by the Director or an authorized representative of the Director, who has taken no part in the action which is the subject for review.

(b) A request for reconsideration shall be granted where the applicant shows that there is additional evidence which may materially affect the decision and that there were reasonable grounds for failure to adduce such evidence in the original proceedings.

(c) Any person aggrieved by the action of the Director or authorized representative of the Director in denying a request for reconsideration may, within 15 days after the denial of such request, file with the Director or his authorized representative a written request for review.

(d) Any person aggrieved by the reconsidered determination of the Director or authorized representative of the Director, may within 15 days after such determination, file with the Director a written request for review.

(e) A request for review shall be granted where reasonable grounds for the review are set forth in the request.

(f) If a request for reconsideration or review is granted, all interested persons shall be afforded an opportunity to present their views.

(g) No cargo gear certification function shall be performed by any person seeking reconsideration or review under this section pending the final decision with respect to such reconsideration or review.

Subpart C—Duties of Persons Accredited to Certificate Vessels' Cargo Gear

§ 1505.10 General duties; exemptions.

(a) Except as noted in § 1505.1 and in paragraph (h) of this section, the requirements set forth in Subparts D and E of this part shall be strictly adhered to in all testing, examinations, inspections and heat treatments.

(b) Supervision of all testing, examinations, inspections, and heat treatments shall be carried out only by such persons as are listed in the application for accreditation or subsequent supplements thereto, submitted pursuant to this part.

(c) The certificates issued by an accredited person shall be signed and all register entries made only by an authorized agent of such accredited person. No certification shall be issued until any deficiencies considered by the accredited person to constitute a currently unsatisfactory condition have been corrected. Replacement parts shall be of equal or better quality as original equipment and suitable for the purpose. In the event deficiencies remain uncorrected and no certification may therefore be issued, the accredited person shall inform the nearest District Office of the Bureau of the circumstances.

(d) Dynamometers or other recording test equipment owned by an accredited person shall have been tested for accuracy within the six months next preceding application for accreditation or renewal of same. Such test shall be performed with calibrating equipment which has been checked in turn so that indications are traceable to the U.S. Bureau of Standards. A copy of test reports shall accompany the application. Where test equipment is not the property of the accredited person, that person shall not issue any certificate based upon the use of such equipment unless its owner has made available a certificate of accuracy based on the requirements of this paragraph, obtained within 1 year prior to such use, and stating the errors of the equipment. Reasonable standards of accuracy shall be met and proof loads adjusted as necessary.

(e) An accredited person shall, upon request, provide the nearest local office of the Bureau with advance information as to scheduled testing or of such other functions as are performed and facilitate the Bureau's observation of any such activities as it may desire to witness: *Provided, however*, That tests need not be delayed, except when specifically requested by the Bureau under unusual circumstances.

(f) All cargo gear registers or certificates issued by an accredited person shall be made on forms prescribed or approved by the Bureau.

(g) Unless otherwise instructed by the Director in specific instances, any person accredited under § 1505.6(a) shall accept certificates relating to loose gear or wire rope tests or to heat treatments which are issued by the manufacturer of the gear concerned, by another person accredited specifically by the Director for this purpose, or by any other person whose certificates are acceptable to the Bureau. Such certificates shall either be attached as a part of the vessel's certification or shall be used as the basis for the issuance of the accredited person's own loose gear, wire rope, or heat treatment certificates. In the latter case, the original certificates shall be kept on file by the accredited person as part of the permanent record of the vessel concerned.

(h) In case of practical difficulties or unnecessary hardships, the Director in his discretion may grant exemptions from any provision of Subparts C, D, and E of this part.

§ 1505.11 Recordkeeping and related procedures concerning records in custody of accredited persons.

(a) An accredited person shall maintain records of all work performed under Subparts D and E of this part.

(b) An accredited person shall maintain a continuous record of the status of the certification of each vessel issued a register by such person.

(c) The records required in paragraphs (a) and (b) of this section shall be available for examination by the Director.

(d) When annual or quadrennial tests, inspections, examinations, or heat treatments are performed by an accredited person, other than the person who originally issued the vessel's register, such accredited person shall furnish copies of any certificates issued and information as to register entries to the person originally issuing the register.

(e) An accredited person shall inform the nearest local office of the Bureau whenever a vessel is initially certificated under these regulations and a register in the prescribed form has been issued.

(f) A copy of each certificate relating to unit tests or thorough examinations, except those issued by the manufacturer and those issued by accredited persons outside of the United States, shall be sent to the nearest local office of the Bureau within 10 days after issuance. Such records shall form a part of the Bureau's file on the accredited person.

(g) An accredited person shall promptly notify the nearest local office of the Bureau with respect to any changes in technical personnel, in fee schedules in geographical areas in which operations are conducted, or other pertinent substantial changes in its organization or operations.

§ 1505.12 Recordkeeping and related procedures concerning records in custody of the vessel.

(a) A fully completed and up-to-date register shall be kept in the form prescribed or approved by the Bureau, giving the particulars required with respect to:

(1) The inspections and thorough examinations required by § 1505.15(a) and (b).

(2) The thorough examinations required by § 1505.15(c).

(3) The thorough examinations required by § 1505.17.

(4) The heat treatment required by § 1505.16 (a) and (b), and § 1505.19.

(b) Certificates in the form prescribed or approved by the Bureau shall be kept up-to-date, be attached to the register, and shall contain the particulars required with respect to:

(1) The testing and examinations required by §§ 1505.14, 1505.15(a), and 1505.19.

