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Agencies in this issue—

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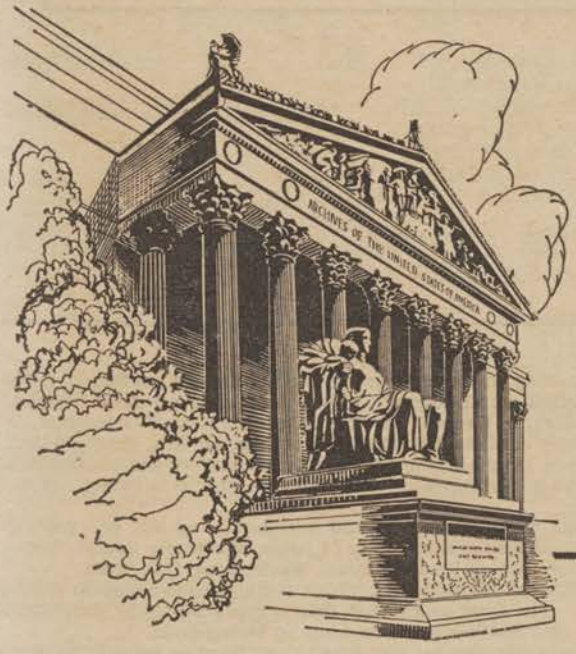

Volume 82

UNITED STATES STATUTES AT LARGE

[90th Cong., 2d Sess.]

Contains laws and concurrent resolutions enacted by the Congress during 1968, reorganization plans, and Presidential proclamations. Also included are: a subject index, tables of prior laws affected, a numerical listing of bills enacted into public and private law, and a guide to the legislative history of bills enacted into public law.

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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, 1970, and specifies how they are affected.

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Title 3—THE PRESIDENT

Proclamation 3967

ADJUSTMENT OF DUTIES ON CERTAIN SHEET GLASS

By the President of the United States of America

A Proclamation

1. WHEREAS, pursuant to the authority vested in him by the Constitution and the statutes, including section 350 of the Tariff Act of 1930, as amended, the President, by Proclamation No. 2761A of December 16, 1947, No. 2929 of June 2, 1951, and No. 3140 of June 13, 1956 (61 Stat. (pt. 2) 1103, 65 Stat. c12, and 70 Stat. c33), proclaimed such modifications of existing duties as were found to be required or appropriate to carry out trade agreements into which he had entered;

2. WHEREAS among the proclaimed modifications were modifications in the rates of duty on glass of the kinds which are now provided for in items 542.11–.98 of the Tariff Schedules of the United States (hereinafter referred to as "sheet glass");

3. WHEREAS, pursuant to section 7 of the Trade Agreements Extension Act of 1951 and in accordance with Article XIX of the General Agreement on Tariffs and Trade (61 Stat. (pt. 5) A58; 8 UST (pt. 2) 1786), the President by Proclamation No. 3455 of March 19, 1962 (76 Stat. 1454), as modified by Proclamation No. 3458 of March 27, 1962 (76 Stat. 1457), proclaimed, effective after the close of business June 17, 1962, and until the President otherwise proclaimed, increased duties on imports of sheet glass;

4. WHEREAS, after compliance with the requirements of Section 102 of the Tariff Classification Act of 1962 (76 Stat. 73), the President by Proclamation No. 3548 of August 21, 1963 (77 Stat. 1017), proclaimed, effective on and after August 31, 1963, the Tariff Schedules of the United States (TSUS), which reflected, with modifications, and, in effect, superseded, Proclamation No. 3455 by providing for the increased duties on imports of sheet glass in Subpart A of Part 2 of the Appendix to the TSUS;

5. WHEREAS, pursuant to section 351(c)(1)(A) of the Trade Expansion Act of 1962 (19 U.S.C. 1981(c)(1)(A)) and in accordance with Article XIX of the General Agreement on Tariffs and Trade, the President by Proclamation No. 3762 of January 11, 1967 (81 Stat. 1076), terminated the increased duties on imports of certain sheet glass, and reduced the increased duties on other sheet glass;

6. WHEREAS, pursuant to section 351(c)(2) of the Trade Expansion Act of 1962 (19 U.S.C. 1981(c)(2)) and in accordance with Article XIX of the General Agreement on Tariffs and Trade, the President by Proclamation No. 3816 of October 11, 1967 (81 Stat. 1139) and Proclamation No. 3951 of December 24, 1969 (34 F.R. 20381), extended the remaining increased rates of duty on imports of sheet glass provided for in Subpart A of Part 2 of the Appendix to the TSUS to the close of March 31, 1970;

7. WHEREAS the United States Tariff Commission has submitted to me a report of its Investigation No. TEA–I–15 under section 301(b) of the Trade Expansion Act of 1962 (19 U.S.C. 1901(b)), on the basis of which investigation and a hearing duly held in connection therewith the members of said Commission divided, with respect to sheet glass, into two groups composed of an equal number of Commissioners, one group being unanimously agreed that sheet glass is, as a result in major part of concessions granted under trade agreements, being imported into the United States in such increased quantities as to cause serious injury to the domestic industry producing like or directly competitive articles; and the other group being unanimously agreed that sheet glass is not, as a result in major part of concessions granted under trade agreements, being imported into the United States in such increased quantities as to cause, or threaten to cause, serious injury to the domestic industry producing like or directly competitive articles;

8. WHEREAS under the authority of section 330(d)(1) of the Tariff Act of 1930, as amended (19 U.S.C. 1330(d)(1)), I consider the affirmative finding of the first group of Commissioners as the finding of the Tariff Commission with respect to injury; and

9. WHEREAS I have determined that the rates of duty hereinafter proclaimed are, when coupled with adjustment assistance hereinafter provided, necessary to remedy serious injury to the sheet glass industry:

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including sections 201(a)(2), 302(a)(2) and (3), and 351(a)(1) of the Trade Expansion Act of 1962 (19 U.S.C. 1821(a)(2), 19 U.S.C. 1902(a)(2) and (3), and 1981(a)(1)), and in accordance with Article XIX of the General Agreement on Tariffs and Trade, do proclaim that—

1. The tariff concessions on sheet glass in Part I of Schedule XX to the General Agreement on Tariffs and Trade shall continue to be modified in part as provided for in paragraph 2 below;

2. Effective with respect to articles entered, or withdrawn from warehouse, for consumption during the period commencing on the date of this proclamation and terminating at the close of January 31, 1974, so much of Subpart A of Part 2 of the Appendix to the TSUS as follows item 922.50 and precedes item 924.00 is modified to read as set out in the annex to this proclamation; and

3. Provision is hereby made, with respect to the sheet glass industry, that: (a) its firms may request the Secretary of Commerce for certifications of eligibility to apply for adjustment assistance under Chapter 2 of Title III of the Trade Expansion Act of 1962; and (b) its workers may request the Secretary of Labor for certifications of eligibility to apply for adjustment assistance under Chapter 3 of Title III of the Trade Expansion Act of 1962.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of February in the year of our Lord nineteen hundred and seventy, and of the Independence of the United States of America the one hundred and ninety-fourth.

Richard Nixon

		Effective on and after—			
		Feb. 27, 1970	Jan. 31, 1972	Jan. 31, 1973	
	Glass (including blown or drawn glass, but excluding cast or rolled glass and excluding pressed or molded glass) (whether or not containing wire netting), in rectangle, not ground, not polished and not otherwise processed, weighing over 16 oz. but not over 28 oz. per sq. ft., provided for in items 542.31–.35, inclusive, and 542.71–.75, inclusive, of part 3B of schedule 5:				
	Ordinary glass:				
	Weighing over 16 oz. but not over 28 oz. per sq. ft.:				
923.31	Measuring not over 40 united inches (item 542.31).	1.1¢ per lb	1¢ per lb	0.9¢ per lb	No change.
923.33	Measuring over 40 but not over 60 united inches (item 542.33).	1.5¢ per lb	1.3¢ per lb	1.1¢ per lb	No change.
923.35	Measuring over 60 but not over 100 united inches (item 542.35).	1.5¢ per lb	1.4¢ per lb	1.3¢ per lb	No change.
	Colored or special glass:				
	Weighing over 16 oz. but not over 28 oz. per sq. ft.:				
923.71	Measuring not over 40 united inches (item 542.71).	1.1¢ per lb. +2.5% ad val.	1¢ per lb. +2.5% ad val.	0.9¢ per lb. +2.5% ad val.	No change.
923.73	Measuring over 40 but not over 60 united inches (item 542.73).	1.5¢ per lb. +2.5% ad val.	1.3¢ per lb. +2.5% ad val.	1.1¢ per lb. +2.5% ad val.	No change.
923.75	Measuring over 60 but not over 100 united inches (item 542.75).	1.5¢ per lb. +2.5% ad val.	1.4¢ per lb. +2.5% ad val.	1.3¢ per lb. +2.5% ad val.	No change.

[F.R. Doc. 70-2650; Filed, Feb. 27, 1970; 4:46 p.m.]

Executive Order 11512

PLANNING, ACQUISITION, AND MANAGEMENT OF FEDERAL SPACE

By virtue of the authority vested in me by the Federal Property and Administrative Services Act of 1949, as amended, and as President of the United States, it is hereby ordered as follows:

SECTION 1. The Administrator of General Services (hereinafter termed "the Administrator") shall initiate and maintain plans and programs for the effective and efficient acquisition and utilization of federally owned and leased space located in the States of the United States or in the District of Columbia or in Puerto Rico (hereinafter termed "in the United States"), and for which the Administrator is responsible. The Administrator shall prepare and issue standards and criteria for the use of such space and shall periodically undertake surveys of space requirements and space utilization in the executive agencies and initiate actions and formulate programs to meet the essential space requirements of executive agencies. In carrying out these functions, the Administrator shall (a) coordinate proposed programs and plans for buildings and space with the Bureau of the Budget, (b) obtain from the Civil Service Commission, the Office of Emergency Preparedness, and the Department of Defense any information in the possession of those agencies which may bear upon such programs and plans, (c) coordinate proposed programs and plans for buildings and space in a manner designed to exert a positive economic and social influence on the development or redevelopment of the areas in which such facilities will be located, (d) seek the cooperation of the heads of the executive agencies concerned with any of the foregoing, and (e) annually submit long-range plans and programs for the acquisition, modernization, and use of space for approval by the President.

SEC. 2. (a) The Administrator, and the heads of executive agencies, shall be guided by the following policies for the acquisition, assignment, reassignment, and utilization of office buildings and space in the United States:

(1) Material consideration shall be given to the efficient performance of the missions and programs of the executive agencies and the nature and function of the facilities involved, with due regard for the convenience of the public served and the maintenance and improvement of safe and healthful working conditions for employees;

(2) Consideration shall be given in the selection of sites for Federal facilities to the need for development and redevelopment of areas and the development of new communities, and the impact a selection will have on improving social and economic conditions in the area. In determining these conditions the Administrator shall consult with and receive advice from the Secretary of Housing and Urban Development, the Secretary of Health, Education, and Welfare, the Secretary of Commerce, and others, as appropriate;

(3) Maximum use shall be made of existing Government-owned permanent buildings which are adequate or economically adaptable to the space needs of executive agencies;

(4) Suitable privately owned space shall be acquired only when satisfactory Government-owned space is not available, and only at rental charges which are consistent with prevailing rates in the community for comparable facilities;

(5) Space planning and assignments shall take into account the objective of consolidating agencies and constituent parts thereof in common or adjacent space for the purpose of improving management and administration;

(6) The availability of adequate low and moderate income housing, adequate access from other areas of the urban center, and adequacy of parking will be considered; and

(7) Proposed developments shall be, to the greatest extent practicable, consistent with State, regional, and local plans and programs; and Governors, local elected officials, and regional comprehensive planning agencies shall be consulted in the planning of such developments.

(b) The Administrator shall plan, acquire, and manage space in the United States upon his determination that such actions will serve to improve the management and administration of governmental activities and services, and will foster the programs and policies of the Federal Government. Prior to making such determinations, the Administrator shall consult with the heads of the executive agencies concerned and take into account their requirements, consistent with the criteria stated here and his other responsibilities. The Administrator shall advise the agency head in writing of his intended course of action and notify him that in the event of disagreement the affected agency head may within thirty days make a written request for review of the matter, through the Director of the Bureau of the Budget, to the President.

SEC. 3. The heads of executive agencies shall (a) cooperate with and assist the Administrator in carrying out his responsibilities respecting buildings and space, (b) take measures to give the Administrator early notice of new or changing space requirements, (c) seek to economize in their requirements for space, and (d) review continuously their needs for space in and near the District of Columbia, taking into account the feasibility of decentralizing services or activities which can be carried on elsewhere without excessive costs or significant loss of efficiency.

SEC. 4. The provisions of this order shall be subject to applicable provisions of law (including applicable provisions of any reorganization plan).

SEC. 5. Executive Order No. 11035 of July 9, 1962, is hereby superseded.

Richard Nixon

THE WHITE HOUSE,
February 27, 1970.

[F.R. Doc. 70-2649; Filed, Feb. 27, 1970; 4:45 p.m.]

Rules and Regulations

Title 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register

CFR CHECKLIST

1970 Issuances

This checklist, prepared by the Office of the Federal Register, is published in the first issue of each month. It is arranged in the order of CFR titles, and shows the issuance date and price of revised volumes of the Code of Federal Regulations issued to date during 1970. New units issued during the month are announced on the inside cover of the daily FEDERAL REGISTER as they become available.

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

CFR unit (as of Jan. 1, 1970):

		Price
7	Parts:	
	0–45 (Rev.)	$2.75
	945–980 (Rev.)	1.00
	981–999 (Rev.)	1.00
23	(Rev.)	.35
26	Parts:	
	1 (§§ 1.301–1.400) (Rev.)	1.00
	500–599 (Rev.)	1.75
	600–end (Rev.)	.65
29	Part 900–end (Rev.)	1.25
32	Parts:	
	400–589 (Rev.)	2.00
	590–699 (Rev.)	.75
44	(Rev.)	.45
49	Parts 1–199 (Rev.)	3.75

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

Subpart—United States Standards for Grades of Canned Grapefruit [1]

MISCELLANEOUS AMENDMENTS

The U.S. Standards for Grades of Canned Grapefruit (§§ 52.1141—52.1154) are hereby amended as hereinafter set forth. This action is pursuant to the authority contained in the Agricultural Marketing Act of 1946 (sec. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627).

Statement of consideration leading to these amendments. Standards of identity, quality, and fill of container for canned grapefruit were published in the FEDERAL REGISTER of November 22, 1969 (34 F.R. 18598), by the Food and Drug Administration of the U.S. Department of Health, Education, and Welfare. These standards are scheduled to become effective on March 22, 1970.

The sole purpose of the amendments to the USDA grade standards at this time is to bring certain portions of these marketing standards into conformance with the aforementioned Food and Drug standards—compliance with which is mandatory in interstate commerce.

The amendments will affect the U.S. Standards for Grades of Canned Grapefruit as follows:

(a) The product description (§ 52.1141) adopts the standards of identity to describe the composition, permitted additives, and similar characteristics of the product.

(b) Brix measurements of designated packing media are identical with the standards of identity except "Heavy Sirup" at 18° Brix and higher is retained, for marketing reasons.

(c) The amended standards permit no harmless extraneous material whereas one piece of such material is now permitted in Grade B.

(d) The Fill of Container (§ 52.1144) is amended to include a minimum drained weight of 50 percent by weight of the water capacity of the container and the drained weight procedure is adjusted slightly.

(e) Other changes are for purposes of presentation. The amendments are as follows:

1. In the Table of Contents, the following revisions are made: Sections 52.1143 and 52.1144 are amended to read:

Sec.
52.1143 Liquid media and Brix measurements.
52.1144 Fill of container.

2. Section 52.1141 is revised to read:

§ 52.1141 Product description.

Canned grapefruit is the clean, wholesome product as defined in the standards of identity for canned grapefruit (21 CFR 27.90; 34 F.R. 18598) issued pursuant to the Federal Food, Drug and Cosmetic Act.

3. Section 52.1143 is revised to read:

§ 52.1143 Liquid media and Brix measurements.

(a) "Cut-out" requirements for liquid media in canned grapefruit are not incorporated in the grades of the finished product since sirup, or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. The "cut-out" Brix measurements when applicable, are as follows:

Designation:	*Brix measurement*
Water (designation includes water and any grapefruit juice).	
Grapefruit juice	
Slightly sweetened water.	12° or more, but less than 16°.
Slightly sweetened grapefruit juice.	12° or more, but less than 16°.
Sirup	16° or more.
Grapefruit juice sirup	16° or more.

(b) For the purposes of these standards, sirup that tests 18° Brix, or more, may be considered as "Heavy Sirup".

4. Section 52.1144 is revised to read:

§ 52.1144 Fill of container.

(a) The fill of container for canned grapefruit is as set forth in the Regulations of the Food and Drug Administration (21 CFR 27.92; 34 F.R. 18598). Such regulations provide that:

(1) The grapefruit and packing medium occupy not less than 90 percent of the total capacity of the container.

(2) The drained weight of the grapefruit is not less than 50 percent of the water capacity of the container.

(b) Drained weight is determined by the following method: Tilt the opened container so as to distribute the contents evenly over the meshes of a circular sieve which has previously been weighed. The diameter of the sieve is 8 inches if the quantity of contents of the container is less than 3 pounds and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth that complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in table I of "Standard Specifications for Sieves," published March 1, 1940, in L.C. 584 of the U.S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, incline the sieve at an angle of 17° to 20° to facilitate drainage. Two minutes after the drainage begins, weigh the seive and drained grapefruit. The weight so found, less the weight of the sieve, shall be considered to be the weight of the drained grapefruit.

5. In § 52.1147, paragraph (a) is revised to read:

§ 52.1147 Drained weight.

(a) The drained weight of the canned grapefruit, determined by the method given in § 52.1144, is also a factor of quality.

* * * * *

6. In § 52.1150, subdivision (i) of subparagraph (2) of paragraph (c) is revised to read:

§ 52.1150 Defects.

* * * * *

(c) * * *

[1] Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable state laws and regulations.

(2) * * *

(i) No harmless extraneous material is present.