(2) The heat treatment required by §§ 1505.16 and 1505.19.

(c) The certificates and entries in the register shall be signed by a person qualified under § 1505.37.

(d) Adequate means shall be provided to enable persons examining the register, or any certificate attached thereto, to identify items of cargo gear referred to therein. Small items of gear, such as shackles, shall bear a mark to indicate that they have been initially tested.

(e) Records shall be kept aboard vessels identifying wire rope or articles of loose gear obtained from time to time and required to be certificated under the regulations of this part.

(f) An accredited person shall instruct the vessel's officers or the vessel's operator if the vessel is unmanned, that the vessel's register and certificates shall be preserved for at least 4 years after the date of the latest entry except in the case of nonrecurring test certificates concerning gear which is kept in use for a longer period, in which event the pertinent certificates shall be retained so long as that gear is continued in use.

(g) In cases where derricks, spouts, suckers, or cranes are mounted permanently aboard barges which remain in domestic inland waters service, the certification documentation shall comply with the provisions of § 1505.90 of this part.

Subpart D—Certification of Vessels' Cargo Gear

§ 1505.13 General.

(a) Except as noted in § 1505.1 and as provided in exemptions under § 1505.10 (h), certification performed by accredited persons shall conform to the requirements contained in this subpart.

(b) Safe working loads assigned to assembled units of gear shall be based on applicable design criteria acceptable to the accredited person. Where no design data on which to base a rating is obtainable, the safe working load ratings assigned shall be based on the owner's information and warranty that those so assigned are correct. Unit test certificates shall state the basis for any such safe working load assignment.

§ 1505.14 Initial tests of cargo gear and tests after alterations, renewals or repairs.

(a) (1) Before being taken into use, hoisting machines, fixed gear aboard vessels accessory thereto, and loose gear and wire rope used in connection therewith, shall be tested and examined and the safe working load thereof certified in the manner set forth in Subpart E of this part.

(2) Replacement or additional loose gear and wire rope obtained from time to time shall also be tested and examined in the manner set forth in subparagraph (1) of this paragraph. However, the replacement of a component part of an article of loose gear, such as a sheave, pin, or bushing does not require a new test certificate so long as the new component at least equals in all particulars the part replaced.

(b) In the case of untested gear which has been in use, an initial test in conformance with paragraph (a)(1) of this section shall be carried out: *Provided, however*, That existing standing rigging and wire rope will not be required to be tested but shall be thoroughly examined to ascertain its fitness for continued use in conformance with the requirements of §§ 1505.24 and 1505.25.

(c) In the case of important alterations or renewals of the machinery and gear and also after repairs due to failure of or damage to other than loose components, a test as required in paragraph (a)(1) of this section shall be carried out.

(d) If the operation in which cargo gear is engaged never utilizes more than a fraction of the safe working load rating, the owner may, at his option, have said gear certificated for, and limited in operation to, a lesser maximum safe working load: *Provided, however*, That the gear concerned is physically capable of operation at the original load rating and the load reduction is not for the purpose of avoiding correction of any deficiency.

(e) In no case shall safe working loads be increased beyond the original design limitations unless such increase is based on engineering calculations by or acceptable to the accredited certification agency, and all necessary structural changes are carried out.

§ 1505.15 Periodic tests, examinations and inspections.

After being taken into use, every hoisting machine, all fixed gear aboard vessels accessory thereto and loose gear used in connection therewith, shall be tested, thoroughly examined or inspected as follows:

(a) Derricks with their winches and accessory gear, including the attachments, as a unit; and cranes and other hoisting machines with their accessory gear, as a unit, shall be tested and thoroughly examined every four years in the manner set forth in Subpart E of this part.

(b) Derricks, their permanent attachments and any other fixed gear the dismantling of which is especially difficult shall be visually inspected every twelve months. In order to facilitate such inspection all derricks shall be lowered.

(c) All hoisting machines (e.g., cranes, winches), blocks, shackles, and all other accessory gear not included in paragraph (b) of this section, shall be thoroughly examined every twelve months by means of a visual examination, supplemented as necessary by other means, such as a hammer test or with electronic, ultrasonic, or other non-destructive methods, carried out as carefully as conditions permit in order to arrive at a reliable conclusion as to the safety of the parts examined. Particular attention shall be paid to the suitability for continued use of all swivels and the pins and bushings of blocks. If necessary, parts of the machines or gear shall be dismantled. If blocks are disassembled, all shell bolt nuts shall be securely locked upon reassembly.

(d) Where a derrick or crane is mounted on a barge hull and ballast tanks within the hull are used to facilitate use of the derrick or crane, or uncontrolled free surface may be a factor, each annual inspection or examination, as required, shall include such inspection as is necessary for the purpose of determining the integrity of any internals contributing to stability under conditions of use. The owner shall provide the accredited person with necessary information on any ballasting arrangements required.

(e) Annual inspection or examination, as required, shall include, among other things, examination of the following:

(1) Derrick heel attachment points. Heel pins may, if possible, be examined by nondestructive examination.

(2) Shrouds and stays necessary in the use of the gear, together with attachment points.

(3) Deck fittings for the securing of vangs, topping lifts, and/or preventers.

(4) Means of attachment to the hull of "A" frame or other fixed derrick or crane structure and of mobile types of equipment permanently placed aboard the barge or vessel.

(5) Clamshell buckets or other similar equipment, such as magnets, etc., used in conjunction with a derrick or crane mounted aboard a vessel, with particular attention to closing line wires and sheaves. The accredited person may supplement such examination by requesting any operational tests he may deem appropriate.