* * * * *

§ 52.1154 [Amended]

7. In § 52.1154 the eighth entry in the score sheet is revised to read:

Sirup designation (heavy, sirup, etc.)------

It is hereby found impractical and contrary to the public interest to engage in the rule making procedure or invite public comment because of the nature of the substantive changes. The changes are not in the purview of the U.S. Department of Agriculture and no good purpose would be served by such rule making procedure.

Effective date. The amendments to the U.S. Standards for Canned Grapefruit shall become effective on March 22, 1970, to coincide with effective date of the standards of identity for this product promulgated by the Food and Drug Administration.

(Sec. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627)

Dated: February 26, 1970.

G. R. GRANGE,
Deputy Administrator, Marketing Services.

[F.R. Doc. 70–2528; Filed, Mar. 2, 1970; 8:46 a.m.]

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

[Lemon Reg. 415, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

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) 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.

Order, as amended. The provisions in paragraph (b)(1)(iii) of § 910.715 (Lemon Regulation 415, 35 F.R. 3280) are hereby amended to read as follows:

§ 910.715 Lemon Regulation 415.

* * * * *

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

(iii) District 3: 23,250 cartons.

* * * * *

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

Dated: February 26, 1970.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 70–2569; Filed, Mar. 2, 1970; 8:49 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 30—RULES OF GENERAL APPLICABILITY TO LICENSING OF BYPRODUCT MATERIAL

PART 31—GENERAL LICENSES FOR CERTAIN QUANTITIES OF BYPRODUCT MATERIAL AND BYPRODUCT MATERIAL CONTAINED IN CERTAIN ITEMS

Exempt Concentrations and Generally Licensed Items

On November 13, 1969, the Atomic Energy Commission published in the FEDERAL REGISTER (34 F.R. 18178) proposed amendments to its regulations, 10 CFR Parts 30 and 31, which would (a) add to § 30.70 an exempt concentration value for strontium-85 and (b) revoke the general license in § 31.3(c) for a light meter containing strontium-90.

Interested persons were invited to submit written comments and suggestions for consideration in connection with the proposed amendments within 30 days after publication of the notice of proposed rule making in the FEDERAL REGISTER.

After consideration of the comments the Commission has adopted the proposed amendments. The text of the amendments set out below is identical with the text of the proposed amendments published on November 13, 1969.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of title 5 of the United States Code, the following amendments to Title 10, Chapter I, Code of Federal Regulations, Parts 30 and 31, are published as a document subject to codification, to be effective thirty (30) days after publication in the FEDERAL REGISTER.

1. Section 30.70 *Schedule A—Exempt concentrations,* of 10 CFR Part 30, is amended by adding the isotope Sr 85 next to the element Strontium and adding a concentration value of 1×10^{-3} for Sr 85 in Column II, as follows:

Element (atomic number)	Isotope	Column I: Gas concentration uc/ml [1]	Column II: Liquid and solid concentration uc/ml [2]
* * *	* * *	* * *	* * *
Strontium (38).....	Sr 85.....	.....	1×10^{-3}
* * *	* * *	* * *	* * *

2. Paragraph (c) *Light meter* of § 31.3 of 10 CFR Part 31 is revoked.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Germantown, Md., this 11th day of February 1970.

For the Atomic Energy Commission.

F. T. HOBBS,
Acting Secretary.

[F.R. Doc. 70–2524; Filed, Mar. 2, 1970; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 10147; Amdt. 95–190]

PART 95—IFR ALTITUDES

Miscellaneous Amendments

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 2, 1970, as follows:

1. By amending Subpart C as follows:

Section 95.102 *Amber Federal airway 2* is amended by adding:

From, To, and MEA
Bettles, Alaska, LF/RBN; *Coleville INT, Alaska; **10,000. *10,000—MCA Coleville INT, southeastbound; **9,000—MOCA.

From, To, and MEA

Coleville INT, Alaska; Chip River INT, Alaska; *#4,000. *3,600—MOCA. #10,000—MEA required without HF airborne communications equipment.

Chip River INT, Alaska; Point Barrow, Alaska, LF/RBN; *2,000. *1,900—MOCA.

Section 95.102 *Amber Federal airway 2* is amended to read in part:

Fairbanks, Alaska, LFR; Bettles, Alaska; LF/RBN; *5,500. *5,200—MOCA.

Section 95.115 *Amber Federal airway 15* is amended by adding:

Fairbanks, Alaska, LFR; Beaver INT, Alaska; *7,000. *6,000—MOCA.

Beaver INT, Alaska; *Chandalar Lake, Alaska; LF/RBN; **7,000. *8,000—MCA Chandalar Lake LF/RBN, northwestbound. **6,900—MOCA.

Chandalar Lake, Alaska, LF/RBN; Sagwon, Alaska, LF/RBN; 10,000.

*Sagwon, Alaska, LF/RBN; Franklin INT, Alaska; 3,000. *4,100—MCA Sagwon LF/RBN, southeastbound.

Franklin INT, Alaska; Prudhoe Bay, Alaska, LF/RBN; *2,000. *1,800—MOCA.

Prudhoe Bay, Alaska, LF/RBN; Oliktok, Alaska, LF/RBN; *2,000. *1,300—MOCA.

Section 95.626 *Blue Federal airway 26* is amended to read in part:

*Fairbanks, Alaska, LFR; Fort Yukon, Alaska, LF/RBN; **7,000. *3,100—MCA Fairbanks LFR, northeastbound. **6,800—MOCA.

Fort Yukon, Alaska, LF/RBN; *Barter Island, Alaska, LF/RBN; **12,000. *5,000—MCA Barter Island LF/RBN, southeastbound. **10,800—MOCA.

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

Dozier INT, Ala. (CEW 028/OZR 268); Andalusia INT, Ala. (VPS 360/MVC 101/OZR 268); *2,000. *1,700—MOCA.

Lumpkin INT, Ga.; INT, 323° M rad, Albany VOR and 218° M rad, Columbus VOR; *2,400. *1,600—MOCA.

Atlantic City, N.J., VOR; White Horse INT, N.J.; 1,600.

White Horse INT, N.J.; Coyle, N.J., VOR; 1,700.

White Horse INT, N.J.; Green Bank INT, N.J.; 1,600.

Bettles, Alaska, NDB; Chip River INT, Alaska; *10,000. *9,800—MOCA.

Bettles, Alaska, LF/RBN; *Coleville INT, Alaska; **10,000. *5,000—MCA Coleville INT, southeastbound. **9,000—MOCA.

Coleville INT, Alaska; Chip River INT, Alaska; *4,000. *3,600—MOCA. *10,000—MEA required without HF airborne communications equipment.

Chip River INT, Alaska; Point Barrow, Alaska, LF/RBN; *2,000. *1,900—MOCA.

Fairbanks, Alaska, LFR; Beaver INT, Alaska; *7,000. *6,000—MOCA.

Beaver INT, Alaska; *Chandalar, Alaska, LF/RBN; **7,000. *8,000—MCA Chandalar LF/RBN northwestbound. **6,900—MOCA.

*Chandalar Lake, Alaska, LF/RBN; **Sagwon, Alaska, LF/RBN; 10,000. *8,000—MCA Chandalar Lake LF/RBN, northwestbound. **4,100—MCA Sagwon LF/RBN southeastbound.

Sagwon, Alaska, LF/RBN; Franklin INT, Alaska; 3,000.

Franklin INT, Alaska; Prudhoe Bay, Alaska, LF/RBN; *2,000. *1,800—MOCA.

Prudhoe Bay, Alaska, NDB; Oliktok, Alaska, NDB; *2,000. *1,300—MOCA.

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

From, To, and MEA

Binghamton, N.Y., VOR; Georgetown, N.Y., VOR; 3,900.

Georgetown, N.Y., VOR; Vernon INT, N.Y.; 3,900.

Groton, Conn., VOR; INT, 264° M rad, Groton VOR and 241° M rad, Norwich VOR; *2,000. *1,400—MOCA.

Atlantic City, N.J., VOR; Crescent INT, N.J.; 1,400.

Atlantic City, N.J., VOR; Brigantine INT, N.J.; 1,500.

Kennedy, N.Y., VOR; Bridgeport, Conn., VOR; 2,000.

Stillwater, N.J., VOR; Monroe INT, N.Y.; 3,000.

Allentown, Pa., VOR; Stillwater, N.J., VOR; *3,300. *3,000—MOCA.

Allentown, Pa., VOR; INT, 069° M rad, Allentown VOR and 292° M rad, Kennedy VOR; *3,300. *3,000—MOCA.

Kennedy, N.Y., VOR; INT 292° M rad, Kennedy VOR and 069° M rad, Allentown VOR; *7,000. *2,300—MOCA.

Allentown, Pa., VOR; Pottstown, Pa., VOR; *2,700. *2,500—MOCA.

Alpine, N.Y., RBN; Gibson INT, N.Y.; *3,800. *3,100—MOCA.

Alpine, N.Y., RBN; Thurston INT, N.Y.; 3,700. *3,000—MOCA.

Binghamton, N.Y., VOR; Alpine, N.Y., RBN; 3,700. *3,000—MOCA.

Binghamton, N.Y., VOR; Williamsport, Pa., VOR; *4,300. *3,300—MOCA.

East Texas, Pa., VOR; Solberg, N.J., VOR; *2,700. *2,500—MOCA.

East Texas, Pa., VOR; Ravine, Pa., VOR; *3,400. *2,700—MOCA.

Ithaca, N.Y., VOR; Gibson INT, N.Y.; *3,500. *3,100—MOCA.

Pottstown, Pa., VOR; Boyer INT, Pa.; *2,800. *2,100—MOCA.

Ravine, Pa., VOR; Hamburg INT, Pa.; *3,400. *2,700—MOCA.

Ravine, Pa., VOR; Wilkes-Barre, Pa., VOR; *4,000. *3,900—MOCA.

Manta INT, N.J.; CAE 1147 via 122° M rad, Robbinsville VOR; *6,000. *2,000—MOCA.

Hancock, N.Y., VOR; 30 NM 032° M rad, Hancock VOR; *3,900. *3,200—MOCA.

Florence, S.C., VOR; Floyd INT, S.C.; *2,500. *1,900—MOCA.

Floyd INT, S.C.; Lakeview INT, S.C.; 3,100.

Lakeview INT, S.C.; Delco INT, N.C.; *3,100. *2,000—MOCA.

Delco INT, N.C.; Wilmington, N.C., VOR; 2,000.

Fayetteville, N.C., VOR; Kinston, N.C., VOR; *2,000. *1,500—MOCA.

Natchez, Miss., VOR; Vicksburg, Miss., RBN; *2,000. *1,600—MOCA.

Reno, Nev., VOR; INT—180° M rad, Reno, Nev., VOR and 064° M rad, Modesto, Calif., VOR; *24,000. *1,300—MOCA. MAA—39,000.

INT, 180° M rad, Reno, Nev., VOR and 064° M rad, Modesto, Calif., VOR; Modesto, Calif., VOR; *18,000. *6,200-MOCA. MAA—39,000.

Ventura, Calif., VORTAC; Big Sur, Calif., VORTAC COP 125 VTU; *18,000. *8,800—MOCA. MAA—31,000.

Marlin INT, Calif.; Barnacle INT, Calif.; *8,000. *1,000—MOCA. MAA—41,000.

Barnacle INT, Calif.; Outrigger INT, Calif.; *8,000. *1,000—MOCA. MAA—41,000.

Outrigger INT, Calif.; San Diego, Calif., VORTAC; 5,000. 3,000—MOCA. MAA—41,000.

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

Gossett INT, Ala.; La Grange, Ga., VOR; *4,000. *2,900—MOCA.

From, To, and MEA

Cairns, Ala., VOR; Andalusia INT, Ala.; *2,000. *1,700—MOCA.

Albany, Ga., VOR; Brooklyn INT, Ga; 2,500.

Brooklyn INT, Ga.; INT, 115° M rad, Tuskegee VOR and 218° M rad, Columbus VOR; *2,400. *1,600.

Norway INT, S.C.; Vance, S.C., VOR; *2,000. *1,700—MOCA.

INT, 298° M rad, Charleston VOR and 170° M rad, Columbia VOR; Columbia, S.C., VOR; *3,000. *1,700—MOCA.

Tuscola, Tex., VOR; Llano, Tex., VOR; *4,500. *3,900—MOCA.

Bahama Routes

52V;

Mango INT, Fla.; Nassau, Bahama, VOR; *5,000. *1,200—MOCA

Section 95.6001 *VOR Federal airway 1* is amended to read in part:

Myrtle Beach, S.C., VOR; *Chatham INT, N.C.; **2,000. *3,000—MRA. **1,600—MOCA.

Chatham INT, N.C.; *Green INT, N.C.; **2,000. *3,000—MRA. **1,600—MOCA.

Green INT, N.C.; *Swamp INT, N.C.; **2,000. *3,000—MRA. **1,600—MOCA.

Waterloo, Del., VOR; Coyle, N.J., VOR; 1,800.

Section 95.6002 *VOR Federal airway 2* is amended to read in part:

Utica, N.Y., VOR; Norway INT, N.Y.; *3,500. *2,800—MOCA.

Norway INT, N.Y.; *Mariaville INT, N.Y.; **3,500. *3,500—MRA. **2,600—MOCA.

Marshall INT, Wis.; Watertown INT, Wis.; *2,700. *2,300—MOCA.

Watertown INT, Wis.; Milwaukee, Wis., VOR; *2,700. *2,200—MOCA.

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

Modena, Pa., VOR; Fraser INT, Pa.; 2,300.

Fraser INT, Pa.; Lansdale INT, Pa.; 2,400.

Lansdale INT, Pa.; Dublin INT, Pa.; 2,200.

Dublin INT, Pa.; Turner INT, Pa.; 2,300.

Turner INT, Pa.; INT, 112° M rad, East Texas VOR and 237° M rad, Solberg VOR; 2,200.

INT 112° M rad, East Texas VOR and 237° M rad, Solberg VOR; Solberg, N.J., VOR; 2,000.

Solberg, N.J., VOR; Carmel, N.Y., VOR; 2,000.

Carmel, N.Y., VOR; Long Hill INT, Conn; 2,000.

Long Hill INT, Conn; Ranger INT, Conn.; 2,500.

Ranger INT, Conn; Bethany INT, Conn.; 2,600.

Eagle INT, Conn.; *LeRoy INT, Mass.; **3,000. *4,500—MRA. **2,500—MOCA.

LeRoy INT, Mass.; Weston INT, Mass.; *4,500. *2,000—MOCA.

Weston INT, Mass.; Brookline INT, Mass.; *2,300. *1,800—MOCA.

Brookline INT, Mass.; Boston, Mass., VOR; 2,300.

Section 95.6006 *VOR Federal airway 6* is amended to delete:

Allentown, Pa., VOR; Solberg, N.J., VOR; 2,800.

Solberg, N.J., VOR; Amboy INT, N.J.; 2,000.

Section 95.6006 *VOR Federal airway 6* is amended to read in part:

Lucin, Utah, VOR; *Ogden, Utah, VOR; 9,000. *11,800—MCA Ogden VOR, eastbound.

Ogden, Utah, VOR; Fort Bridger, Wyo., VOR; *12,000. *11,600—MOCA.

Selingsgrove, Pa., VOR; Allentown, Pa., VOR; *5,000. *2,900—MOCA.

Section 95.6007 *VOR Federal airway 7* is amended to read in part:

From, To, MEA

Fort Myers, Fla., VOR; Arcadia INT, Fla.; *2,000. *1,500—MOCA.
Menominee, Mich., VOR; Escanaba, Mich., VOR; *2,400. *2,100—MOCA.

Section 95.6008 *VOR Federal airway 8* is amended to read in part:

Hayes Center, Nebr., VOR via S alter.; *Village INT, Nebr., via S alter.; **6,000. *4,400—MRA. **4,100—MOCA.
Village INT, Nebr., via S alter.; Grand Island, Nebr., VOR via S alter.; *4,400. *3,700—MOCA.

Section 95.6012 *VOR Federal airway 12* is amended to read in part:

St. Thomas, Pa., VOR via S alter.; Roxbury INT, Pa., via S alter.; *5,000. *4,500—MOCA.
Roxbury INT, Pa., via S alter.; Harrisburg, Pa., VOR via S alter.; 3,000.

Section 95.6014 *VOR Federal airway 14* is amended to read in part:

Gardner, Mass., VOR; Weston INT, Mass.; *3,700. *3,100—MOCA.
Weston INT, Mass.; Brookline INT, Mass.; *2,300. *1,800—MOCA.
Brookline INT, Mass.; Boston, Mass, VOR; 2,300.

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

Coyle, N.J., VOR; Cassville INT, N.J.; 1,900.
Cassville INT, N.J.; Kennedy, N.Y., VOR; *1,900. *1,600—MOCA.
Kennedy, N.Y., VOR; Deer Park, N.Y., VOR; *1,800. *1,600—MOCA.
Deer Park, N.Y., VOR; Riverhead, N.Y., VOR; *1,800. *1,600—MOCA.

Section 95.6017 *VOR Federal airway 17* is amended to read in part:

Mineral Wells, Tex., VOR; Bridgeport, Tex., VOR; *3,000. *2,500—MOCA.
Alex INT, Okla.; Oklahoma City, Okla., VOR; *2,800. *2,700—MOCA.

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

Augusta, Ga., VOR; *Langley INT, S.C.; 2,900. *2,900—MCA Langley INT, southwestbound.
Langley INT, S.C.; *Norway INT, S.C.; **3,000. *4,000—MCA Norway INT, eastbound. **1,600—MOCA.
Norway INT, S.C.; St. George INT, S.C.; *4,000. *1,600—MOCA.
Augusta, Ga., VOR; via S alter.; Sardis INT, Ga.; via S alter.; *2,000. *1,900—MOCA.

Section 95.6026 *VOR Federal airway 26* is amended to read in part:

Cherokee, Wyo., VOR; *Alcova INT, Wyo.; 11,600. *9,700—MRA.

Section 95.6027 *VOR Federal airway 27* is amended to read in part:

Fortuna, Calif., VOR; Crescent City, Calif., VOR; 3,000.

Section 95.6029 *VOR Federal airway 29* is amended to read in part:

Pottstown, Pa., VOR; *Howard INT, Pa.; 2,900. *4,000—MRA.
Howard INT, Pa.; East Texas, Pa., VOR; 2,900.
East Texas, Pa., VOR; White Haven INT, Pa.; 3,400.
White Haven INT, Pa.; Wilkes-Barre, Pa., VOR; 4,000.