(6) Winch and other operating drums for excessive wear or defect.

§ 1505.16 Heat treatment.

(a) All chains (other than bridle chains attached to derricks or masts), rings, hooks, shackles, and swivels made of wrought iron, which are used in hoisting or lowering, shall be annealed in accordance with § 1505.36 at the following intervals:

(1) Half inch and smaller chains, rings, hooks, shackles, and swivels in general use, at least once every six months; and

(2) All other chains, rings, hooks, shackles, and swivels in general use, at least once every twelve months.

(3) In the case of gear used solely on lifting machinery worked by hand, twelve months shall be substituted for six months in subparagraph (1) of this paragraph and two years for twelve months in subparagraph (2) of this paragraph.

(4) When used in this paragraph, the term "in general use" means used on fifty-two or more days in a year. In any case, however, the period between annealings shall not exceed two years.

(b) Chains, rings, hooks, shackles, and swivels made of material other than wrought iron or steel shall be heat treated when necessary in accordance with § 1505.36(b).

§ 1505.17 Exemptions from heat treatment.

Gear made of steel, or gear which contains (as in ball bearing swivels), or is permanently attached to (as with blocks), equipment made of materials which cannot be subjected to heat treatment, shall be exempt from the requirements of § 1505.16. Such gear, however, shall be thoroughly examined in the manner described in § 1505.15(c).

§ 1508.18 Grace periods.

Grace periods allowed in connection with the requirements of this subpart are as follows:

(a) Annual or six-month requirements—by the end of the voyage during which they become due;

(b) Quadrennial requirements—within six months after the date when due;

(c) Grace periods shall not be deemed to extend subsequent due dates.

§ 1505.19 Gear requiring welding.

Chains or other gear which have been lengthened, altered or repaired by welding, shall be properly heat treated where necessary, and, before again being put into use, shall be tested and reexamined in the manner set forth in Subpart E of this part.

§ 1505.20 Damaged components.

(a) Pursuant to § 1504.51(b) of this chapter, any derrick or associated permanent fitting which is deformed in service between surveys shall be subjected to proof test to determine its suitability for continued service. If a proof test indicates that the derrick or associated permanent fitting may be continued in service without repair, a note of the existing deformity shall be made on the test certificate. When, in the opinion of the accredited person, it is unsafe to conduct a proof test with an existing deformity, the derrick or associated permanent fitting shall be replaced or repaired and then subjected to proof test in accordance with Subpart E of this part.

(b) Any loose gear components which are injured or deformed by a proof load shall be replaced before a certificate is issued.

(c) Any derrick, other fixed installation, or associated permanent fitting, which is injured or deformed by a proof load shall be replaced or repaired and another proof load test shall be conducted without damage before a certificate is issued.

§ 1505.21 Marking and posting of safe working loads.

(a) The safe working load of the assembled gear and the minimum angle to the horizontal at which this load may be applied shall be plainly marked at the heels of all booms along with the date of the test. Where gear is certificated for use in union purchase, the union purchase safe working load shall also be plainly marked. Any limitations shall be noted in the vessel's papers.

(b) The safe working load shall be marked on all blocks used in hoisting or lowering.

(c) When the capacity of the boom of a crane or derrick has been or will be rated in accordance with the variance of its radius, the maximum safe working loads for the various working angles of the boom and the maximum and minimum radius at which the boom may be safely used, shall be conspicuously posted near the controls and visible to the crane operator. Ratings may be stated in pounds. When they are stated in tons of 2,000 pounds, this fact shall be indicated.

§ 1505.22 Requirements governing braking devices and power sources.

All types of winches and cranes shall be provided with means to stop and hold the proof load in any position, and the efficiency of such means shall be demonstrated. Electric winches, electrohydraulic winches fittted with electromagnetic or hydraulic brakes at the winch, or electric cranes, shall be equipped so that a failure of the electric power shall stop the motion and set the brakes without any action on the part of the operator. Current for operation of electric winches and cranes during the tests shall be taken from the vessel's circuits. Shore current may be used if it passes through the vessel's main switchboard.

§ 1505.23 Means of derrick attachment.

Appropriate measures shall be taken to prevent the foot of a derrick from being accidently lifted from its socket or support during the test.

§ 1505.24 Limitations on use of wire rope.

(a) An eye splice made in any wire rope shall have at least three tucks with a whole strand of rope and two tucks with one-half of the wires cut out of each strand. However, this requirement shall not operate to preclude the use of another form of splice or connection which can be shown to be as efficient and which is not prohibited by Part 1504 of this chapter.

(b) Except for eye splices in the ends of wires, each wire rope used in hoisting or lowering, in guying derricks, or as a topping lift, preventer or pendant, shall consist of one continuous piece without knot or splice.

(c) Eyes in the ends of wire rope cargo falls shall not be formed by knots and, in single part falls, shall not be formed by wire rope clips.

(d) The ends of falls shall be secured to the winch drums by clamps, U-bolts, shackles or some other equally strong method. Fiber rope fastenings shall not be used.

(e) Wire rope shall not be used for the vessel's cargo gear if in any length of eight diameters, the total number of visible broken wires exceeds 10 percent of the total number of wires, or if the rope shows other signs of excessive wear, corrosion, or defect. Particular attention shall be given to the condition of those sections of wire rope adjacent to any terminal connections, those sections exposed to abnormal wear, and those sections not normally exposed for examination.

§ 1505.25 Limitations on use of chains.

Chains forming a part of vessel's cargo gear shall not be used when, due to stretch, the increase of length of a measured section exceeds five percent, when a link is damaged, or when other external defects are evident. Chains shall not be shortened by bolting, wiring, or knotting.

Subpart E—Certification of Vessels: Tests and Proof Loads; Heat Treatment; Competent Persons

§ 1505.26 Visual inspection before tests.

Before any test under this Subpart E is carried out, a visual inspection of the gear involved shall be conducted and any visibly defective gear shall be replaced or repaired. The provisions of § 1505.15(d) shall be adhered to.

§ 1505.27 Unit proof tests—winches, derricks and gear accessory thereto.

(a) Winches, with the whole of the gear accessory thereto (including derricks, goosenecks, eye plates, eye bolts, or other attachments), shall be tested with a proof load which shall exceed the safe working load as follows:

Safe working load:	*Proof load*
Up to 20 tons	25 percent in excess.
20–50 tons	5 tons in excess.
Over 50 tons	10 percent in excess.

(b) The proof load shall be lifted with the vessel's normal tackle with the derrick at an angle not more than 15 degrees to the horizontal, or, at the designed minimum angle when this is greater, or, when this is impracticable, at the lowest practicable angle. The angle at which the test was made shall be stated in the certificate of test. After the proof load has been lifted, it shall be swung as far as possible in both directions. In applying the proof load, the design factors of the gear concerned will determine whether the load is applied with a single part fall or with a puchase and the certificate of test shall state the means used. Where winches are fitted with mechanical brakes for manual operation they shall be demonstrated to be in satisfactory operating condition.

(c) In the case of heavy lift derrick barges, proof loads shall be applied, except as limited by design and stability considerations, at the maximum and minimum radius for which designed, as well as at any intermediate radius which the surveyor may deem necessary, and shall be swung as far as possible in both directions. Data with respect to each proof load applied shall be entered in the test certificate.

(d) No items of cargo gear furnished by outside sources shall be used as a part of the vessel's gear for the purpose of accomplishing the proof test.

(e) All tests prescribed by this section should in general be carried out by dead load, except that in the case of quadrennial tests, replacements, or renewals, spring or hydraulic balances may be used where dead loads are not reasonably available. However, no exception

shall be allowed in the case of gear on new vessels.

(f) The test shall not be regarded as satisfactory unless the indicator remains constant under the proof load for a period of at least 5 minutes.

(g) (1) The safe working load, determined pursuant to the requirements of this section, shall be applicable only to a swinging derrick. When using two fixed derricks in "union purchase" rigs, the safe working load should generally be reduced. It is recommended that owners obtain union purchase safe working load certification based upon design study and analysis by, or acceptable to, a qualified technical office of an accredited gear certification agency, with the recognition that such determinations are valid only for the conditions contemplated in the analysis.

(2) Where both guys and preventers are fitted, union purchase certification shall state whether the guy or the preventer is the working strength member, when the guy is for slewing only, and when the guy and preventor should share working loads as far as practicable.

(h) When necessary in the proof testing of heavy derricks, the appropriate shrouds and stays shall be rigged.

§ 1505.28 Unit proof tests—cranes and gear accessory thereto.

(a) Except as noted in paragraph (e) of this section, cranes and other hoisting machines, together with gear accessory thereto, shall be tested with a proof load which shall exceed the safe working load as follows:

Safe working load:	*Proof load*
Up to 20 tons	25 percent in excess.
20-50 tons	5 tons in excess.
Over 50 tons	10 percent in excess.

(b) The proof load shall be lifted and swung as far as possible in both directions. If the jib or boom of the crane has a variable radius, it shall be tested with proof loads, as specified in paragraph (a) of this section, at the maximum and minimum radius. In the case of hydraulic cranes, when owing to the limitation of pressure it is impossible to lift a load 25 percent in excess of the safe working load, it will be sufficient to lift the greatest possible load.

(c) Initial proof tests of new cranes shall be made only with a dead load as specified in paragraph (b) of this section.

(d) Initial tests of cranes which have been in service, quadrennial tests, or tests associated with replacements or renewals, may be made with spring or hydraulic balances where dead loads are not reasonably available, under the following conditions:

(1) Tests shall be conducted at maximum, minimum, and intermediate radius points, as well as such points in the arc of rotation as meet with the approval of the accredited person.

(2) An additional test shall be conducted with partial load and shall include all functions and movements contemplated in the use of the crane.

(e) In cases where shore-type cranes are mounted permanently aboard barges, the requirements of this Subpart E with respect to unit proof tests and examinations shall not apply and the applicable requirements of Subpart H of this part shall be adhered to with respect to unit proof tests and examinations.

§ 1505.29 Limitations on safe working loads and proof loads.

The proof loads specified by §§ 1505.27 and 1505.28 shall be adjusted as necessary to meet any pertinent limitations based on stability and/or on structural competence at particular radii. Safe working loads shall be reduced accordingly.

§ 1505.30 Examinations subsequent to unit tests.

(a) After satisfactory completion of the unit proof load tests required by §§ 1505.27 and 1505.28, the cargo gear and all component parts thereof shall be given a thorough visual examination, supplemented as necessary by other means, such as a hammer test or with electronic, ultrasonic, or other nondestructive methods, to determine if any of the parts were damaged, deformed, or otherwise rendered unsafe for further use.

(b) When the test of gear referred to in paragraph (a) of this section is being conducted for the first time on a vessel, accessory gear shall be dismantled or disassembled for examination after the test. The sheaves and pins of the blocks included in this test need not be removed unless there is evidence of deformation or failure.