From, To, MEA

Wilkes-Barre, Pa., VOR; Scranton INT, Pa.; *4,000. *3,700—MOCA.
Scranton INT, Pa.; Dalton INT, Pa.; 3,600.
Dalton INT, Pa.; Binghampton, N.Y., VOR; *3,600. *3,500—MOCA.

Section 95.6030 *VOR Federal airway 30* is amended to read in part:

Coopersburg INT, Pa.; INT, 112° M rad, East Texas VOR and 265° M rad, Solberg VOR; *2,700. *2,500—MOCA.
INT 112° M rad, East Texas VOR and 265° M rad, Solberg VOR; Solberg, N.J., VOR; 2,700.

Section 95.6033 *VOR Federal airway 33* is amended to read in part:

Harrisburg, Pa., VOR; Greenpark INT, Pa.; 3,000.
Greenpark INT, Pa.; Philipsburg, Pa., VOR; 4,000.

Section 95.6034 *VOR Federal airway 34* is amended to read in part:

Carmel, N.Y., VOR; Saybrook INT, Conn.; 2,000.

Section 95.6035 *VOR Federal airway 35* is amended to read in part:

Montezuma INT, Ga., via W alter.; Macon, Ga., VOR via W alter.; 2,000.

Section 95.6036 *VOR Federal airway 36* is amended to read in part:

Lake Henry, Pa., VOR; INT, 146° M rad, Lake Henry VOR and 301° M rad Sparta VOR; 4,000.
INT, 146° M rad, Lake Henry VOR and 301° M rad, Sparta VOR; Sparta, N.J., VOR; *3,400. *3,300—MOCA.
Sparta, N.J., VOR; Empire INT, N.Y.; *3,000. *2,700—MOCA.
Empire INT, N.Y.; Kennedy, N.Y., VOR; 2,700.

Section 95.6044 *VOR Federal airway 44* is amended to read in part:

Kenton, Del., VOR; Atlantic City, N.J., VOR; 1,800.
Atlantic City, N.J., VOR; Lighthouse INT, N.J.; 1,800.
Lighthouse INT, N.J.; Southgate INT, N.J.; *8,000. *2,000—MOCA.
Southgate INT, N.J.; Deer Park, N.Y., VOR; *4,000. *2,000—MOCA.

Section 95.6045 *VOR Federal airway 45* is amended to read in part:

Raleigh-Durham, N.C., VOR; Chapel Hill INT, N.C.; *2,500. *2,000—MOCA.
Chapel Hill INT, N.C.; Kimes INT, N.C.; *3,000. *2,500—MOCA.

Section 95.6046 *VOR Federal airway 46* is amended to read:

Deer Park, N.Y., VOR; Riverhead, N.Y., VOR; *1,800. *1,600—MOCA.
Riverhead, N.Y., VOR; Hampton, N.Y., VOR; *1,800. *1,600—MOCA.
Hampton, N.Y., VOR; Nantucket, Mass., VOR; 2,500.

Section 95.6053 *VOR Federal airway 53* is amended to read in part:

St. George INT, S.C.; *Ernies INT, S.C.; **2,200. *2,500—MRA. **1,700—MOCA.
Ernies INT, S.C.; Columbia, S.C., VOR; *2,200. *1,700—MOCA.

Section 95.6056 *VOR Federal airway 56* is amended to read in part:

Junction INT, Ga.; *Butler INT, Ga.; **2,400. *3,800—MRA. **1,900—MOCA.
Butler INT, Ga.; Roberta INT, Ga.; *2,400. *1,900—MOCA.

From, To, MEA

Augusta, Ga., VOR via S alter.; *Langley INT, S.C., via S alter.; 2,900. *2,900—MCA Langley INT southwestbound.
Langley INT, S.C., via S alter.; Columbia, S.C., VOR via S alter.; *2,300. *1,700—MOCA.

Section 95.6067 *VOR Federal airway 67* is mended to read in part:

Atterberry INT, Ill.; Bader INT, Ill.; *2,400. *1,900—MOCA.
Bader INT, Ill.; Burlington, Iowa, VOR; *2,500. *2,200—MOCA.

Section 95.6070 *VOR Federal airway 70* is amended to read in part:

Eufaula, Ala., VOR via N alter.; Bryon INT, Ga., via N alter.; 2,000.
Byron INT, Ga., via N alter.; Macon, Ga., VOR via N alter.; *3,000. *2,000—MOCA.

Section 95.6077 *VOR Federal airway 77* is amended to read in part:

Alex INT, Okla., via E alter.; Oklahoma City, Okla., VOR via E alter.; *2,800. *2,700—MOCA.
Ponca City, Okla., VOR; Mayfield INT, Kans.; *3,000. *2,500—MOCA.

Section 95.6091 *VOR Federal airway 91* is amended to read in part:

Riverhead, N.Y., VOR; Seymour INT, Conn.; 2,300.
Seymour INT, Conn.; Pawling, N.Y., VOR; 3,000.

Section 95.6093 *VOR Federal airway 93* is amended to read in part:

Lancaster, Pa., VOR; Hamburg INT, Pa.; 3,400.
Hamburg INT, Pa.; Freeland INT, Pa.; 4,000.
Freeland INT, Pa.; Wilkes-Barre, Pa., VOR; *4,000. *3,500—MOCA.
Wilkes-Barre, Pa., VOR; Lake Henry, Pa., VOR; 4,000.
Lake Henry, Pa., VOR; Pawling, N.Y., VOR; 4,000.

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

Montezuma INT, Ga., via E alter.; *Butler INT, Ga., via E alter.; **5,000. *3,800—MRA. **1,800—MOCA.

Section 95.6099 *VOR Federal airway 99* is added to read:

Bridgeport, Conn., VOR; Wallingford INT, Conn.; *2,600. *2,500—MOCA.
Wallingford INT, Conn.; Hartford, Conn., VOR; 2,600.

Section 95.6116 *VOR Federal airway 116* is amended to read in part:

Lake Henry, Pa., VOR; Greenwood INT, N.J.; 4,000. *7,500—MCA Greenwood INT, southeastbound.
Greenwood INT, N.J.; Deer Park, N.Y., VOR; *7,500. *2,500—MOCA.
Quincy, Ill., VOR; Bader INT, Ill.; *2,500. *1,800—MOCA.
Bader INT, Ill.; Canton INT, Ill.; *2,500. *2,000—MOCA.

Section 95.6123 *VOR Federal airway 123* is amended to read in part:

Washington, D.C., VOR; Bowie INT, Md.; 2,000.
Bowie INT, Md.; Swan Point INT, Md.; 3,000.
Robbinsville, N.J., VOR; LaGuardia, N.Y., VOR; 2,700.

Section 95.6126 *VOR Federal airway 126* is amended to delete:

Huguenot, N.Y., VOR; Cadet INT, N.Y.; 3,400.
Cadet INT, N.Y.; Peekskill INT, N.Y.; 3,000.

From, To, MEA

Peekskill INT, N.Y.; Carmel, N.Y., VOR; 2,700.
Carmel, N.Y., VOR; Saybrook INT, Conn.; 2,000.

Section 95.6132 *VOR Federal airway 132* is amended to read in part:

Nashville INT, Mo.; Springfield, Mo., VOR; *3,000. *2,500—MOCA.

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

Cofield, N.C., VOR; Sunbury INT, N.C.; *2,000. *1,200—MOCA.
Sea Isle, N.J., VOR; Brigantine INT, N.J.; 2,000.
Brigantine INT, N.J.; Harbor INT, N.J.; *3,000. *2,000—MOCA.
Harbor INT, N.J.; Shark INT, N.J.; *5,000. *2,000—MOCA.
Shark INT, N.J.; Manta INT, N.J.; *6,000. *2,000—MOCA.
Manta INT, N.J.; Porpoise INT, N.J.; *5,000. *2,000—MOCA.
Porpoise INT, N.J.; Beach INT, N.J.; 3,000.

Section 95.6143 *VOR Federal airway 143* is amended by adding:

Martinsburg, W. Va., VOR via N alter.; Hampton INT, Pa.; via N alter.; *4,000. *3,300—MOCA.
Hampton INT, Pa., via N alter.; Lancaster, Pa. VOR via N alter.; 3,000.

Section 95.6147 *VOR Federal airway 147* is amended to read in part:

Pottstown, Pa., VOR; *Howard INT, Pa.; 2,900. *4,000—MRA.
Howard INT, Pa.; East Texas, Pa., VOR; 2,900.
East Texas, Pa., VOR; White Haven INT, Pa.; 3,400.
White Haven INT, Pa.; Wilkes-Barre, Pa., VOR; 4,000.

Section 95.6149 *VOR Federal airway 149* is amended to delete:

Binghamton, N.Y., VOR; Georgetown, N.Y., VOR; 3,900.
Georgetown, N.Y., VOR; Vernon INT, N.Y.; 3,900.
Vernon INT, N.Y.; Utica, N.Y., VOR; *3,200. *2,600—MOCA.

Section 95.6149 *VOR Federal airway 149* is amended to read in part:

Turner INT, Pa.; Allentown, Pa., VOR; *2,700. *2,500—MOCA.
Lake Henry, Pa., VOR; Binghamton, N.Y., VOR; 4,000.
Allentown, Pa., VOR; Lake Henry, Pa., VOR; 4,000.

Section 95.6153 *VOR Federal airway 153* is amended to read in part:

Stillwater, N.J., VOR; Lake Henry, Pa., VOR; 4,000.
Lake Henry, Pa., VOR; Hancock, N.Y., VOR; 4,400.
Hancock, N.Y., VOR; Oxford INT, N.Y.; 4,200.
Oxford INT, N.Y.; Georgetown, N.Y., VOR; 3,900.

Section 95.6157 *VOR Federal airway 157* is amended to read in part:

Newcastle, Del., VOR; Mount Holly INT, N.J.; *2,000. *1,800—MOCA.
Mount Holly INT, N.J.; Robbinsville, N.J., VOR; 2,000.
Colts Neck, N.J., VOR; Empire INT, N.Y.; 2,700.
Empire INT, N.Y.; Kingston, N.Y., VOR; *3,000. *2,700—MOCA.

Section 95.6159 *VOR Federal airway 159* is amended to read in part:

From, To, MEA

Dogwood, Mo., VOR; Ford DME Fix, Mo.; 4,000.

Section 95.6162 *VOR Federal airway 162* is amended to read in part:

Harrisburg, Pa., VOR; Hershey INT, Pa.; *3,000. *2,700—MOCA.
Hershey INT, Pa.; Aetna INT, Pa.; *3,000. *1,800—MOCA.
Aetna INT, Pa.; Auburn INT, Pa.; 3,400.

Section 95.6163 *VOR Federal airway 163* is amended to read in part:

Mineral Wells, Tex., VOR; Bridgeport, Tex., VOR. *3,000. *2,500—MOCA.
Alex INT, Okla., via W alter.; Oklahoma City, Okla., VOR via W alter.; *2,800. *2,700—MOCA.

Section 95.6167 *VOR Federal airway 167* is amended to read in part:

Hancock, N.Y., VOR; Kingston, N.Y., VOR; 4,000.
Kingston, N.Y., VOR; Gaylord INT, N.Y.; 3,000.
Gaylord INT, N.Y.; Hartford, Conn., VOR; *3,000. *2,200—MOCA.

Section 95.6171 *VOR Federal airway 171* is amended to read in part:

Danville, Ill., VOR; Peotone, Ill., VOR; *2,500. *2,300—MOCA.

Section 95.6177 *VOR Federal airway 177* is amended to read in part:

Janesville, Wis., VOR; Madison, Wis., VOR; *2,800. *2,300—MOCA.

Section 95.6184 *VOR Federal airway 184* is amended to read in part:

Philipsburg, Pa., VOR; Greenpark INT, Pa.; 4,000.
Greenpark INT, Pa.; Harrisburg, Pa., VOR; 3,000.

Section 95.6185 *VOR Federal airway 185* is amended to read in part:

Savannah, Ga., VOR; Dover INT, Ga.; *1,900. *1,400—MOCA.
Dover INT, Ga.; Sardis INT, Ga.; *2,500. *1,200—MOCA.
Sardis INT, Ga.; Augusta, Ga., VOR; *2,200. *1,900—MOCA.

Section 95.6188 *VOR Federal airway 188* is amended to delete:

Wilkes-Barre, Pa., VOR; Pocono INT, Pa.; 4,000.
Pocono INT, Pa.; Tannersville, Pa., VOR; 3,800.

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

*Yager INT, Calif.; Fortuna, Calif., VOR; **6,000. *7,000—MCA Yager INT, eastbound. **5,800—MOCA.

Section 95.6205 *VOR Federal airway 205* is added to read:

Sparta, N.J., VOR; Monroe INT, N.Y.; *3,000. *2,800—MOCA.
Monroe INT, N.Y.; INT. 034° M rad, Sparta VOR and 250° M rad, Pawling VOR; 3,000.
INT, 034° M rad, Sparta VOR and 250° M rad, Pawling VOR; Pawling, N.Y., VOR; *3,000. *2,600—MOCA.
Pawling, N.Y., VOR; Meadow INT, Conn.; *3,800. *2,700—MOCA.
Meadow INT, Conn.; *Leroy INT, Mass.; **6,500. *4,500—MRA. **2,200—MOCA.

From, To, MEA

Leroy INT, Mass.; Weston INT, Mass.; *4,500. *2,000—MOCA.
Weston INT, Mass.; Brookline INT, Mass.; *2,300. *1,800—MOCA.
Brookline INT, Mass.; Boston, Mass., VOR; 2,300.

Section 95.6210 *VOR Federal airway 210* is amended to read in part:

Reservoir INT, N. Mex.; *Alamosa, Colo., VOR; 14,800. *10,600—MCA Alamosa VOR, westbound.

Section 95.6213 *VOR Federal airway 213* is amended to delete:

Robbinsville, N.J., VOR; Kennedy, N.Y., VOR; 2,000.

Section 95.6213 *VOR Federal airway 213* is amended to read in part:

Myrtle Beach, S.C., VOR; Bolton INT, N.C.; *3,000. *1,400—MOCA.
Bolton INT, N.C.; Wallace INT, N.C.; *4,000. *1,400—MOCA.

Section 95.6229 *VOR Federal airway 229* is added to read:

Kennedy, N.Y., VOR; Duffy INT, N.Y.; *1,800. *1,500—MOCA.
Duffy INT, N.Y.; Oakwood INT, N.Y.; *2,000. *1,500—MOCA.
Oakwood INT, N.Y.; Belle Terre INT, N.Y.; *2,000. *1,600—MOCA.
Belle Terre INT, N.Y.; Madison, Conn., VOR; 2,000.
Madison, Conn., VOR; Hartford, Conn., VOR; *2,600. *2,500—MOCA.
Hartford, Conn., VOR; Eagle INT, Conn.; *2,700, *2,000—MOCA.
Eagle INT, Conn.; *Leroy INT, Mass.; **3,000. *4,500—MRA. **2,500—MOCA.
Leroy INT, Mass.; Millbury INT, Mass.; *3,000. *2,000—MOCA.
Millbury INT, Mass.; Gardner, Mass., VOR; *3,300. *2,700—MOCA.

Section 95.6232 *VOR Federal airway 232* is amended to read in part:

Milton, Pa., VOR; Freeland INT, Pa.; 4,000.
Freeland INT, Pa.; Broadway INT, N.J.; *7,000. *4,000—MOCA.
Broadway INT, N.J.; Kennedy, N.Y., VOR; *6,000. *2,700—MOCA.

Section 95.6249 *VOR Federal airway 249* is amended to read in part:

Sparta, N.J., VOR; Monroe INT, N.Y.; *3,000. *2,800—MOCA.
Monroe INT, N.Y.; INT, 034° M rad, Sparta VOR and 250° M rad, Kingston VOR; 3,000.
INT, 034° M rad, Sparta VOR and 250° M rad, Kingston VOR; INT, 034° M rad, Sparta VOR and 142° M rad, DeLancey VOR; 4,000.
INT, 034° M rad, Sparta VOR and 142° M rad, DeLancey VOR; DeLancey, N.Y., VOR; 5,700.

Section 95.6252 *VOR Federal airway 252* is amended to delete:

Huguenot, N.Y., VOR; Sparta, N.J., VOR; 3,500.
Sparta, N.J., VOR; INT, 061° M rad, Solberg VOR and 155° M rad, Sparta VOR; 3,000.

Section 95.6254 *VOR Federal airway 254* is deleted.

Section 95.6265 *VOR Federal airway 265* is amended to read in part:

Harrisburg, Pa., VOR; Greenpark INT, Pa.; 3,000.
Greenpark INT, Pa.; Philipsburg, Pa., VOR; 4,000.

Section 95.6270 *VOR Federal airway 270* is amended to read in part:

From, To, MEA

DeLancey, N.Y., VOR; Turnwood INT, N.Y.; *6,000. *4,600—MOCA.
Turnwood INT, N.Y.; *Athens INT, N.Y.; **6,000. *4,000—MCA Athens INT, westbound. **4,200—MOCA.

Section 95.6273 *VOR Federal airway 273* is amended to read in part:

INT, 061° M rad, Solberg VOR and 144° M rad, Sparta VOR; Sparta, N.J., VOR; 3,000.
Sparta, N.J., VOR; Rowlands INT, N.Y.; 3,500.
Rowlands INT, N.Y.; Hancock, N.Y., VOR; 4,000.

Section 95.6276 *VOR Federal airway 276* is amended to read in part:

Robbinsville, N.J., VOR; Cassville INT, N.J.; *1,800. *1,500—MOCA.
Cassville INT, N.J.; Manta INT, N.J.; *5,000. *2,500—MOCA.
Fleetwood INT, Pa.; *Howard INT, Pa.; 4,000. *4,000—MRA.
Howard INT, Pa.; Yardley, Pa., VOR; 4,000.

Section 95.6278 *VOR Federal airway 278* is amended to read in part:

Flat Creek INT, Ala.; Birmingham, Ala., VOR; *2,200. *2,000—MOCA.

Section 95.6290 *VOR Federal airway 290* is amended to read in part:

Franklin, Va., VOR; Sunbury INT, N.C.; 2,500.