(c) For subsequent tests such parts of the gear shall be dismantled or disassembled after the test as necessary to determine their suitability for continued service.

(d) When blocks are disassembled all shell bolt nuts shall be securely locked upon reassembly.

(e) In carrying out the requirements of this section, replacement shall be required of:

(1) Any swivel found to have excessive tolerance as a result of wear on any bearing surface.

(2) Pins of blocks found to be shouldered, notched, or grooved from wear, in which case, in addition to replacing the pin, sheave bushings shall be examined for suitability for continued use.

§ 1505.31 Proof tests—loose gear.

(a) Chains, rings, shackles and other loose gear (whether accessory to a machine or not) shall be tested with a proof load equal to that shown against the article in the following table:

Article of gear	*Proof load*
Chain, ring, hook, shackle or swivel	100 percent in excess of the safe working load.
Blocks:	
Single sheave block	300 percent in excess of the safe working load.[1]
Multiple sheave block with safe working load up to and including 20 tons.	100 percent in excess of the safe working load.
Multiple sheave block with safe working load over 20 tons up to and including 40 tons.	20 tons in excess of the safe working load.
Multiple sheave block with safe working load over 40 tons.	50 percent in excess of the safe working load.
Pitched chains used with hand-operated blocks and rings, hooks, shackles or swivels permanently attached thereto.	50 percent in excess of the safe working load.
Hand-operated blocks used with pitched chains and rings, hooks, shackles or swivels permanently attached thereto.	50 percent in excess of the safe working load.

[1] The proof load applied to the block is equivalent to twice the maximum resultant load on the eye or pin of the block when lifting the nominal safe working load defined in (i) below. The proof load is, therefore, equal to four times the safe working load as defined in (i) below or twice the safe working load as defined in (ii) below.

(i) The nominal safe working load of a single-sheave block should be the maximum load which can be safely lifted by the block when the load is attached to a rope which passes around the sheave of the block.

(ii) In the case of a single-sheave block where the load is attached directly to the block instead of to a rope passing around the sheave, it is permissible to lift a load equal to twice the nominal safe working load of the block as defined in (i) above.

(iii) In the case of a lead block so situated that an acute angle cannot be formed by the two parts of the rope passing over it (i.e., the angle is always 90° or more), the block need not have a greater nominal safe working load than one-half the maximum resultant load which can be placed upon it.

(b) In cases where persons accredited to carry out loose gear tests may be retained to conduct tests of special stevedoring gear as described in § 1504.61(b) of this chapter, which does not form part of a vessel's equipment, such tests shall adhere to the requirements set forth in § 1504.61(b) (1), (2), and (3) of this chapter.

(c) After being tested as required by paragraph (a) of this section, and before being taken into use, all chains, rings, hooks, shackles, blocks or other loose gear, except as noted in § 1505.32, shall be thoroughly examined, the sheaves and pins of the blocks being removed for this purpose, to determine whether any part has been injured or permanently deformed by the test. Shell bolt nuts shall be securely locked upon reassembly. Defective loose gear components shall be replaced before the certificate is issued.

(d) Any certificate relating to shackles, swivels or strength members of single-sheave blocks which have been restored to original dimensions by welding shall state this fact.

§ 1505.32 Specially designed blocks and components.

(a) Blocks and connecting components of an unusual nature which are specially designed and constructed as an integral part of a particular lifting unit and are either permanently affixed or of such design that two or more components must be tested together need not be considered as loose gear for purposes of § 1505.31.

(b) In lieu of the loose gear proof test required by § 1505.31(a), design data shall be submitted to an accredited certification agency indicating design and material specifications and analysis whereby the designed strength of such gear may be determined.

(c) Subsequent to the test of the lifting unit as a whole, a thorough visual examination shall be made of disassembled parts and an electronic, ultrasonic, or other equally efficient non-destructive examination shall be made of those parts not dismantled to ensure the safe condition of such parts.

§ 1505.33 Proof tests—wire rope.

Wire rope, except as provided in § 1505.14(b), shall be tested by sample, a piece being tested to destruction, and the safe working load of running ropes, unless otherwise acceptable to the Bureau on the basis of design, shall not exceed one-fifth of the breaking load of the sample tested. In the case of running ropes used in gear with a safe working load exceeding 10 tons, the safe working load shall not exceed one-fourth of the breaking load of the sample tested.

§ 1505.34 Proof tests after repairs or alterations.

When proof loads are applied after repairs or alterations, all parts of the assembled gear shall be examined as required in §§ 1505.30, 1505.31(c), or 1505.32(c), whichever is applicable.

§ 1505.35 Order of tests.

When both unit and loose gear proof load tests are required, the loose gear test may be carried out after completion of the unit test.

§ 1505.36 Heat treatment.

(a) The annealing of wrought iron gear required by this part shall be accomplished at a temperature between 1100° and 1200° F. and the exposure shall be of between thirty and sixty minutes duration. After being annealed, the gear shall be allowed to cool slowly and shall then be carefully inspected. All annealing shall be carried out in a closed furnace.

(b) When heat treatment of loose gear made of other than wrought iron or steel is recommended by the manufacturer, it shall be carried out in accordance with the specifications of the manufacturer.

§ 1505.37 Competent persons.

All gear certification functions shall be performed by competent persons as set forth in the following table:

Functions	*Competent person*
Any testing, examination, inspection, or heat treatment required in United States ports.	Responsible individual, surveyor or other authorized agent of a person accredited by the Bureau under the regulations contained in this part.
Any testing, examination, inspection, or heat treatment required to be performed while the vessel is in other than United States ports.	Responsible individual, surveyor or other authorized agent of persons recognized by the Commandant of the United States Coast Guard or by a foreign nation whose certification is accepted by the Bureau as being in substantial accordance with § 1504.12(a) of this subtitle.
Testing, examination and inspection of loose gear or wire rope; heat treatment of loose gear.	Employees or authorized agents of persons accredited specifically by the Bureau for this purpose under the regulations contained in this part, or the manufacturer of the gear concerned unless disapproved by the Director.

Subpart F—Accreditation To Certificate Shore-Based Equipment

§ 1505.50 Eligibility for accreditation to certificate shore-based material handling devices covered by § 1504.13 of the safety and health regulations for longshoring.

(a) A person applying for accreditation to carry out certification activities and to issue and maintain the requisite records must be:

(1) A manufacturer of cranes or derricks or of specialized equipment of the type for which accreditation application is made, or a person or organization representing such a manufacturer in a technical capacity; or

(2) Technically experienced and qualified to carry out examinations and/or testing, as applicable, of vessels or shore-based equipment or gear of the type for which accreditation application is made.

(b) The owner of shore-based equipment affected may designate a member of his organization to carry out certification functions respecting the owner's equipment, on the following conditions:

(1) The designee is technically experienced and qualified in the inspection and maintenance or design of the type of equipment involved, aside from employment as an operator only.

(2) The designee has applied to an accredited, nationally operating certification agency and has been granted appointment or equivalent recognition by that agency as a surveyor for the purpose intended.

(3) Certification activities carried out by the designee are cleared through the offices, and are subject to the approval, of the accredited certificating agency. When equipment is found satisfactory for use upon any survey, said equipment may be used pending receipt of notification of such approval or any disapproval.

(4) In cases where equipment is certificated by a person designated by the equipment owner, the cognizant accredited certification agency retains the right to inspect such equipment as desired and convenient, in order to ascertain the adequacy of the certification activity performed.

(c) Accreditation to conduct such nondestructive examination as may be a part of any certification activity may be granted to applicants found competent and equipped to carry out this activity.

(d) Unless exemptions are granted at the discretion of the Director in cases of practical difficulties or unnecessary hardship, applicants for accreditation as specified in this section shall be prepared to carry out all necessary functions, except that any requisite wire rope tests, nondestructive examinations, and heat treatments may be carried out by the manufacturer of the gear concerned or by another person accredited specifically for these purposes.

(e) A person applying for accreditation shall have a satisfactory record of relevant experience and performance, and shall be in sound financial condition.

§ 1505.51 Provisions respecting application for accreditation, action upon the application, and related matters.

The provisions of §§ 1505.3, 1505.4, 1505.5, 1505.7, 1505.8, and 1505.9 shall govern accreditation to certificate shore-based material handling devices, to the extent applicable.

Subpart G—Duties of Persons Accredited to Certificate Shore-Based Material Handling Devices

§ 1505.60 General duties, exemptions.

(a) The requirements of Subpart H of this part shall be strictly observed: *Provided, however*, That in cases of practical difficulties or unnecessary hardship, the Director in his discretion may grant exemptions or variations from any provision in that subpart.

(b) Except as otherwise noted in this part, all functions required by Subpart H of this part shall be carried out by or under the supervision of a person accredited for the purpose or by his authorized representative.

(c) All required unit proof load tests shall be carried out by the use of weights as a dead load. Only where this is not possible may dynamometers or other recording test equipment be used. Any such recording test equipment owned by an accredited person shall have been tested for accuracy within the 6 months next preceding application for accreditation or renewal thereof. Such test shall be performed with calibrating equipment which has been checked in turn so that indications are traceable to the U.S. Bureau of Standards. A copy of test reports shall accompany the accreditation application. Where test equipment is not

the property of the accredited person, that person shall not issue any certificate based upon the use of such equipment unless its owner has made available a certificate of accuracy based on the requirements of this paragraph, obtained within the year prior to such use, and stating the errors of the equipment. In any event reasonable standards of accuracy shall be met and proof loads adjusted as necessary.

(d) The qualifications of any person appointed or recognized by any accredited person for the purpose of carrying out certification functions shall meet with the approval of the Director.

(e) Sections 1505.10 (e) and (g) and 1505.11 shall govern, to the extent applicable, persons accredited under Subpart F of this part.

Subpart H—Certification of Shore-Based Material Handling Devices

§ 1505.70 General provisions.

(a) Certification of shore-based material handling devices shall conform to the requirements contained in this subpart, except in cases for which exemptions or variations have been granted by the Director as provided in §§ 1505.50(d) and 1505.60(a).

(b) Any replacements or repairs deemed necessary by the accredited person shall be carried out before application of a proof test.

(c) "Ton" in this subpart means a ton of 2,000 pounds.

(d) When applied to shore-based material handling devices, ratings may be stated in pounds rather than tons. When stated in tons of 2,000 pounds, this fact shall be indicated.

§ 1505.71 Unit proof test and examination of cranes.

(a) Unit proof tests of cranes shall be carried out at the following times:

(1) In the cases of new cranes, before initial use and every 4 years thereafter.

(2) In the cases of uncertificated cranes which have been in use, at the time of initial certification and every 4 years thereafter.

(3) After important alterations and renewals, and after repairs due to failure of, or damage to, major components.

(b) Unit proof load tests of cranes shall be carried out where applicable with the boom in the least stable direction relative to the mounting, based on the manufacturer's specifications.