Section 95.6292 *VOR Federal airway 292* is amended to delete:

Budd Lake INT, N.J.; Sparta, N.J., VOR; 3,000.

Section 95.6292 *VOR Federal airway 292* is amended to read in part:

Long Hill INT, Conn.; Ranger INT, Conn.; 2,500.
Ranger INT, Conn.; Bethany INT, Conn.; 2,600.
Putnam, Conn., VOR; Weston INT, Mass.; *2,600. *2,000—MOCA.
Weston INT, Mass.; Brookline INT, Mass.; *2,300. *1,800—MOCA.
Brookline INT, Mass.; Boston, Mass., VOR; 2,300.

Section 95.6298 *VOR Federal airway 298* is amended to read in part:

Pendleton, Oreg., VOR; McCall, Idaho, VOR; 12,000.

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

Sea Isle, N.J., VOR; Brigantine INT, N.J.; 2,000.
Brigantine INT, N.J.; Harbor INT, N.J.; *3,000. *2,000—MOCA.
Harbor INT, N.J.; Shark INT, N.J.; *5,000. *2,000—MOCA.
Shark INT, N.J.; Manta INT, N.J.; *6,000. *2,000—MOCA.
Manta INT, N.J.; Porpoise INT, N.J.; *5,000. *2,000—MOCA.
Porpoise INT, N.J.; Beach INT, N.Y.; 3,000.
Putnam, Conn., VOR; Weston INT, Mass.; *2,600. *2,000—MOCA.
Weston INT, Mass.; Brookline INT, Mass.; *2,300. *1,800—MOCA.
Brookline INT, Mass.; Boston, Mass. VOR; 2,300.

Section 95.6310 *VOR Federal airway 310* is amended to read in part:

Kimes INT, N.C.; Chapel Hill INT, N.C.; *3,000. *2,500—MOCA.

From, To, MEA

Chapel Hill INT, N.C.; Raleigh-Durham, N.C., VOR; *2,500. *2,000—MOCA.

Section 95.6312 *VOR Federal airway 312* is amended to read:

Coyle, N.J., VOR; Lighthouse INT, N.J.; 1,900.
Lighthouse INT, N.J.; Shark INT, N.J.; *3,000. *2,000—MOCA.

Section 95.6328 *VOR Federal airway 328* is amended to read in part:

*Jackson, Wyo., VOR; **Dubois, Idaho, VOR; 15,000. 14,300—MCA Jackson VOR, westbound. **8,900—MCA Dubois VOR, eastbound.

Section 95.6433 *VOR Federal airway 433* is amended to read in part:

Washington, D.C., VOR; Bowie INT, Md.; 2,000.
Bowie INT, Md.; Swan Point INT, Md.; 3,000.
Yardley, Pa., VOR; Amboy INT, N.J.; *2,000. *1,600—MOCA.
Amboy INT, N.J.; LaGuardia, N.Y., VOR; 2,500.
LaGuardia, N.Y., VOR; Merritt INT, Conn.; 2,000.
Merritt INT, Conn.; Seymour INT, Conn.; *3,000. *2,000—MOCA.
Seymour INT, Conn.; Terryville INT, Conn.; *2,700. *2,500—MOCA.
Terryville INT, Conn.; INT, 027° M rad, Bridgeport VOR and 293° M rad, Hartford VOR; 2,700.

Section 95.6449 *VOR Federal airway 449* is amended to read:

Lake Henry, N.Y., VOR; Delancey, N.Y., VOR; *4,300. *3,900—MOCA.
Delancey, N.Y., VOR Oak Hill INT, N.Y.; *5,000. *4,400—MOCA.
Oak Hill INT, N.Y.; Albany, N.Y., VOR; *4,000. *3,400—MOCA.

Section 95.6457 *VOR Federal airway 457* is deleted.

Section 95.6467 *VOR Federal airway 467* is amended to read:

Hobbs INT, N.J.; INT 265° M rad, Sea Isle VOR and 226° M rad, Millville VOR; *2,400. *1,400—MOCA.
INT, 265° M rad, Sea Isle VOR and 226° M rad, Millville VOR; Millville, N.J., VOR; *1,800. *1,600—MOCA.
Millville, N.J., VOR; INT, 243° M rad, Kennedy VOR and 222° M rad, LaGuardia VOR; 1,900.
INT, 243° M rad, Kennedy VOR and 222° M rad, LaGuardia VOR; LaGuardia, N.Y., VOR; *4,000. *2,700—MOCA.
LaGuardia, N.Y., VOR; Merritt INT, Conn.; 2,000.
Merritt INT, Conn.; Seymour INT, Conn.; *3,000. *2,000—MOCA.
Seymour INT, Conn.; Hartford, Conn., VOR; *2,600. *2,500—MOCA.

Section 95.6474 *VOR Federal airway 474* is amended to read in part:

Hampton INT, Pa.; Spry INT, Pa.; 2,800.
Spry INT, Pa.; Delroy INT, Pa.; *2,800. *2,500—MOCA.

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

LaGuardia, N.Y., VOR; Merritt INT, Conn.; 2,000.
Merritt INT, Conn.; Seymour INT, Conn.; *3,000. *2,000—MOCA.
Seymour INT, Conn.; Madison, Conn., VOR; 2,500.
Madison, Conn., VOR; Norwich, Conn., VOR; *2,300. *2,000—MOCA.

From, To, MEA

Norwich, Conn., VOR; Providence, R.I., VOR; *2,400. *1,700—MOCA.
Providence, R.I., VOR; Millis INT, Mass.; *2,000. *1,800—MOCA.
Millis INT, Mass.; Boston, Mass., VOR; 2,000.

Section 95.6479 *VOR Federal airway 479* is amended to read in part:

Wind Lake INT, Wis.; Big Bend INT, Wis.; *2,700. *2,400—MOCA.
Big Bend INT, Wis.; Milwaukee, Wis., VOR; *2,800. *2,400—MOCA.

Section 95.6480 *VOR Federal airway 480* is amended to read in part:

McGrath, Alaska, VOR; Medfra INT, Alaska; *4,000. *3,900—MOCA.
Medfra INT, Alaska; Nenana, Alaska, VOR; *8,000. *5,000—MOCA.
Nenana, Alaska, VOR; Fairbanks, Alaska, VOR; *4,000. *2,700—MOCA.

Section 95.6483 *VOR Federal airway 483* is amended to read in part:

Carmel, N.Y., VOR; DeLancey, N.Y., VOR; 5,700.

Section 95.6484 *VOR Federal airway 484* is amended to read in part:

Gunnison, Colo., VOR; Homelake DME Fix, Colo.; *14,600. *14,300—MOCA.
Homelake DME Fix, Colo.; Alamosa, Colo., VOR; southbound, 10,000; northbound, *14,600. *10,000—MOCA.

Section 95.6489 *VOR Federal airway 489* is amended to read in part:

Sparta, N.J., VOR; Monroe INT, N.J.; *3,000. *2,800–MOCA.
Monroe INT, N.J.; INT, 034° M rad, Sparta VOR and 250° M rad Kingston VOR; 3,000.
INT, 034° M rad, Sparta VOR and 250° M rad, Kingston VOR; Kingston, N.Y., VOR; *3,000. *2,600—MOCA.

Section 95.6536 *VOR Federal airway 536* is amended to read in part:

Redmond, Oreg., VOR; Heppner INT, Oreg.; *10,000. *7,700—MOCA.
Heppner INT, Oreg.; Pendleton, Oreg., VOR; northeastbound, 6,000; southwestbound, 10,000. *7,700—MOCA.

Section 95.7006 *Jet Route No. 6* is amended to delete:

From, to, MEA, and MAA

Robbinsville, N.J., VORTAC; Kennedy, N.Y., VORTAC; 18,000; 45,000.

Section 95.7008 *Jet Route No. 8* is amended to delete:

Robbinsville, N.J., VORTAC; Kennedy, N.Y., VORTAC; 18,000; 45,000.

Section 95.7020 *Jet Route No. 20* is amended to read in part:

Lamar, Colo., VOR; Liberal, Kans., VORTAC; 18,000; 45,000.
Liberal, Kans., VORTAC; Oklahoma City, Okla., VORTAC; 18,000; 45,000.

Section 95.7034 *Jet Route No. 34* is amended to read in part:

Bellaire, Ohio, VORTAC; Jefferson INT, W. Va.; 18,000; 45,000.
Jefferson INT, W. Va.; INT, 108° M rad, Bellaire VORTAC and 073° M rad, Front Royal VORTAC; 23,000; 45,000.

Section 95.7036 *Jet Route No. 36* is amended to read in part:

From, to, MEA, and MAA

Milwaukee, Wis., VORTAC; Flint, Mich., VORTAC; 18,000; 45,000.
Flint, Mich., VORTAC; Dunkirk N.Y., VORTAC; 18,000; 45,000.
Dunkirk, N.Y., VORTAC; Huguenot, N.Y., VORTAC; 18,000; 45,000.

Section 95.7042 *Jet Route No. 42* is amend' ! to read in part:

Robbinsville, N.J., VORTAC; Hampton, N.Y., VORTAC; 18,000; 45,000.

Section 95.7048 *Jet Route No. 48* is amended to read in part:

Westminster, Md., VORTAC; Sparta, N.J., VORTAC; 18,000; 45,000.
Sparta, N.J., VORTAC; Putnam, Conn., VORTAC; 18,000; 45,000.

Section 95.7058 *Jet Route No. 58* is amended by adding:

New Orleans, La., VORTAC; Neptune INT, Fla., 18,000; 45,000.
Neptune INT, Fla.; Sarasota, Fla., VOR; #26,000; 45,000. #MEA is established with a gap in navigation signal coverage.
Sarasota, Fla., VOR; Biscayne Bay, Fla., VOR; 18,000; 45,000.

Section 95.7060 *Jet Route No. 60* is amended to read in part:

Philipsburg, Pa., VORTAC; Robbinsville, N.J., VORTAC; 18,000; 45,000.

Section 95.7064 *Jet Route No. 64* is amended to delete:

Robbinsville, N.J., VORTAC; Kennedy, N.Y., VORTAC; 18,000; 45,000.

Section 95.7068 *Jet Route No. 68* is amended by adding:

Milwaukee, Wis., VORTAC; Flint, Mich., VORTAC; 18,000; 45,000.
Flint, Mich., VORTAC; Dunkirk, N.Y., VOR TAC; 18,000; 45,000.
Dunkirk, N.Y., VORTAC; Hancock, N.Y., VORTAC; 18,000; 45,000.

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

Jamestown, N.Y., VORTAC; Sparta, N.J., VORTAC; 18,000; 45,000.
Sparta, N.J., VORTAC; Kennedy, N.Y., VORTAC; 18,000; 45,000.

Section 95.7077 *Jet Route No. 77* is amended to read in part:

Biscayne Bay, Fla., VORTAC; Vero Beach, Fla., VORTAC; 18,000; 45,000.

Section 95.7079 *Jet Route No. 79* is amended to read in part:

Biscayne Bay, Fla., VORTAC; Vero Beach, Fla., VORTAC; 18,000; 45,000.

Section 95.7086 *Jet Route No. 86* is amended to read in part:

Sarasota, Fla., VOR; Biscayne Bay, Fla., VOR; 18,000; 45,000.

Section 95.7094 *Jet Route No. 94* is amended to read in part:

Pullman, Mich., VORTAC; Flint, Mich., VOR TAC; 18,000; 45,000.
Flint, Mich., VORTAC; Peck, Mich., VOR TAC; 18,000; 45,000.

Section 95.7098 *Jet Route No. 98* is amended by adding:

From, to, MEA, and MAA

Liberal, Kans., VORTAC; Gage, Okla., VOR TAC; 18,000; 45,000.
Gage, Okla., VORTAC; Oklahoma City, Okla., VORTAC; 18,000; 45,000.

Section 95.7106 *Jet Route No. 106* is amended by adding:

Green Bay, Wis., VORTAC; Flint, Mich., VOR TAC; 18,000; 45,000.
Flint, Mich., VORTAC; INT 095° M rad, Salem VORTAC and 130 M rad, Flint VOR TAC; 18,000; 45,000.
INT, 095° M rad, Salem VORTAC and 130° M rad, Flint VORTAC; Jamestown, N.Y., VOR TAC; 18,000; 45,000.
Jamestown, N.Y., VORTAC; Sparta, N.J., VORTAC; 18,000; 45,000.
Sparta, N.J., VORTAC; Kennedy, N.Y., VOR TAC; 18,000; 45,000.

Section 95.7146 *Jet Route No. 146* is amended by adding:

Joliet, Ill., VORTAC; South Bend, Ind., VOR TAC; 18,000; 45,000.
South Bend, Ind., VORTAC; Chardon, Ohio., VORTAC; 18,000; 45,000.
Chardon, Ohio, VORTAC; Keating, Pa., VOR TAC; 18,000; 45,000.
Keating, Pa., VORTAC; Kennedy, N.Y., VOR TAC; 18,000; 45,000.

Section 95.7149 *Jet Route No. 149* is amended to read in part:

Casanova, Va., VORTAC; Weston INT, W. Va.; 27,000; 45,000.
Weston INT, W. Va.; Rosewood, Ohio, VORTAC; 18,000; 45,000.

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

Rosewood, Ohio, VORTAC; Harrisburg, Pa., VORTAC; 30,000; 41,000.
Harrisburg, Pa., VORTAC; INT, 104° M rad, Harrisburg VORTAC and 242° M rad, Sparta VORTAC; 18,000; 45,000.

Section 95.7502 *Jet Route No. 502* is amended to delete:

Sisters Island, Alaska, VOR; Annette Island, Alaska, VOR; 18,000; 45,000.

Section 95.7515 *Jet Route No. 515* is amended by adding:

Fairbanks, Alaska, VOR; Bettles, Alaska, VOR; 18,000; 45,000.
Bettles, Alaska, VOR; Point Barrow, Alaska, LF/RBN; 18,000; 45,000.

Section 95.7536 *Jet Route No. 536* is added to read:

Sisters Island, Alaska, VOR; United States-Canadian border; 18,000; 45,000.

Section 95.7547 *Jet Route No. 547* is amended to read in part:

Pullman, Mich., VORTAC; Flint, Mich., VORTAC; 18,000; 45,000.
Flint, Mich., VORTAC; Peck, Mich., VOR TAC; 18,000; 45,000.

Section 95.7554 *Jet Route No. 554* is amended to read in part:

INT, 106° M rad, Joliet VORTAC and 279° M rad, Fort Wayne VORTAC; Carleton, Mich., VORTAC; 18,000; 45,000.

From, to, MEA, and MAA

Carleton, Mich., VORTAC; Jamestown, N.Y., VORTAC; 18,000; 45,000.

Section 95.7575 *Jet Route No. 575* is amended by adding:

INT, 258° M rad, Kennedy VORTAC and 290° M rad, Robbinsville VORTAC; Kennedy, N.Y., VORTAC; 18,000; 45,000.
Kennedy, N.Y., VORTAC; Putnam, Conn., VORTAC; 18,000; 45,000.

2. By amending Subpart D as follows:

Section 95.8003 *VOR Federal airways changeover points:*

Airway segment: From; To—Changeover point: Distance; from

V–16 is amended by adding:
Coyle, N.J., VOR; Kennedy, N.Y., VOR; 35; Coyle.
V–29 is deleted.
V–167 is deleted.
V–229 is added to read:
Kennedy, N.Y., VOR; Madison, Conn., VOR; 25; Kennedy.
V–232 is added to read:
Milton, Pa., VOR; Kennedy, N.Y., VOR; 60; Milton.
V–433 is added to read:
LaGuardia, N.Y., VOR; Hartford, Conn., VOR; 35; LaGuardia.
V–467 is added to read:
LaGuardia, N.Y., VOR; Hartford, Conn., VOR; 35; LaGuardia.
V–475 is added to read:

Section 95.8005 *Jet routes changeover points:*

LaGuardia, N.Y., VOR; Hartford, Conn., VOR; 35; LaGuardia.
J–36 is added to read:
Dunkirk, N.Y., VORTAC; Huguenot, N.Y., VORTAC; 87; Dunkirk.
J–501 is amended by adding:
Sandspit, Canada, VOR; Biorka Island, Alaska, VORTAC; 169; Biorka Island.
Yakutat, Alaska, VORTAC; Johnstone Point, Alaska, VOR; 117; Yakutat.
Johnstone Point, Alaska, VOR; Anchorage, Alaska, VORTAC; 45; Anchorage.
Ukiah, Calif., VORTAC; Medford, Oreg., VORTAC; 121; Ukiah.
J–501 is amended to delete:
Seattle, Wash., VORTAC; United States-Canadian border; 50; Seattle.
Yakutat, Alaska, VOR; Hinchinbrook, Alaska, LFR; 117; Yakutat.
Hinchinbrook, Alaska, LFR; Anchorage, Alaska, VOR; 45; Anchorage.
J–502 is amended by adding:
Seattle, Wash, VORTAC; United States-Canadian border; 50; Seattle.
Annette Island, Alaska, VOR; Sisters Island, Alaska, VOR; 116; Sisters Island.
J–502 is amended to delete:
Sisters Island, Alaska, VOR; Annette Island, Alaska, VOR; 116; Sisters Island.
Ukiah, Calif., VORTAC; Medford, Oreg., VORTAC; 121; Ukiah.
J–515 is amended by adding:
Bettles, Alaska, VOR; Point Barrow, Alaska, LF/RBN; 150; Bettles.

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

Issued in Washington, D.C., on February 20, 1970.

EDWARD C. HODSON,
Acting Director,
Flight Standards Service.

[F.R. Doc. 70–2443; Filed, Mar. 2, 1970; 8:45 a.m.]

[Reg. Docket No. 10135; Amdt. 691]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, 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 view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending § 97.23 of Subpart C to establish very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 10 miles after passing ACT VORTAC.
				Turn right to 180° heading and climb to 2200'; intercept ACT R 136° to Satin Int and hold. Supplementary charting information: Hold NW of Satin Int on ACT VORTAC R 136°, 136° Inbnd, right turns, 1 minute.

Procedure turn N side of crs, 303° outbnd, 123° inbnd, 2000' within 10 miles of ACT VORTAC.
FAF, ACT VORTAC. Final approach crs 089°. Distance FAF to MAP, 10 miles.
Minimum altitude over ACT VORTAC, 2000'.
MSA: 090°–180°—2800'; 180°–270°—2500'; 270°–090°—2100'.

DAY AND NIGHT MINIMUMS

Category	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1180	1	711	1180	1	711	1180	1½	711	1180	2	711

Takeoff Standard. Alternate—Not authorized.

City, Waco; State, Tex.; Airport name, James Connally; Elev., 469'; Fac. Ident. ACT; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 26 Mar. 70

2. By amending § 97.23 of Subpart C to amend very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.5 miles after passing VWV VOR-TAC.
				Climb to 2200′ on R 178°, left turn, return to VWV VORTAC and hold. Supplementary charting information: Hold SE VWV VORTAC, right turns, 1 minute, 320° Inbnd. Stack ¾ mile SW of airport, 943′. Runway 18, TDZ elevation, 675′.

Procedure turn W side of crs, 358° Outbnd, 178° Inbnd, 2200′ within 10 miles of VWV VORTAC.
FAF, VWV VORTAC. Final approach crs, 178°. Distance FAF to MAP, 3.5 miles.
MSA: 000°–090°—3100′; 090°–270°—2400′; 270°–360°—2100′.
Minimum altitude over VWV VORTAC, 1500′.
NOTES: (1) Radar vectoring. (2) Use Toledo, Ohio, altimeter setting.
*Night operations not authorized for Runways 9/27.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-18	1120	1	445	1120	1	445	1120	1	445	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C*	1300	1	625	1300	1	625	1300	1½	625	NA
A	Not authorized.			T 2-eng. or less—Standard Runways 6, 9 and 36. 300–1, Runways 18, 24, and 27.			T over 2-eng.—Standard Runways 6, 9, and 36. 300–1, Runways 18, 24, and 27.			

City, Bowling Green; State, Ohio; Airport name, University; Elev., 675′; Fac. Ident., VWV; Procedure No. VOR Runway 18, Amdt. 6; Eff. date, 26 Mar. 70; Sup. Amdt. No. 5; Dated, 5 Feb. 70

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: BAF VOR.
Chester VOR	BAF VOR	Direct	3300	Climb straight ahead on R 206° to 1500′ within 5 miles, then right-climbing turn to 2700′ direct BAF VOR and hold. Supplementary charting information: Hold NE of BAF VOR, 1 minute, right turns, 206° Inbnd. 754′ obstruction lighted tower (on ridge) 1 mile E of airport. 1049′ antenna 3.6 miles S of airport.
Skylark Int	BAF VOR	Direct	3000	

Procedure turn W side of crs, 026° Outbnd, 206° Inbnd, 2700′ within 10 miles of BAF VOR.
Final approach crs, 206°.
Minimum altitude over BAF NDB, 1560′.
MSA: 000°–090°—2800′; 090°–180°—2400′; 180°–270°—3000′; 270°–360°—3600′.
NOTES: (1) Use Westover AFB altimeter setting when control zone not effective and increase straight in and circling MDA 20′. (2) Approach from a holding pattern not authorized. Procedure turn required. (3) Departures: Runway 15, right turn to 210° as soon as practicable after takeoff.
*Alternate minimums not authorized when control zone not effective.
#Runway 15, 800–1 day, 800–2 night; all other runways 700–1 day, 700–2 night.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	NDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C	1560	1	1290	1560	1	1290	1560	1½	1290	NA
	VOR/NDB Minimums:									
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	
S-20	800	1	530	800	1	530	800	1	530	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1060	1	790	1060	1	790	1060	1½	790	NA
A	1500-2.*		T 2-eng. or less—#.				T over 2-eng.—#.			

City, Westfield; State, Mass.; Airport name, Barnes Municipal; Elev., 270′; Fac. Ident., BAF; Procedure No. VOR Runway 20, Amdt. 8; Eff. date, 26 Mar. 70; Sup. Amdt. No. 7; Dated, 30 May 68

3. By amending § 97.25 of Subpart C to establish localizer (LOC) and localizer-type directional aid (LDA) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC (BC)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5 miles after passing Duck Int.
CHS VORTAC	Duck Int	R 148, CHS VORTAC	2000	Climb to 2000′ on R 317° CHS VORTAC within 15 miles.
R 052°, CHS VORTAC CW	LOC (BC)	8-mile Arc, R 136° lead radial	2000	
R 233°, CHS VORTAC CCW	LOC (BC)	8-mile Arc, R 160° lead radial	2000	Supplementary charting information:
8-mile Arc	Duck Int (NOPT)	LOC (BC)	1500	VASI Runways 15, 21, and 33.
				HIRLS Runways 15/33.
				Runway 33, TDZ elevation, 45′.

One-minute holding pattern SE of Duck 5-mile DME/Radar Int, 329° Inbnd, left turns, 2000′.
FAF, Duck 5 DME/Radar Int. Final approach crs, 329°. Distance FAF to MAP, 5 miles.
Minimum altitude over Duck 5-mile DME/Radar Int, 1500′.
MSA: Not authorized.
NOTES: (1) ASR. (2) Radar required for aircraft not DME equipped.

DAY AND NIGHT MINIMUMS

Category	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-33	380	1	335	380	1	335	380	1	335	380	1	335
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	480	1	435	500	1	455	500	1½	455	600	2	555

Takeoff RVR 24′, Runway 15; Standard all other Runways. Alternate—Standard.

City, Charleston; State, S.C.; Airport name, Charleston AFB/Municipal; Elev., 45′; Fac. Ident., I-CHS; Procedure No. LOC (BC) Runway 33, Amdt. Orig.; Eff. date 26 Mar. 70

4. By amending § 97.27 of Subpart C to establish nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: GRD NDB.
				Climb to 2200′ on GRD NDB 100° bearing within 15 miles.
				Supplementary charting information:
				Final approach crs intercepts runway centerline 4300′ from threshold.
				LRCO 122.1R, 123.6R.
				Runway 9, TDZ elevation, 631′.

Procedure turn S side of crs, 260° outbnd, 080° inbnd, 2200′ within 10 miles of GRD NDB.
FAF Final approach crs, 080°.
MSA: 000°-360°—2100′.
NOTES: (1) When control zone not effective, use Anderson, S.C., altimeter setting and increase MDA 140′. (2) Sliding scale not authorized.
@Alternate minimums not authorized when control zone not effective except operators with approved weather reporting service.
*Night minimums not authorized Runways 4/22 and 18/36.

DAY AND NIGHT MINIMUMS

Category	A			B			C			D	
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS
S-9	1080	1	449	1080	1	449	1080	1	449		NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA		VIS
C*	1080	1	449	1100	1	469	1100	1½	469		NA

Takeoff Standard Alternate—Standard@.

City, Greenwood; State, S.C.; Airport name, Greenwood County; Elev., 631′; Fac. Ident. GRD; Procedure No. NDB (ADF) Runway 9, Amdt. Orig.; Eff. date, 26 Mar 70

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: GRD NDB.
				Climb to 2200′ on GRD NDB 260° bearing within 15 miles. Supplementary charting information: Final approach crs intercepts runway centerline 2700′ from threshold. LRCO 122.1R, 123.6R. Runway 27, TDZ elevation, 630′.

Procedure turn N side of crs, 100° Outbnd, 280° Inbnd, 2200′ within 10 miles of GRD NDB.
FAF Final approach crs, 280°.
MSA: 000°–360°—2100′.
NOTES: (1) When control zone not effective, use Anderson, S.C., altimeter setting and increase MDA 140′ and straight-in visibility Categories B and C, ¼ mile, increase circling visibility Category B ¼ mile. (2) Sliding scale not authorized.
@Alternate minimums not authorized when control zone not effective except operators with approved weather reporting service.
*Night minimums not authorized Runways 4/22, 18/36.

DAY AND NIGHT MINIMUMS

Category	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	
S 27	1280	1	650	1280	1	650	1280	1¼	650		NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA		VIS	
C*	1280	1	649	1280	1	649	1280	1½	649		NA	

Takeoff Standard. Alternate—Standard @.

City, Greenwood; State, S.C.; Airport name, Greenwood County; Elev., 631′; Fac. Ident., GRD; Procedure No. NDB (ADF) Runway 27, Amdt. Orig.; Eff. date, 26 Mar. 70

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 7.4 miles after passing CNW NDB.
ACT VORTAC	CNW NDB	Direct	2500	Climb to 2000′, right turn Direct to CNW NDB and hold. Supplementary charting information: Hold S of CNW NDB on bearing 171°-351° Inbnd, right turns, 1 minute.

Procedure turn E side of crs, 171° Outbnd, 351° Inbnd, 2500′ within 10 miles of CNW.
FAF, CNW NDB. Final approach crs, 351°. Distance FAF to MAP, 7.4 miles.
Minimum altitude over CNW NDB, 2500′.
MSA: 180°–270°—2800′; 270°–180°—2100′.

DAY AND NIGHT MINIMUMS

Category	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-35	1180	1	711	1180	1	711	1180	1¼	711	1180	1½	711
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1180	1	711	1180	1	711	1180	1½	711	1180	2	711

Takeoff Standard. Alternate—Not authorized.

City, Waco; State, Tex.; Airport name, James Connally; Elev., 469′; Fac. Ident. CNW; Procedure No. NDB (ADF) Runway 35, Amdt. Orig.; Eff. date, 26 Mar. 70

5. By amending § 97.27 of Subpart C to amend nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 1.5 miles after passing FRT NDB.
SPA VORTAC	FRT NDB	Direct	2400	Climb to 3000′ direct to SPA VORTAC and hold. Supplementary charting information: Hold N, 1 minute, right t urns, 198° Inbnd.

Procedure turn S side of crs, 238° Outbnd, 058° Inbnd, 2400′ within 10 miles of FRT NDB.
FAF, FRT NDB. Final approach crs, 058°. Distance FAF to MAP, 1.5 miles.
Minimum altitude over FRT NDB, 1600′.
MSA: 000°–090°—3700′; 090°–180°—2100′; 180°–270°—4200′; 270°–360°—6000′.
NOTES: (1) Use GSP altimeter setting when control zone not effective and circling MDA increased 40′. (2) Radar vectoring.
#Alternate minimums not authorized when control zone not effective.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1280	1	464	1280	1	464	1280	1½	464	1380	2	564
A	Standard.#		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Spartanburg; State, S.C.; Airport name, Spartanburg Downtown Memorial; Elev., 816′; Fac. Ident., FRT; Procedure No. NDB (IADF)–1, Amdt. 4; Eff. date, 26 Mar. 70; Sup. Amdt. No. 3; Dated, 15 Jan. 70

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.8 miles after passing BAF NDB.
Chester VOR	BAF NDB	Direct	3300	Climb straight ahead on 203° bearing to 1500′ within 5 miles, then right-climbing turn to 3000′ direct BAF NDB and hold. Supplementary charting information: Hold NE of BAF NDB, 203° Inbnd, 1 minute, right turns. 754′ obstruction lighted tower on ridge 1 mile E of airport; 1049′ antenna 3.6 miles S of airport.
Westfield VOR	BAF NDB	Direct	3000	

Procedure turn W side of crs, 023° Outbnd, 203° Inbnd, 3000′ within 10 miles of BAF NDB.
FAF, BAF NDB. Final approach crs, 203°. Distance FAF to MAP, 4.8 miles.
Minimum altitude over BAF NDB, 1700′.
MSA: 000°–090°—3200′; 090°–180°—2400′; 180°–270°—3000′; 270°–360°—3600′.
NOTES: (1) Use Westover AFB altimeter setting when control zone not effective and increase straight-in and circling MDA 20′. (2) Approach from a holding pattern not authorized. Procedure turn required. (3) Departures: Runway 15, right turn to 210° as soon as practicable after takeoff.
*Alternate minimums not authorized when control zone not effective.
#Runway 15—800–1, day, 800–2, night; all other runways—700–1 day, 700–2, night.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S–20	980	1	710	980	1	710	980	1¼	710	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C	1060	1	790	1060	1	790	1060	1½	790	NA
A	1500–2.*		T 2-eng. or less—#.				T over 2-eng.—#.			

City, Westfield; State, Mass.; Airport name, Barnes Municipal; Elev., 270′; Fac. Ident., BAF; Procedure No. NDB (ADF) Runway 20, Amdt. 6; Eff. date, 26 Mar. 70; Sup. Amdt. No. 5; Dated, 30 May 68

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, Federal Aviation Act of 1958 (49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775))

Issued in Washington, D.C., on February 17, 1970.

EDWARD C. HODSON,
Acting Director, Flight Standards Service.

[F.R. Doc. 70–2305; Filed, Mar. 2, 1970; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 8723]

PART 13—PROHIBITED TRADE PRACTICES

Lester S. Cotherman et al.

Subpart—Advertising falsely or misleadingly: § 13.260 *Terms and conditions.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1760 *Terms and conditions.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1905 *Terms and conditions.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Modified order to cease and desist, Lester S. Cotherman et al., Providence, R.I., Docket No. 8723, Jan. 29, 1970]

In the Matter of Lester S. Cotherman, Individually and as General Manager of Consolidated Mortgage Co., and William F. Sullivan, Individually and as an Officer of Consolidated Mortgage Co.

Order modifying an earlier order dated February 19, 1968, 33 F.R. 4405, pursuant to a decision of the Court of Appeals, Fifth Circuit, dated October 3, 1969, 417 F. 2d 587, which prohibited a mortgage loan company and its officers from misrepresenting the terms and conditions of its loans by clarifying certain parts of the order which the court held to be too broad.

The modified order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Lester S. Cotherman, individually and as General Manager of Consolidated Mortgage Co., and William F. Sullivan, individually and as an officer of Consolidated Mortgage Co., and said respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering of or the sale or granting of lending services, or of any similar or related services, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(a) Representing, directly or by implication, that loans are made to customers at a 6-percent rate of interest, or that loans made or arranged by respondents are repayable over a 15-year period, or that loans are made at any stated repayment schedule, interest rates, period of repayment, or under other stated terms or conditions:

Provided, however, That it shall be a defense under this subparagraph in any enforcement proceeding instituted hereunder for respondents to establish that loans are readily and in the regular course of business made available to customers under the stated repayment schedule, interest rates, period of repayment or other terms or conditions as stated;

(b) Misrepresenting in any manner the monthly repayment schedules, interest rates, periods of repayment, or other terms or conditions under which respondents' loans are made.

It is further ordered, That respondents, Lester S. Cotherman, individually and as General Manager of Consolidated Mortgage Co., and William F. Sullivan, individually and as an officer of Consolidated Mortgage Co., and said respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering of or the sale or granting of lending services, or of any similar or related services, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist, in those cases where representations are made as of the terms and conditions of respondents' loans, from failing, clearly and conspicuously, to reveal in advertising:

(a) The period of repayment;

(b) The number of payments required;

(c) The finance charges expressed in terms of dollars and cents;

(d) The simple annual percentage rate or rates at which the finance charge has been imposed on the monthly balance;

(e) Any other charges or expenses which are to be incurred or paid by the borrower to obtain such loans.

It is further ordered, That respondents, Lester S. Cotherman and William F. Sullivan, shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist set forth herein.

Issued: January 29, 1970.

By the Commission.

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

[F.R. Doc. 70-2532; Filed, Mar. 2, 1970; 8:46 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Disclosure of Imported Fabric Used in American Flags

§ 15.405 Disclosure of imported fabric used in American flags.

(a) The Commission issued an advisory opinion with regard to the manufacture of American flags made from imported cloth that it would be necessary to clearly and conspicuously disclose the foreign country of origin of the printed fabric used in the production process under section 4(b)(4) of the Textile Fiber Products Identification Act.

(b) According to the facts considered in this opinion the printed fabric will originate in either Japan or Taiwan, depending upon where the best price can be obtained. The fabric will be shipped into the United States in a finished state in rolls of 50 to 100 yards per roll. Thereafter, it will be cut, hemmed on the side where cut, grommets attached, assembled, and packaged. The cost of the imported printed fabric or flag material will represent approximately 25 percent of total production costs. The remaining 75 percent will represent domestic labor and material costs. The latter consisting primarily of a pole upon which to hang the flag.

(c) Section 4(b)(4) of the Textile Fiber Products Identification Act provides, among other things, than an imported textile fiber product shall be misbranded if it is not labeled so as to show the name of the country where the product was processed or manufactured.

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 72 Stat. 1717, as amended; 15 U.S.C 70)

Issued: March 2, 1970.

By direction of the Commission.

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

[F.R. Doc. 70-2508; Filed, Mar. 2, 1970; 8:45 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-294; Order 375-A]

PART 2—GENERAL POLICY AND INTERPRETATIONS

Recreational Development at Licensed Projects

FEBRUARY 19, 1970.

This order clarifies the statement of Commission policy issued December 27, 1965, as amended November 20, 1968 (Order No. 313, 34 FPC 1546, as amended by Order No. 375, 40 FPC 1321, 18 CFR 2.7) respecting outdoor recreational development at projects licensed or to be licensed under the Federal Power Act. Questions have been raised as to the intent of the policy statement.

We believe that clarification of the amended statement of policy is desirable with respect to the use of the words, in paragraph (f)(2) of § 2.7, "to ensure the safe operation of watercraft and the personal safety of visitors". We did not intend by the statement of policy that the licensee is expected to be an insurer, underwriter, or guarantor of the safety of visitors, but rather that reasonable measures and facilities be provided to facilitate safe use and enjoyment of project lands and waters for recreational purposes. On reconsideration we believe the paragraph (f)(2) should be modified as provided below.

We are also modifying paragraph (f)(3) of § 2.7 to make it clear that the recreation facilities referred to are those maintained and operated by the licensee or its concessionaires.

The Commission finds:

(1) It is appropriate and in the public interest in administering Part I of

the Federal Power Act to clarify Commission policy on recreational development at licensed projects.

(2) The notice and effective date provisions of 5 U.S.C. 553 do not apply with respect to the amendment here adopted.

The Commission, acting pursuant to the provisions of the Federal Power Act, as amended, particularly sections 4(e), 10(a) and 309 thereof (41 Stat. 1063, 1065, 1068; 49 Stat. 838, 840, 842, 858; 16 U.S.C. 797, 803, 825h) orders:

(A) Section 2.7 of Part 2, General Policy and Interpretations, Subchapter A, Chapter I of Title 18 of the Code of Federal Regulations is amended by modifying paragraph (f)(2) and (3) to read as follows:

§ 2.7 Recreational development at licensed projects.