(c) Unit proof load tests shall be based on the manufacturer's load ratings for the conditions of use and shall, except in the case of bridge type cranes utilizing a trolley, consist of application of a proof load of 10 percent in excess of the load ratings at maximum and minimum radius, and at such intermediate radii as the certificating authority may deem necessary in the circumstances.[1] Trolley equipped cranes shall be subject to a proof load of 25 percent in excess of the manufacturer's load rating. In cases of foreign manufacture, the manufacturer's specifications shall be subject to approval by the certificating authority as being equivalent to U.S. practice. The weight of all auxiliary handling devices such as, but not limited to, magnets, hooks, slings, and clamshell buckets shall be considered part of the load.

(d) An examination shall be carried out in conjunction with each unit proof load test. The accredited person, or his authorized representative, shall make a determination as to correction of deficiencies found. The examination shall cover the following points as applicable:

(1) All functional operating mechanisms shall be examined for improper function, maladjustment, and excessive component wear, with particular attention to sheaves, pins, and drums. The examination shall include operation with partial load, in which all functions and movements, including, where applicable, maximum possible rotation in both directions, are performed.

(2) All safety devices shall be examined for malfunction.

(3) Lines, tanks, valves, drains, pumps, and other parts of air or hydraulic systems shall be examined for deterioration or leakage.

(4) Loose gear components, such as hooks, including wire rope and wire rope terminals and connections, shall be checked with particular attention to sections of wire rope exposed to abnormal wear and to sections not normally exposed for examination. The provisions of § 1505.24 shall apply in wire rope examinations. Cracked or deformed hooks shall be discarded and not reused on any equipment subject to the provisions of Part 1504 of this chapter and this Part 1505.

(5) Rope reeving shall comply with manufacturer's recommendations.

(6) Deformed, cracked, or excessively corroded members in crane structure and boom shall be repaired or replaced as necessary.

(7) Loose bolts, rivets, or other connections shall be corrected.

(8) Worn, cracked, or distorted parts affecting safe operation shall be corrected.

(9) Brake and clutch system parts, linings, pawls, and ratchets shall be examined for excessive wear and free operation.

(10) Load, boom angle, or other indicators shall be checked over their full range for any significant inaccuracy. A boom angle or radius indicator shall be fitted.

(11) It shall be ascertained that there is a durable rating chart visible to the operator, covering the complete range of the manufacturer's capacity ratings at all operating radii, for all permissible boom lengths and jib lengths, with alternate ratings for optional equipment affecting such ratings. Necessary precautions or warnings shall be included. Operating controls shall be marked or an explanation of controls shall be posted at the operator's position to indicate function.

(12) Where used, clamshell buckets or other similar equipment such as magnets, etc., shall be carefully examined in all respects, with particular attention to closing line wires and sheaves. The accredited person may supplement such examination by requesting any operational tests as may be appropriate.

(13) Careful examination of the junction areas of removable boom sections, particularly for proper seating, cracks, deformities, or other defects in securing bolts and in the vicinity of such bolts.

(14) It shall be ascertained that no counterweights in excess of the manufacturer's specifications are fitted.

(15) Such other examination or supplemental functional tests shall be made as may be deemed necessary by the accredited person under the circumstances.

[1] The manufacturer's load ratings are usually based upon percentage of tipping loads under some conditions and upon limitations of structural competence at others, as well as on other criteria such as type of crane mounting, whether or not outriggers are used, etc. Some cranes utilizing a trolley may have only one load rating assigned and applicable at any outreach. It is important that the manufacturer's ratings be used.

§ 1505.72 Annual examination of cranes.

(a) In any year in which no quadrennial unit proof test is required, an examination shall be carried out by an accredited person or his authorized representative. Such examination shall be made not later than the anniversary date of the quadrennial certification and shall conform with the requirements of § 1505.71(d).

§ 1505.73 Unit proof test and examination of derricks.

(a) Unit proof tests of derricks shall be carried out at the same times as are specified in § 1505.71(a) for cranes.

(b) Unit proof load tests and safe working load ratings shall be based on the design load ratings at the ranges of boom angles or operating radii. Unit proof loads shall exceed the safe working load as follows:

SWL	*Proof Load*
Up to 20 tons	25 percent in excess.
20–50 tons	5 tons in excess.
Over 50 tons	10 percent in excess.

Proof loads shall be applied at the designed maximum and minimum boom angles or radii, or, if this is impracticable, as close to these as practicable. The angles or radii of test shall be stated in the certificate of test. Proof loads shall be swung as far as possible in both directions. The weight of all auxiliary handling devices shall be considered a part of the load.

(c) After satisfactory completion of a unit proof load test the derrick and all component parts thereof shall be carefully examined in accordance with the requirements of § 1505.71(d), as far as applicable.

§ 1505.74 Annual examination of derricks.

(a) In any year in which no quadrennial unit proof test is required, an examination shall be carried out by an accredited person or his authorized representative. Such annual examination

shall be made not later than the anniversary date of the quadrennial certification and shall conform in all applicable respects with § 1505.71(d).

§ 1505.75 Determination of crane or derrick safe working loads and limitations in absence of manufacturer's data.

(a) In the event neither manufacturer's data nor design data on safe working loads (including any applicable limitations) are obtainable, the safe working load ratings assigned shall be based on the owner's information and warranty that those so assigned are correct. Unit test certificates shall state the basis for any such safe working load assignment.

§ 1505.76 Safe working load reduction.