* * * * *

(f) * * *

(2) To provide either by itself or through arrangement with others for adequate safety facilities or measures which include, but are not limited to adequate vertical clearance under bridges and transmission lines, log-booms or other protective devices at spillways and powerhouses, warning systems, buoys, lights, signals, signs, and fencing at licensed projects reservoirs and recreation facilities, as may be needed for the safe operation of watercraft and the safety of visitors using project waters and lands for recreation purposes.

(3) To provide either by itself or through arrangement with others for facilities to process adequately sewage, litter, and other wastes, including wastes from watercraft, at recreation facilities maintained and operated by the licensee or its concessionaires.

* * * * *

(Secs. 4(e), 10(a), 309; 41 Stat. 1063, 1095, 1068; 49 Stat. 838, 840, 842, 858; 16 U.S.C. 797, 803, 825h)

(B) The amendments prescribed herein will be effective upon the issuance of this order.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 70-2513; Filed, Mar. 2, 1970; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 9—Atomic Energy Commission

PART 9-1—GENERAL

Subpart 9-1.3—General Policies

DISPUTES CLAUSE

This amendment requires contracting officers to include written findings of fact in support of decisions under the Disputes clause.

The following section is added:

§ 9-1.318 Disputes clause.

§ 9-1.318-1 Contracting officer's decision under a Disputes clause.

(a) In addition to the information specified in FPR 1-1.318-1, a decision concerning a dispute which is or may be subject to the Disputes clause also shall include the contracting officer's written findings of fact.

(b) Such decisions shall be expeditiously prepared and transmitted to the contractor, together with a copy of 10 CFR Part 3, and a copy of any rules established by the AEC Board of Contract Appeals pursuant to 10 CFR 3.101(b).

(Sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205 Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

Effective date. This amendment is effective upon publication in the FEDERAL REGISTER.

Dated at Germantown, Md., this 24th day of February 1970.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director, Division of Contracts.

[F.R. Doc. 70-2525; Filed, Mar. 2, 1970; 8:46 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Tax Division Directive No. 14]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Appendix to Subpart Y—Redelegation of Authority To Compromise and Close Civil Claims

REDELEGATION OF AUTHORITY TO COMPROMISE, SETTLE, AND CLOSE CLAIMS

By virtue of the authority vested in me by Part 0 of Title 28 of the Code of Federal Regulations, particularly §§ 0.70, 0.160, 0.162, 0.164, 0.166, and 0.168, it is ordered as follows:

SECTION 1. The chiefs of the General Litigation Section, the Appellate Section, the Court of Claims Section, and the Refund Trial Sections are authorized to reject offers in compromise, regardless of amount, without reference to the Review Section: *Provided,* That such action is not opposed by the agency or agencies involved.

SEC. 2. Subject to the conditions and limitations set forth in section (6) hereof, the chiefs of the Court of Claims Section and the Refund Trial Sections are authorized to accept offers in compromise of claims against the United States in cases in which the amount of the refund does not exceed $20,000, provided that such action is not opposed by the agency or agencies involved.

SEC. 3. Subject to the conditions and limitations set forth in section (6) hereof, the Chief of the General Litigation Section is authorized to accept offers in compromise of claims in behalf of the United States in cases in which the difference between the gross amount of the original claim and the proposed settlement does not exceed $20,000: *Provided,* That such action is not opposed by the agency or agencies involved.

SEC. 4. Subject to the conditions and limitations set forth in section (6) hereof, the Chief of the Review Section shall have authority to—

(A) Accept offers in compromise of claims in behalf of the United States in cases in which the difference between the gross amount of the original claim and the proposed settlement does not exceed $50,000, and of claims against the United States in all cases in which the amount of the refund does not exceed $50,000;

(B) Approve administrative settlements not exceeding $50,000;

(C) Close (other than by compromise or by entry of judgment) civil claims asserted by the Government in all cases in which the gross amount of the original claim does not exceed $50,000; and

(D) Reject offers in compromise, regardless of amount,

provided that the action is not opposed by the agency or agencies involved or the chief of the section to which the case is assigned.

SEC. 5. Subject to the conditions and limitations set forth in section (6) hereof, the Deputy Assistant Attorneys General and the Deputy for Refund Litigation each shall have authority to—

(A) Accept offers in compromise of claims in behalf of the United States in all cases in which the difference between the gross amount of the original claim and the proposed settlement does not exceed $250,000, and of claims against the United States in all cases in which the amount of the refund does not exceed $250,000;

(B) Approve administrative settlements not exceeding $250,000;

(C) Close (other than by compromise or by entry of judgment) civil claims asserted by the Government in all cases in which the gross amount of the original claim does not exceed $250,000; and

(D) Reject offers in compromise, or disapprove administrative settlements or closings, regardless of amount,

provided that the limiting amount in (A), (B), and (C) shall be $100,000 if the proposed disposition of the claim is opposed by the agency or agencies involved or if the case is subject to reference to the Joint Committee on Internal Revenue Taxation.

SEC. 6. The authority redelegated herein shall be subject to the following conditions and limitations:

(A) When, for any reason, the compromise or administrative settlement or closing of a particular claim, as a practical matter, will control or adversely influence the disposition of other claims

totaling more than the respective amounts designated in sections (2), (3), (4), and (5), the case shall be forwarded for review at the appropriate level.

(B) When, because of the importance of a question of law or policy presented, the position taken by the agency or agencies or by the U.S. Attorney involved, or any other considerations, the person otherwise authorized herein to take final action is of the opinion that the proposed disposition should be reviewed at a higher level, he shall forward the case for such review.

(C) Nothing in this directive shall be construed as altering any provision of Subpart Y of Part 0 of Title 28 of the Code of Federal Regulations requiring the submission of certain cases to the Attorney General or the Solicitor General.

(D) Authority to approve recommendations that the Government confess error, or make administrative settlements, in cases on appeal, is excepted from the foregoing redelegations.

(E) The Assistant Attorney General, at any time, may withdraw any authority delegated by this directive as it relates to any particular case or category of cases, or to any part thereof.

SEC. 7. This Directive supersedes Tax Division Directive No. 10 of July 25, 1967.

SEC. 8. This Directive shall become effective on the date of its publication in the FEDERAL REGISTER.

JOHNNIE M. WALTERS,
Assistant Attorney General.

Approved: February 21, 1970.

JOHN N. MITCHELL,
Attorney General.

[F.R. Doc. 70-2537; Filed, Mar. 2, 1970; 8:47 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

Missisquoi National Wildlife Refuge, Vt.

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

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

VERMONT

MISSISQUOI NATIONAL WILDLIFE REFUGE

Sport fishing is permitted in Lake Champlain and the Missisquoi River from the Missisquoi National Wildlife Refuge, Vt. The refuge is delineated on a map available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special condition:

(1) Taking of fish by use of firearms is prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1970.

RICHARD E. GRIFFITH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

FEBRUARY 24, 1970.

[F.R. Doc. 70-2516; Filed, Mar. 2, 1970; 8:45 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 7029]

PART 13—TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1969

Accumulation Trusts; Election Regarding Amounts Distributed in First 65 Days of Taxable Year

In order to authorize fiduciaries to elect to treat only a portion of amounts distributed by them during the first 65 days following the close of a taxable year as distributed on the last day of such taxable year, subparagraphs (1) and (2) of paragraph (a) of § 13.6 of the Temporary Income Tax Regulations under the Tax Reform Act of 1969 (26 CFR Part 13) are amended to read as follows:

§ 13.6 Accumulation trusts; 65 day election; "first taxable year in which income is accumulated."

(a) *Election regarding distributions in first 65 days of taxable year*—(1) *In general.* With respect to taxable years beginning after December 31, 1968, the fiduciary of a trust may elect under section 663(b) to treat any distribution or any portion of any distribution to a beneficiary within the first 65 days following the taxable year as an amount which was paid or credited on the last day of such taxable year. An election is effective only with respect to the taxable year for which the election is made. An election shall be made for each taxable year for which the treatment is desired.

(2) *Effect of election.* If an election is made with respect to a taxable year of a trust, this section shall apply only to those amounts which are properly paid or credited within the first 65 days following such year and which are designated by the fiduciary in his election. Any amount considered under section 663(b) as having been distributed in the preceding taxable year shall be so treated for all purposes. For example, in determining the beneficiary's tax liability, such amount shall be considered as having been received by the beneficiary in his taxable year in which or with which the last day of the preceding taxable year of the trust ends.

* * * * *

Because of the need for immediate guidance with respect to the provisions contained in this Treasury decision, it is found impracticable to issue it with notice and public procedure thereon under subsection (b) of section 553 of title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

Approved: March 2, 1970.

EDWIN S. COHEN,
Assistant Secretary of the Treasury.

[F.R. Doc. 70-2677; Filed, Mar. 2, 1970; 12:06 p.m.]

Proposed Rule Making

DEPARTMENT OF LABOR

Office of the Assistant Secretary for Labor-Management Relations

[29 CFR Part 204]

STANDARDS OF CONDUCT FOR LABOR ORGANIZATIONS

Further Implementation of Executive Order 11491

The Assistant Secretary of Labor for Labor-Management Relations has issued regulations to implement in part the duties delegated to him by Executive Order 11491 (34 F.R. 17605). Such regulations were published as Parts 201, 202, 203, and 205 of Chapter II of Title 29 of the Code of Federal Regulations on February 4, 1970 (35 F.R. 2556). It is hereby proposed to add to these regulations a new Part 204—Standards of Conduct for Labor Organizations—to read as set forth below.

The proposed regulations incorporate by reference certain provisions of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA) (29 U.S.C. 401 et seq.) and the regulations and interpretations issued thereunder. Copies of the LMRDA and of the regulations and interpretative bulletins may be obtained from the Office of Labor-Management and Welfare-Pension Reports, Room 803, American National Bank Building, 8701 Georgia Avenue, Silver Spring, Md. 20910, or from any Area or Regional Office of the Labor-Management Services Administration. Copies of those materials and the reporting forms proposed under these regulations may be obtained from the Labor-Management Services Administration Information Officer, Room 2135, U.S. Department of Labor, Washington, D.C. 20210.

Interested persons are invited to submit written comments, suggestions or objections regarding the proposal to the Assistant Secretary of Labor for Labor-Management Relations, U.S. Department of Labor, Washington, D.C. 20210, not later than March 25, 1970.

The proposed regulations read as follows:

PART 204—STANDARDS OF CONDUCT FOR LABOR ORGANIZATIONS

Subpart A—Substantive Requirements Concerning Standards of Conduct

AUTHORITY: The provisions of this Part 204 issued under secs. 6 and 18, E.O. 11491, 34 F.R. 17605.

Subpart A—Substantive Requirements Concerning Standards of Conduct

§ 204.1 General.

The term "LMRDA" when used in this subpart means the Labor-Management Reporting and Disclosure Act of 1959, as amended. Unless otherwise provided in this subpart or in the order, and any term in any section of the LMRDA which is incorporated into this subpart by reference and any term in this subpart which is also used in the LMRDA, shall have the meaning which that term has under the LMRDA, unless the context in which it is used indicates that such meaning is not applicable.

§ 204.2 Bill of Rights of members of labor organizations.

Every member of a labor organization shall have the rights provided by sections 101, 103, and 104 of title I of the LMRDA for members of labor organizations covered by that Act.

§ 204.3 Adoption of constitution and bylaws.

Every labor organization shall adopt a constitution and bylaws and file copies thereof pursuant to § 204.5.

§ 204.4 Filing of labor organization registration report.

Every labor organization shall file a registration report, signed by its president and secretary or corresponding principal officers. This registration report shall be filed in duplicate with the Office of Labor-Management and Welfare-Pension Reports, U.S. Department of Labor, Washington, D.C. 20210, on Form G–1 entitled "Federal Labor Organization Registration Report"[1] before August 1, 1970, or within 90 days after the date on which the labor organization becomes subject to the order, whichever is later.

§ 204.5 Filing of constitution and bylaws.

Every labor organization shall file two copies of its constitution and bylaws with the Form G–1.

[1] Filed as part of the original document.

§ 204.6 Labor organizations filing under the LMRDA.

The provisions of §§ 204.4 and 204.5 are not applicable to any labor organization which is required to report and is reporting pursuant to section 201(a) of the LMRDA.

§ 204.7 Alternative methods of filing constitution and bylaws.

(a) A labor organization may adopt as its constitution and bylaws (whether by formal action or by virtue of affiliation with a parent organization) the constitution and bylaws of a national or international organization which the national or international organization has filed under section 201(a) of the LMRDA or under this section.

(b) Copies of its constitution and bylaws filed by a national or international organization will be accepted in lieu of the filing of such documents by each subordinate labor organization which adopts and is subject to such constitution and bylaws if the following conditions are met:

(1) A national or international organization which is required to file a report pursuant to this section shall show in its report that copies of its constitution and bylaws are also being filed on behalf of its subordinate organizations, and shall file as many additional copies as the Office of Labor-Management and Welfare-Pension Reports may request; and the subordinate labor organization shall show in its registration report (Form G–1) that the constitution and bylaws of such national or international organization are also its constitution and bylaws and that copies have been filed on its behalf.

(2) In the case of a national or international organization which has filed and is filing reports under section 201 of the LMRDA, (i) such organization shall inform the Office of Labor-Management and Welfare-Pension Reports that copies of its constitution and bylaws have been filed on behalf of its subordinate organizations which have adopted such documents, and shall file as many additional copies as the Office of Labor-Management and Welfare-Pension Reports may request; and (ii) the adopting labor organization shall show in its registration report (Form G–1) that the national or international constitution and bylaws are also its constitution and bylaws and that copies have been filed on its behalf.

§ 204.8 Subsequent reports.

All changes in and amendments to the constitution and bylaws filed pursuant to this part shall be reported through submission of the required number of copies of the labor organization's revised constitution and bylaws. These revised copies shall be filed with the labor organization's annual report filed pursuant to § 204.9 or § 204.12 for the year in which the revisions are made: *Provided, however,* That if the constitution and bylaws were filed on its behalf pursuant to paragraph (b) of § 204.7, the revised constitution and bylaws may also be filed on its behalf with the annual report of its national or international labor organization and with the same number of copies as were submitted pursuant to paragraph (b) of § 204.7, and both labor organizations shall indicate on their respective annual reports that such filings were made by the national or international labor organization.

ANNUAL FINANCIAL REPORTS

§ 204.9 Annual reports.

Every labor organization shall, except as otherwise provided in this subpart, file an annual report in duplicate signed by its president and treasurer or corresponding principal officers within 90 days after the end of its fiscal year with the Office of Labor-Management and Welfare-Pension Reports, U.S. Department of Labor, Washington, D.C. 20210, on Form G–2 entitled "Federal Labor Organization Annual Report"[1] in the detail required by the instructions accompanying such form and constituting a part thereof.

§ 204.10 Labor organizations subject to LMRDA.

If a labor organization is also subject to the LMRDA, and is filing annual reports pursuant to section 201 of that Act, it is not required to file the report required by § 204.9.

§ 204.11 Labor organizations under trusteeship.

If the labor organization is in trusteeship on the date for filing the annual report, the organization which has assumed the trusteeship shall file the report required in § 204.9.

§ 204.12 Small labor organizations.

(a) If a labor organization, not in trusteeship, has gross annual receipts totaling less than $30,000 but $2,000 or more for its fiscal year, it may file the annual report required by § 204.9 in duplicate on Form G–3 entitled "Federal Labor Organization Simplified Annual Report"[1] in accordance with the instructions accompanying such form and constituting a part thereof.

(b) If a labor organization, not in trusteeship, has gross receipts of less than $2,000 for its fiscal year, it may file the annual report required by § 204.9 in duplicate on Form G–4 entitled "Federal Labor Organization Abbreviated Annual Report"[1] in accordance with the instructions accompanying such form and constituting a part thereof.

REPORTING OF TRUSTEESHIPS

§ 204.13 Labor organizations subject to to the LMRDA.

A labor organization subject to the LMRDA, which has or assumes trusteeship over any subordinate labor organization subject to that Act as well as the order is not required to file reports under this section, but must file the initial, semiannual and annual reports required under section 301 of the LMRDA and Part 408 of this chapter.

[1] Filed as part of the original document.

§ 204.14 Initial trusteeship report.

Except as provided in § 204.13, every labor organization which has or assumes trusteeship over any subordinate labor organization subject to the order shall file with the Office of Labor-Management and Welfare-Pension Reports, U.S. Department of Labor, Washington, D.C. 20210, within 30 days after the imposition of any such trusteeship, a trusteeship report, signed by its president and treasurer or corresponding principal officers, as well as by the trustees of the subordinate labor organization. Such report shall be filed in duplicate on Form G–15 entitled "Federal Labor Organization Trusteeship Report"[1] in the detail required by the instructions accompanying such form and constituting a part thereof.

§ 204.15 Semiannual trusteeship report.

Every labor organization required to file a report under § 204.14 shall thereafter during the continuance of a trusteeship over the subordinate labor organization, file with the Office of Labor-Management and Welfare-Pension Reports a semiannual trusteeship report on Form G–15 in duplicate containing the information required by that form in accordance with the instructions therein relating to the semiannual trusteeship report. If during the period covered by the semiannual trusteeship report there was (a) a convention or other policy determining body to which the subordinate organization under trusteeship sent delegates or would have sent delegates if not in trusteeship, or (b) an election of officers of the labor organization assuming trusteeship, a report on Form G–15A entitled "Federal Labor Organization Schedule on Selection of Delegates and Officers"[1] shall be filed in duplicate with the Form G–15.

§ 204.16 Annual report.

During the continuance of a trusteeship, the organization which has assumed trusteeship over a subordinate labor organization subject to the order shall file with the Office of Labor-Management and Welfare-Pension Reports on behalf of the subordinate labor organization the annual report required by § 204.9 on Form G–2 in duplicate signed by the president and treasurer or corresponding principal officers of the labor organization which has assumed such trusteeship. In addition, such labor organization shall file Form G–6, "Information and Signature Sheet for Financial Report of Federal Labor Organization Under Trusteeship,"[1] in duplicate signed by the trustees of the subordinate labor organization.

§ 204.17 Terminal trusteeship information and financial reports.

Each labor organization which has assumed trusteeship over a subordinate labor organization subject to the order (but not subject to the LMRDA) shall file within 90 days after the termination of such trusteeship a report in duplicate on Form G–16 entitled "Federal Labor

Organization Terminal Trusteeship Information Report"[1] in the detail required by the instructions accompanying such form and constituting a part thereof. The organization submitting the terminal trusteeship information report must also file at the same time on behalf of the subordinate labor organization a final financial report in duplicate for the organization under trusteeship on Forms G–2 and G–6, in conformance with the requirments of §§ 204.9 and 204.16, covering the period from the beginning of the fiscal year through the termination date of the trusteeship.

MISCELLANEOUS PROVISIONS RELATING TO REPORTING REQUIREMENTS

§ 204.18 Fiscal year.

As used in this subpart the term "fiscal year" means the calendar year, or other period of 12 consecutive calendar months, on the basis of which financial accounts are kept by a labor organization reporting under this subpart. Where a labor organization designates a new fiscal year prior to the expiration of a previously established fiscal year, the resultant period of less than 12 consecutive calendar months, and thereafter the newly established fiscal year, shall in that order each constitute a fiscal year for purposes of the reports required by this subpart.

§ 204.19 Initial annual report.

(a) The initial annual report of any organization whose current fiscal year ends prior to August 1, 1970, shall be filed within 90 days after the end of its next fiscal year.

(b) A labor organization which is subject to the order for only a portion of its fiscal year because the effective date of the order occurred during such fiscal year or because the labor organization otherwise first becomes subject to the order during such fiscal year, may at its option consider such portion as the entire fiscal year in filing the annual report required under § 204.9 or § 204.12.

§ 204.20 Terminal report.

Any labor organization required to file a report under the provisions of this subpart, which during its fiscal year loses its identity as a reporting labor organization through merger, consolidation, or otherwise, shall within 30 days after such loss, file a terminal report in duplicate with the Office of Labor-Management and Welfare-Pension Reports on Form G–2, Form G–3, or Form G–4, as may be appropriate under § 204.9 or § 204.12, signed by the persons who were the president and treasurer or corresponding principal officers of the labor organization immediately prior to its loss of reporting identity. For purposes of such terminal report the fiscal year shall be considered to be the period from the beginning of the labor organization's fiscal year to the date of its loss of reporting identity.

[1] Filed as part of the original document.

§ 204.21 Effect of acknowledgment and filing by the Office of Labor-Management and Welfare-Pension Reports.

Acknowledgment by the Office of Labor-Management and Welfare-Pension Reports of the receipt of the reports and documents submitted for filing under this subpart is intended solely to inform the sender of the receipt thereof. Neither such acknowledgment nor the filing of such reports and documents by the Office of Labor-Management and Welfare-Pension Reports constitutes express or implied approval thereof or in any manner indicates that the content of any such report or document fulfills the reporting or other requirements of the order, or of the regulations in this subpart applicable thereto.

§ 204.22 Personal responsibility of signatories of reports.

Each individual required to sign any report under this subpart shall be personally responsible for the filing of such report and for any statement contained therein which he knows to be false. Penalties for filing false reports are provided in 18 U.S.C. 1001.

§ 204.23 Dissemination and verification of reports.

Every labor organization required to submit a report under this subpart shall furnish or otherwise make available to all its members the information required to be contained in such report and must furnish or otherwise make available to every member a copy of the constitution and bylaws. Every labor organization and its officers shall be under a duty to permit any member for just cause to examine any books, records, and accounts necessary to verify such report and constitution and bylaws.

§ 204.24 Maintenance and retention of records.

Every person required to file any report under this subpart shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Office of Labor-Management and Welfare-Pension Reports may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions (including any such records in existence on the date the Order became effective), and shall keep such records available for examination for a period of not less than 5 years after the filing of the report.

§ 204.25 Examination and copying of reports required by this subpart.

Examination of any report or other document filed as required by this subpart, and the furnishing by the Office of Labor-Management and Welfare-Pension Reports of copies thereof to any person requesting them, shall be governed by Part 70 of this title.

TRUSTEESHIPS

§ 204.26 Purposes for which a trusteeship may be established.

Trusteeships shall be established and administered by a labor organization over a subordinate body only in accordance with the constitution and bylaws of the organization which has assumed trusteeship over the subordinate body and for the purpose of (a) correcting corruption or financial malpractice, (b) assuring the performance of negotiated agreements or other duties of a representative of employees, (c) restoring democratic procedures, or (d) otherwise carrying out the legitimate objects of such labor organization.

§ 204.27 Prohibited acts relating to subordinate body under trusteeship.

During any period when a subordinate body of a labor organization is in trusteeship, (a) the votes of delegates or other representatives from such body in any convention or election of officers of the labor organization shall not be counted unless the representatives have been chosen by secret ballot in an election in which all the members in good standing of such subordinate body were eligible to participate; and (b) no current receipts or other funds of the subordinate body except the normal per capita tax and assessments payable by subordinate bodies not in trusteeship shall be transferred directly or indirectly to the labor organization which has imposed the trusteeship: *Provided, however,* That nothing contained in this paragraph shall prevent the distribution of the assets of a labor organization in accordance with its constitution and bylaws upon the bona fide dissolution thereof.

§ 204.28 Presumption of validity.

In any proceeding for enforcing § 204.26, a trusteeship established by a labor organization in conformity with the procedural requirements of its constitution and bylaws and authorized or ratified after a fair hearing either before the executive board or before such other body as may be provided in accordance with its constitution and bylaws shall be presumed valid for a period of 18 months from the date of its establishment and shall not be subject to attack during such period except upon clear and convincing proof that the trusteeship was not established or maintained in good faith for purposes allowable under § 204.26. After the expiration of 18 months the trusteeship shall be presumed invalid in any such proceeding, unless the labor organization shall show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under § 204.26.

ELECTIONS

§ 204.29 Election of officers.

Every labor organization subject to the order shall conduct periodic elections of officers in a fair and democratic

manner. All elections of officers shall be governed by the standards prescribed in sections 401 (a), (b), (c), (d), (e), (f), and (g) of the LMRDA to the extent that such standards are relevant to elections held pursuant to the order. In applying the standards contained in sections 401(a) through 401(g) of the LMRDA to elections held pursuant to this section, the Assistant Secretary will be guided by the interpretations and policies followed by the Department of Labor in applying the provisions of that Act.

ADDITIONAL PROVISIONS APPLICABLE

§ 204.30 Removal of officers.

Every local labor organization shall provide adequate procedures for the removal of officers found guilty of serious misconduct. The standards for determining whether procedures are adequate shall be those contained in § 417.2 of this title which are incorporated into this subpart by reference and made a part hereof.

§ 204.31 Maintenance of fiscal integrity in the conduct of the affairs of labor organizations.

The standards of fiduciary responsibility prescribed in section 501(a) of the LMRDA are incorporated into this subpart by reference and made a part hereof.

§ 204.32 Provision for accounting and financial controls.

Every labor organization shall provide for accounting and financial controls in accordance with accepted accounting procedures and standards for financial controls.

§ 204.33 Prohibition of conflicts of interest.

(a) No officer or agent of a labor organization shall, directly or indirectly through his spouse, minor child, or otherwise (1) have or acquire any pecuniary or personal interest which would conflict with his fiduciary obligation to such labor organization; (2) engage in any business or financial transaction which conflicts with his fiduciary obligation.

(b) Actions prohibited by paragraph (a) of this section include, but are not limited to, buying from, selling, or leasing directly or indirectly to, or otherwise dealing with the labor organization, its affiliates, subsidiaries, or trusts in which the labor organization is interested, or having an interest in a business any part of which consists of such dealings, except bona fide investments exempted from reporting under section 202(b) of the LMRDA. The receipt of salaries and reimbursed expenses for services actually performed or expenses actually incurred is not prohibited.

§ 204.34 Loans to officers or employees.

No labor organization shall directly or indirectly make any loan to any officer or employee of such organization which results in a total indebtedness on the part of such officer or employee to the labor organization in excess of $2,000.

§ 204.35 Bonding requirements.

Every officer, agent, shop steward, or other representative or employee of any labor organization subject to the order (other than a labor organization whose property and annual financial receipts do not exceed $5,000 in value), or of a trust in which a labor organization is interested, who handles funds or other property thereof shall be bonded to provide protection against loss by reason of acts of fraud or dishonesty on his part directly or through connivance with others. In enforcing this requirement the Assistant Secretary will be guided by the interpretations and policies followed by the Department of Labor in applying the provisions of section 502 of the LMRDA.

§ 204.36 Prohibitions against certain persons holding office or employment.

No person affiliated with Communist or other totalitarian movements shall hold office in any labor organization. The prohibitions against holding office or employment contained in section 504(a) of the LMRDA to the extent that they relate to positions in labor organizations are incorporated into this subpart by reference and made a part hereof. The prohibitions shall also be applicable to any person who has been convicted of, or who has served any part of a prison term resulting from his conviction of, violating 18 U.S.C. 1001 by making a false statement in any report required to be filed pursuant to this subpart: *Provided, however,* That the duties and responsibilities delegated to the Board of Parole of the U.S. Department of Justice by section 504(a) of the LMRDA shall be assumed by the Assistant Secretary or such other person as he may designate for the purpose of determining whether it would not be contrary to the order and this section to permit a person barred from holding office or employment to hold such office or employment.

§ 204.37 Prohibition of certain discipline.

No labor organization or any officer, agent, shop steward or other representative or any employee thereof shall fine, suspend, expel, or otherwise discipline any of its members for exercising any right to which he is entitled under the provisions of the order or of this chapter.

§ 204.38 Deprivation of rights under the order by violence or threat of violence.

No person shall use, conspire to use, or threaten to use force or violence to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercise of any right to which he is entitled under the provisions of the order or this chapter.

Subpart B—Proceedings for Enforcing Standards of Conduct

§ 204.50 Investigations.

When he believes it necessary in order to determine whether any person has violated or is about to violate any provisions of Subpart A of this part (other than § 204.2, *Bill of Rights*) the Director shall cause an investigation to be conducted. The authority to investigate possible violations of Subpart A of this part (other than § 204.2) shall not be contingent upon receipt of a complaint.

§ 204.51 Inspection of records and questioning.

In connection with such investigation an Area Administrator or his representative may inspect such records and question such persons as he may deem necessary to enable him to determine the relevant facts. Every labor organization, its officers, employees, agents, or representatives shall cooperate fully in any investigation and shall testify and produce any of the records or other documents requested in connection with the investigation.

§ 204.52 Report of investigation.

The Area Administrator's report of investigation (except those relating to complaints under § 204.2, *Bill of Rights*) shall be submitted through the Regional Administrator to the Director, who may report to interested persons concerning any matter which he deems to be appropriate as a result of such an investigation.

§ 204.53 Filing of complaints.

A complaint alleging violations of this part may be filed with any Area Administrator.

PROCEDURES UNDER BILL OF RIGHTS

§ 204.54 Complaints alleging violations of § 204.2, Bill of Rights of members of labor organizations.

Any member of a labor organization whose rights under the provisions of § 204.2 are alleged to have been infringed or violated, may file a complaint in accordance with § 204.53: *Provided, however,* That such member may be required to exhaust reasonable hearing procedures (but not to exceed a 4-month lapse of time) within such organization.

§ 204.55 Content of complaint.

(a) The complaint shall contain appropriate identifying information and a clear and concise statement of the facts constituting the alleged violation.

(b) The complainant shall submit with his complaint a statement setting forth the procedures, if any, invoked to remedy the alleged violation including the dates when such procedures were invoked and copies of any written ruling or decision which he has received.

§ 204.56 Service on respondent.

Simultaneously with the filing of a complaint, a copy of the complaint shall be served upon the respondent, and a written statement of such service shall be furnished to the Area Administrator.

§ 204.57 Investigation.

(a) Upon the filing of a complaint pursuant to §§ 204.54–204.56, the Area Administrator shall make such investigation as he deems necessary and shall

report the essential facts, the positions of the parties, and any offers of settlement to the Regional Administrator.

(b) An investigation to determine whether any person has violated § 204.2 shall be conducted only after receipt of a complaint filed pursuant to this section and shall be limited to the allegations of such complaint.

§ 204.58 Dismissal of complaint.

If the Regional Administrator, after receipt of a report of the Area Administrator pursuant to § 204.57, determines that a reasonable basis for the complaint has not been established, or that a satisfactory offer of settlement has been made, he may dismiss the complaint. If he dismisses the complaint, he shall furnish the complainant with a written statement of the grounds for dismissal, sending a copy of the statement to the labor organization.

§ 204.59 Review of dismissal.

The complainant may obtain a review of such action by filing a request for review with the Assistant Secretary and simultaneously serving a copy of such request on the Regional Administrator and the respondent. A statement of service shall be filed with the Assistant Secretary. The request for review shall contain a complete statement of the facts and reasons upon which a request is based.

§ 204.60 Actionable complaint.

If it appears to the Regional Administrator that there is a reasonable basis for the complaint, and that no satisfactory offer of settlement has been made, he shall cause a notice of hearing to be issued and served on both the complainant and the labor organization.

§ 204.61 Notice of hearing.

The notice of hearing shall include:

(a) A copy of the complaint;

(b) A statement of the time and place of the hearing which shall be not less than 10 days after service of notice of the hearing, except in extraordinary circumstances;

(c) A statement of the nature of the hearing; and

(d) A statement of the authority and jurisdiction under which the hearing is to be held.

§ 204.62 Hearing procedures.

The proceedings following issuance of the notice of hearing shall be as provided in §§ 203.10 through 203.26 of this chapter.

ELECTION OF OFFICERS

§ 204.63 Complaints alleging violations of § 204.29, Election of Officers.

(a) A member of a labor organization may file a complaint alleging violations of § 204.29 if he has (1) exhausted the remedies available under the constitution and bylaws of the labor organization and of any parent body, or (2) has invoked such available remedies without obtaining a final decision within 3 calendar months of such invocation.

(b) The complaint shall contain a clear and concise statement of the facts constituting the alleged violation(s) and a statement of what remedies have been invoked under the constitution and bylaws of the labor organization and when such remedies were invoked.

(c) The complainant shall submit with his complaint a copy of any ruling or decision he has received in connection with the subject matter of his complaint.

§ 204.64 Investigation; dismissal of complaint.

If investigation discloses (a) that there has been no violation or (b) that a violation has occurred but was not of the kind that may have affected the outcome or (c) that a violation has occurred but has been remedied, the Director shall issue a determination dismissing the complaint and stating the reasons for his action.

§ 204.65 Actionable complaint.

If the Director concludes that there is probable cause to believe that a violation has occurred and has not been remedied and may have affected the outcome of the election, he shall proceed in accordance with § 204.66.

OTHER ENFORCEMENT PROCEEDINGS

§ 204.66 Procedures for institution of enforcement proceedings.

Whenever it appears to the Director that a violation of this part (other than § 204.2, *Bill of Rights*) has occurred and has not been remedied, he shall immediately notify any appropriate person and labor organization. Within ten (10) days following receipt of such notification, any such person or labor organization may request a conference with the Director or his representatives concerning such alleged violation. At any such conference, the Director may in his discretion, enter into an agreement providing for appropriate remedial action. If no person or labor organization requests such a conference, or upon failure to reach agreement following any such conference, the Director shall, through the Regional Administrator, cause a notice of hearing to be issued.

§ 204.67 Notice of hearing.

The notice of hearing shall constitute the institution of a formal enforcement proceeding in the name of the Director, who shall be the only complaining party in the proceeding and shall, where he believes it appropriate, refrain from disclosing the identity of any person who called the violation to his attention (except in proceedings involving violations of § 204.29, *Election of officers*). The notice of hearing shall include the following:

(a) The name and identity of each respondent.

(b) A clear and concise statement of the facts alleged to constitute violations of the order or of this part.

(c) A statement of the authority and jurisdiction under which the hearing is to be held.

(d) A statement of the time and place of the hearing which shall be not less than ten (10) days after service of the notice of the hearing.

(e) In any notice of hearing issued upon the basis of a complaint filed pursuant to § 204.63, a statement setting forth the procedures, if any, followed to invoke available remedies, including the dates when such procedures were invoked, and the substance of any ruling or decision received by the complaining member from the labor organization or any parent body.

§ 204.68 Answer.

(a) Within fourteen (14) days from the service of the notice of hearing, the respondent shall file an answer thereto with the Chief Hearing Examiner or with the Hearing Examiner if one has been designated, and furnish a copy to the Director. The answer shall be signed by the respondent or his attorney.

(b) The answer shall (1) contain a statement of the facts which constitute the grounds of defense, and shall specifically admit, explain, or deny each of the allegations of the notice of hearing unless the respondent is without knowledge, in which case the answer shall so state; or (2) state that the respondent admits all of the allegations in the notice of hearing. Failure to file an answer to or plead specifically to any allegation in the notice of hearing shall constitute an admission of such allegation.

§ 204.69 Procedure upon admission of facts.

The admission, in the answer or by failure to file an answer, of all the material allegations of fact in the notice of hearing shall constitute a waiver of hearing. Upon such admission, the Hearing Examiner without further hearing shall prepare his report and recommendation in which he shall adopt as his proposed findings of fact the material facts alleged in the notice of hearing.

§ 204.70 Motions.

Motions made prior to the hearing shall be filed with the Chief Hearing Examiner or with the Hearing Examiner if one has been designated. Motions during the course of the hearing may be stated orally or filed in writing and shall be made part of the record. Each motion shall state the particular order, ruling, or action desired, and the grounds therefor. The Hearing Examiner is authorized to rule upon all motions made prior to the filing of his report. The Chief Hearing Examiner may rule upon motions made prior to the designation of the Hearing Examiner or may, in his discretion, refer such motions to a Hearing Examiner.

§ 204.71 Prehearing conferences.

(a) Upon his own motion or the motion of the parties, the Hearing Examiner may direct the parties or their counsel to meet with him for a conference to consider:

(1) Simplification of the issues;

(2) Necessity or desirability of amendments to the notice of hearing or answer

for purposes of clarification, simplification, or limitation;

(3) Stipulations, admissions of fact, and of contents and authenticity of documents;

(4) Limitation of the number of expert witnesses; and

(5) Such other matters as may tend to expedite the disposition of the proceeding.