(a) If the operation in which equipment is engaged never utilizes more than a fraction of the safe working load rating, the owner of such equipment may, at his option, have the crane or derrick certificated for and operated at a lesser maximum safe working load in keeping with the use and based on radius and other pertinent factors: *Provided, however*, That the equipment concerned is physically capable of operation at the original load rating and the load reduction is not for the purpose of avoiding correction of any deficiency.

§ 1505.77 Safe working load increase.

(a) In no case shall safe working loads be increased beyond the manufacturer's ratings or original design limitations unless such increase meets with the manufacturer's approval. Where the manufacturer's services are not available, or where the equipment is of foreign manufacture, engineering design analysis by, or acceptable to, the accredited certification agency is required. All necessary structural changes shall be carried out.

§ 1505.78 Nondestructive examinations.

(a) Wherever it is considered necessary by the accredited person or his authorized representative and wherever it is practical and advisable to avoid disassembly of equipment, removal of pins, etc., examination of structure or parts by electronic ultrasonic or other nondestructive methods may be carried out, provided that the procedure followed is acceptable to the Director and the person carrying out such examination is accredited or acceptable to the Director for the purpose.

§ 1505.79 Wire rope.

(a) Wire rope and replacement wire rope shall be of the same size, same or better grade, and same construction as originally furnished by the equipment manufacturer or contemplated in the design, unless otherwise recommended by the equipment or the wire rope manufacturer due to actual working condition requirements. In the absence of specific requirements as noted, wire rope shall be of a size and construction suitable for the purpose, and a safety factor of 4 shall be adhered to, and verified by wire rope test certificate.

(b) Wire rope in use on equipment previously constructed and prior to initial certification of said equipment shall not be required to be tested but shall be subject to thorough examination at the time of initial certification of the equipment.

§ 1505.80 Heat treatment.

(a) Wherever heat treatment of any loose gear is recommended by the manufacturer, it shall be carried out in accordance with the specifications of the manufacturer.

§ 1505.81 Examination of bulk cargo loading or discharging spouts or suckers.

(a) Those portions of bulk cargo loading or discharging spouts or suckers which extend over vessels, together with any portable extensions, rigging components, outriggers, and attachment points, supporting them or any of their components vertically, shall be examined annually. The examination shall be carried out with particular attention to the condition of wire rope and accessories. The equipment shall not be considered satisfactory unless, in the opinion of the accredited person or his authorized representative, it is deemed fit to serve its intended function.

§ 1505.90 Documentation.

(a) Documents issued respecting a certification function by an accredited person shall be on forms approved for such use by the Director of the Bureau of Labor Standards and shall so state.

(b) Such documents shall be issued by the accredited person to the owners of affected equipment, attesting to satisfactory compliance with applicable requirements. The forms used shall contain the following information:

(1) Unit proof tests where required—

(i) Identification of crane or derrick including manufacturer, model number, serial number, and ownership.

(ii) Basis for assignment of safe working load ratings, with the ratings assigned (i.e., whether based on manufacturer's ratings, whether for any specific service, etc.).

(iii) Proof test details noting radii and proof loads, how applied, and, where applicable, direction relative to mounting.

(iv) A statement that the test and associated examination were conducted and all applicable requirements of this subpart are met.

(v) Any necessary remarks or supplementary data, including limitations imposed and the reason therefor.

(vi) Name of accredited person and identification of authorized representative actually conducting test and/or examination.

(vii) Authorized signature of accredited person, date and place of test and/or examination.

(2) Annual examination of cranes or derricks—

(i) Information specified in subparagraph (1) (i), (v), (vi), and (vii) of this paragraph.

(ii) A statement that the required examination has been carried out and that, in the opinion of the accredited person or his authorized representative, the equipment has been found in compliance in all applicable respects with the requirements of this subpart.

(3) Annual examination of bulk cargo loading or discharging spouts or suckers—

(i) Specific identification of equipment.

(ii) A statement that examination has been completed and that, in the opinion of the accredited person or his authorized representative, the equipment meets the criteria of § 1505.52(a).

(iii) Information specified in subparagraph (1) (v), (vi), and (vii) of this paragraph.

(c) Certificates relating to wire rope, whether tested by or under the supervision of the accredited person or by its manufacturer and whether or not issued on the basis of the manufacturer's certificates, shall follow the general format of a wire rope test form approved by the Bureau of Labor Standards.

(d) Accredited persons shall advise owners of affected equipment of the necessity for maintaining required documentation or acceptable copies thereof available for inspection at or near the worksite of the equipment involved.

(1) Where initial and periodic tests as well as annual examinations are required, documentation available for inspection shall include the latest unit test certificate and any subsequent annual examination certificates, together with wire rope test certificates relating to any replacements since the last unit test or annual examination.

(2) Where only annual examination is required, documentation available for inspection shall include the latest annual examination certificate and wire rope test certificates relating to any wire replaced since the last annual examination.

(3) In the event that heat treatment of any loose gear is recommended by its manufacturer, the latest heat treatment certificate, attesting to compliance with the manufacturer's specifications, shall be part of the available documentation.

(e) No certification shall be issued until any deficiencies considered by the accredited person to constitute a currently unsatisfactory condition have been corrected. Replacement parts shall be of equal or better quality as original equipment and suitable for the purpose. In the event deficiencies remain uncorrected and no certification therefore is issued, the accredited person shall inform of the circumstances the nearest district office of the Bureau.

Signed at Washington, D.C., this 25th day of February 1969.

GEORGE P. SHULTZ,
Secretary of Labor.

[F.R. Doc. 69-2536; Filed, Mar. 3, 1969; 8:45 a.m.]