(b) The record shall show the matters disposed of by order and by agreement in such pretrial conferences. The subsequent course of the proceeding shall be controlled by such action.

§ 204.72 **Hearing procedures.**

After the opening of a hearing, the procedures shall be as provided in §§ 203.10 through 203.26 of this chapter, with the exception of § 203.11 and that part of § 203.18 which refers to prehearing motions.

Dated at Washington, D.C., this 26th day of February 1970.

By order of:

W. J. USERY, Jr.,
Assistant Secretary of Labor for Labor-Management Relations.

[F.R. Doc. 70-2565; Filed, Mar. 2, 1970; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 191]

[Docket No. FDC-HS-1]

CARBON TETRACHLORIDE

Proposed Findings of Fact and Conclusions and Tentative Order Regarding Classification as Banned Hazardous Substance

In the matter of classifying carbon tetrachloride and mixtures containing it (including that used in fire extinguishers) as "banned hazardous substances" (21 CFR 191.9) within the meaning of section 2(q)(1)(B) of the Federal Hazardous Substances Act:

A notice of proposed rule making in the above-identified matter was published in the FEDERAL REGISTER of February 9, 1968 (33 F.R. 3076), by the Commissioner of Food and Drugs on the basis of information gathered from investigations and other sources indicating that the degree or nature of the hazard involved in the presence or use of such substances in or around the household is such that the objective of the protection of the public health and safety can be adequately served only by keeping these substances out of the channels of interstate commerce. An order implementing the proposal was published May 24, 1968 (33 F.R. 7685), effective in 60 days.

Objections to the order were filed by the Chemical Specialties Manufacturers Association and a public hearing was requested. The Commissioner concluded that the objections gave sufficient grounds for staying the order and an order so staying was published July 27, 1968 (33 F.R. 10715).

Accordingly, a hearing and prehearing conference in this matter were scheduled by a document published March 27, 1969 (34 F.R. 5721). Subsequently, a public hearing was held on the following issues:

1. Does carbon tetrachloride and mixtures containing it, when intended or packaged in a form suitable for use in the household, involve a hazard of such a degree or nature that notwithstanding cautionary labeling the protection of the public health and safety can be assured only by keeping such articles out of interstate commerce?

2. Do fire extinguishers containing carbon tetrachloride, when intended or packaged in a form suitable for use in the household, involve a hazard of such a degree or nature that notwithstanding cautionary labeling the protection of the public health and safety can be assured only by keeping such articles out of interstate commerce?

The major part of the evidence introduced in this proceeding was in the form of written material—reprints of articles from medical, scientific, engineering, and specialized literature; correspondence; and affidavits from physicians, industrial hygienists, and an FDA pharmacologist.

Having considered the evidence received at the hearing and the Hearing Examiner's Report, the Commissioner, pursuant to provisions of the Federal Hazardous Substances Act (sec. 2(q)(1)(B), (2), 74 Stat. 374, 80 Stat. 1304; 15 U.S.C. 1261) and the Federal Food, Drug, and Cosmetic Act (sec. 701(e), 52 Stat. 1055, as amended; 21 U.S.C. 371(e)) and under authority delegated to him (21 CFR 2.120), proposes the following findings of fact, conclusions, and final order in this matter:

PROPOSED FINDINGS OF FACT [1]

1. Carbon tetrachloride (CCl_4) is a clear, colorless, sweet-smelling liquid resembling water at room temperature. Since its discovery in 1839 by a French chemist and physician, it has been identified by a number of names; such as, "carbon tet," "bichloride of carbon," "chlorocarbon," "tetrachloride of carbon," "carbon tetrachloride," and "tetrachloromethane." It is nonflammable, does not conduct electricity, and with a vapor density of 5.32 is approximately five times as heavy as air. It has a vapor pressure of 2.2 p.s.i. so that it vaporizes easily at room temperature.

Reportedly, this chemical was discovered by reacting chlorine with chloroform in sunlight. Because of its similarity to chloroform, it was first used in the field of medicine as an analgesic and anesthetic agent; however, by 1877 this use of carbon tetrachloride had nearly ended for it had been found to be inferior to several other anesthetics and when utilized as an anesthetic "The boundary between insensibility and death appears to be so narrow and ill-defined as in practice not to be capable of regulation." (Nunneley, T., "The Tetrachloride of Carbon as an Anesthetic," British Medical Journal, 1: 685, 1867).

The use of carbon tetrachloride in medicine evidently was minimal from approximately 1877 until the early 1920's as evidenced by the lack of scientific articles in the medical literature; however, by the early 1920's it did come back into use in this field as an orally administered vermifuge (anthelmintic) for the eradication of hookworm. It evidently was an effective anthelmintic as a number of articles appeared in the medical literature reporting its successful use in many thousands of cases. Within a very short period, however, the toxic nature of carbon tetrachloride was being more clearly delineated. During the period of its use as an anthelmintic, injuries and deaths were reported from such use, and the medical profession began extensive experimental work to determine the physiology, symptomatology, and pathology of carbon tetrachloride poisoning. Thus by the 1930's, the medical profession had become sufficiently aware of the toxicity of carbon tetrachloride to completely replace its use in medicine with less toxic chemicals and drugs. (G. 15, 27, 27A, 27B, 34, 47, 84, 86, 87, 90, 91, 93; TR. 162–210.)

2. Another less well-known use of carbon tetrachloride was as a dry (no water) shampoo for human hair. This use occurred in the early 1900's primarily in Britain and France. The published literature carry accounts of women being overcome by the fumes of carbon tetrachloride while having their hair shampooed and a number of fatalities are reported. Due to these toxic effects, this use was generally discontinued by 1913.

The greatest use of carbon tetrachloride has been, and continues to be, in industrial applications. Reportedly, the commercial production of this chemical began in the United States around 1902. It has been used extensively in such industrial processes as: Metal degreasing; solvent for rubber cement, paints, and fat extraction; fumigant for grain; cleaning agent for machinery and electrical equipment; dry cleaning agent; manufacture of soap, chloroform, dyes, insecticides, plastics, printing inks, and freon gases for refrigerants and other uses; and as a fire extinguishing agent.

Its major early industrial use was as a solvent for rubber cement, occurring around the time of World War I. Reportedly, this use by the rubber industry caused many carbon tetrachloride poisonings because adequate ventilation was not provided.

By the early 1930's carbon tetrachloride was used extensively as a dry cleaning agent, temporarily displacing its predecessor, naphtha, because of its noninflammability. It was soon generally displaced in this application, however,

[1] The abbreviations in the citations are: "TR" for transcript pages of the hearing's oral argument and testimony; "G" for exhibits introduced by the Government; and "R" for exhibits introduced by either of two respondents.

by tetrachloroethylene which was less toxic, less corrosive to metals, and had a lower vapor pressure premitting a greater recovery for reusage.

One of the major uses of carbon tetrachloride reported has been as a fire extinguishant. In the United States, carbon tetrachloride fire extinguishers began to appear in the very early 1900's. With the advent of electrical machinery, particularly electrical motors, a nonconductive extinguishment became desirable to replace water extinguishers. Carbon tetrachloride fire extinguishants were also found to have an inhibiting effect on fires in flammable liquids and its use for these types of fires grew. Due to the above and because it was inexpensive and usable in portable extinguishers, worldwide use in 1933 had grown to an estimated 10 million such extinguishers.

By 1919, reports of injuries and deaths associated with the use of carbon tetrachloride fire extinguishers began to appear in the literature. The earliest reported fatalities in this country involved two welders working in a compartment of a U.S. Navy submarine at the Portsmouth Navy Yard. The clothing of one welder was ignited by a piece of hot metal and his coworker sprayed him with carbon tetrachloride from a fire extinguisher. Both were overcome by the fumes and the compartment had to be cut open to extract the unconscious man. Both workers died, one 5 days and the other 9 days after the incident. Initially the deaths were attributed to the carbon tetrachloride vapors, but later it was determined that their deaths were caused from phosgene gas, a byproduct produced when carbon tetrachloride is exposed to high temperatures. (See case history No. 6, G. 27B.)

Since these first two reported fatalities, numerous additional injuries and deaths attributable to the use of carbon tetrachloride fire extinguishers have been reported. Government exhibit 27B sets forth 30 brief summaries of such typical case histories among which were seven injuries and 23 fatalities.

The remaining area where carbon tetrachloride has been used, and which represents the greatest area of danger, is in and around the home. Carbon tetrachloride has been used as a cleaning agent for spots upon clothing and fabrics, such as upholstery, and as a cleaning solvent in home workshops and garages. It has also been used as a fire extinguishant around the home.

The public generally has believed carbon tetrachloride to be a relatively safe cleaning agent, due in large measure to its noninflammability and its former use in commercial dry cleaning processes. (G. 1, 5, 11, 19, 22, 24, 27, 27A, 27B, 57, 85, 92; TR. 160–210.)

3. Informed medical opinion concerning carbon tetrachloride, submitted in this record in the form of affidavits from eight highly qualified physicians, is as follows:

Carbon tetrachloride is an extremely toxic substance capable of causing extensive damage to the liver, kidneys, lung, and heart, and it is injurious to all of the cells of the body. The three routes or methods of exposure are: Ingestion, inhalation, and absorption through the skin and mucous membranes. The method and duration of exposure and concentration or carbon tetrachloride to which a person is exposed are significant factors in the clinical and laboratory picture presented by one suffering from carbon tetrachloride poisoning. Reportedly, ingestion of 3 to 5 cc. of this substance may be fatal.

Because carbon tetrachloride produces a clear and consistent hepatic (liver) lesion, this type of lesion has been widely used in medical schools to demonstrate a typical liver injury that would be produced by numerous other toxic substances.

Carbon tetrachloride is no longer used by the medical profession therapeutically, nor is its use advocated by informed members of this profession. The use of this chemical as a therapeutic agent was terminated because its extreme toxicity outweighed any therapeutic advantage. This abandonment of carbon tetrachloride came about as its toxicity became known through the large number of reported injuries and fatalities it caused.

Though individuals can be exposed to carbon tetrachloride through ingestion, inhalation, or absorption, the most frequent route of exposure today appears to be by inhalation.

Carbon tetrachloride is readily absorbed through the lungs and more slowly from the gastrointestinal tract. Absorption through the gastrointestinal tract is considerably increased by the concomitant ingestion of fat and/or alcohol.

Cases of severe toxic effects on the central nervous system and impairment of vision associated with carbon tetrachloride exposure have been reported in the literature.

The clinical picture following inhalation and ingestion is somewhat similar except that oral ingestion is usually followed by more severe hepatic lesions. Upon exposure, the eyes, nose, and throat may be irritated. These immediate symptoms frequently disappear when exposure is stopped. A few hours following exposure, the patient suffers dizziness, headache, blurred vision, and fatigue followed by the gastrointestinal disorders of nausea, vomiting, and abdominal pain. Respiration may become labored and pulmonary edema, often complicated by pneumonia, can ensue. A few days later a transitory jaundice may develop often accompanied by tender enlargement of the liver and bleeding from the nose or other hemorrhagic (bleeding) manifestations. Oliguria (decreased urine output) and albuminuria (presence of protein in urine) begin varying from 1 to 8 days after exposure. In severe cases, renal failure may ensue. Pathological lesions are almost constantly found in both the liver and kidney. They are the death or destruction of liver cells and degeneration of the tubular epithelium (coverings) in the kidney.

The absorption of large quantities of carbon tetrachloride produces stupor, convulsions, coma, and death due to depression of the central nervous system. Sudden death may occur from ventricular fibrillation or depression of the vital centers in the brain stem.

Clinically, individual reaction to carbon tetrachloride varies greatly—many persons will evidence no ill effects, others will exhibit mild to severe symptoms, others will die. This variation in reaction to the toxicity of carbon tetrachloride is influenced by many factors, such as the physical environment under which the exposure occurs, route of exposure, duration of exposure, the concentration of carbon tetrachloride, concomitant ingestion of fat and/or alcohol, preexisting kidney or liver diseases, malnutrition, hypertension, pulmonary or cardiac diseases, diabetes, peptic ulcer, and any hypersensitivity to halogenated carbons.

The recognition of liver and/or kidney damage in a person as caused by carbon tetrachloride poisoning is difficult. No generally available specific laboratory test for carbon tetrachloride poisoning is known. Kidney damage is often insidious in appearance and the onset of anuria (absence of excretion of urine) may be delayed for as long as a week. The anuria may persist from 1 day to several weeks (usually preceded by oliguria), generally occurs between 1 and 8 days after exposure, and has been reported to persist as long as 67 days following exposure.

The urinalysis after the onset of anuria is typical of acute renal failure, and the biochemical changes of acute renal failure caused by carbon tetrachloride poisoning follow the same course as renal failure from any other cause.

The elevation of the blood urea nitrogen (BUN) in a patient may indicate kidney damage and a large portion of the kidney function is generally affected before there is a rise in the BUN. Because a large part of the kidney function is impaired before there is a meaningful rise in the BUN, this particular test may not detect early kidney damage in mild or chronic cases of carbon tetrachloride poisoning.

Liver function tests are capable of detecting injuries to the liver, but are of limited value in ascertaining the cause of reduced liver function. Viral hepatitis causes liver dysfunction similar to that caused by carbon tetrachloride poisoning. The results of liver function tests (that is, elevated SGOT levels—serum glutamic oxalacetic transaminase levels) generally occur during the first 3 days after exposure and may be transient. This indication of liver damage therefore may be missed if blood specimens are either not taken or not subjected to these tests within a relatively short time after exposure to carbon tetrachloride.

To accomplish an accurate diagnosis of carbon tetrachloride poisoning, the most essential factor is obtaining an accurate history of carbon tetrachloride exposure. In the absence of such an accurate history, a physician generally cannot make a specific diagnosis because the signs and symptoms observed in carbon tetrachloride poisoning are very similar to, and are easily confused with,

those resulting from other conditions and disease entities, such as gastrointestinal infections, viral or infectious hepatitis, influenza, chronic alcoholism, and pneumonia, among others.

All or only some of the signs and symptoms detailed above may manifest themselves in carbon tetrachloride poisoning. Similarly, liver and kidney function tests as identified above may be utilized; but in the absence of a history of carbon tetrachloride exposure, the results of these tests showing impaired functions are not definitive as to the cause of such reduced function.

Neither a specific treatment nor antidote for carbon tetrachloride poisoning is known. No medical modality is known that can reverse or alter the toxic effects of this type of poisoning once exposure occurs.

Basically, the only treatment available is supportive; that is, treatment designed to assist the body's life functions to operate long enough for normal levels of function to be reestablished plus keeping from the patient those things that might worsen his condition.

In treating cases of carbon tetrachloride poisoning, the sooner treatment is begun the better the chances that the body's natural resistance can be conserved and built up to resist the toxic effects and thereby help prevent further possible damage. Before any treatment is begun, a diagnosis must be made. At this step in the medical management of carbon tetrachloride poisoning, delays often occur due to similarity of the signs and symptoms of this type of poisoning with other diseases and conditions.

The ultimate physiological effect of carbon tetrachloride poisoning of a person is both varied and medically uncertain. Carbon tetrachloride poisoning causes necrosis (death of cells) in both the liver and kidneys. Although kidney function is recovered in most persons who survive carbon tetrachloride poisoning, the long-term deleterious effects of kidney necrosis are not medically known; however, persons who suffer any acute necrosis have a slight predisposition to infection and secondary infections of the kidney.

Medical details of cases involving carbon tetrachloride fatalities and acute poisoning are set forth in the case histories incorporated into the affidavits numbered as exhibits G. 84, 87, 88, 90, 91, and 93. (G. 3, 5, 7, 9, 11, 16, 20–22, 30, 48A–I, 51, 73, 84, 86–91, 93.)

4. The public has been and will continue to be exposed unknowingly to the dangers of carbon tetrachloride in the home where it is used as a cleaning agent and in hobby work. It has been available for public purchase at many drugstores and hardware stores. Exposure to this chemical by adults in the household is usually by inhalation, although occasional intentional and accidental ingestions have occurred. In children the exposure may be by inhalation and/or ingestion. Reported exposures in industry in recent years have been few because the extreme toxicity of carbon tetrachloride has become well known therein and because, to a considerable degree, different, less toxic chemicals have been substituted in industrial use.

Obese individuals are more susceptible to the toxic effects of carbon tetrachloride than nonobese individuals, not because of the outside layer of fat tissue, but because the liver in such persons is usually fatty and carbon tetrachloride tends to accumulate in fatty tissue. That alcohol potentiates the adverse effects of this chemical is well established.

The kidney damage caused by carbon tetrachloride poisoning results in the destruction of kidney cells whose function, in part, is to eliminate toxins from the blood. Thus, kidney damage interferes with or prevents the kidney from detoxifying poisons in the system. A major function of the liver is to detoxify the blood. Carbon tetrachloride poisoning results in destruction of liver cells, destroying or decreasing this function. When carbon tetrachloride poisoning is severe enough to cause kidney and liver damage, the body's exposure to this poison is prolonged which compounds the toxic effects.

Carbon tetrachloride is absorbed rapidly, but because of its detrimental effect on the liver and kidneys, is not detoxified rapidly.

The use of carbon tetrachloride without adequate ventilation will probably result in damage and injury to the individual user. Adequate ventilation in the home is generally not possible because it requires installed exhaust air systems adequate to protect the user from the toxic effects of this chemical.

Medical experts agree that because of the medical dangers associated with carbon tetrachloride use, this toxic substance should not be available for use by laymen in the home. (G. 22, 84, 86–91, 93, 94.)

5. The physicians' affidavits submitted by the Government also contain the following opinions concerning the medical feasibility of labeling carbon tetrachloride; these opinions are obviously well founded and are uncontroverted in this record:

Individual susceptibility to the adverse toxic effects of carbon tetrachloride varies considerably from no observable effect through various degrees of poisoning to fatal effect.

Certain conditions and diseases existing in a person exposed to carbon tetrachloride will intensify the toxic effect of this substance. These conditions and diseases are alcoholism (as a preexisting condition or the ingestion of alcohol just prior to, during, or immediately after exposure), the concomitant ingestion of fatty foods, the age of the person, malnutrition, obesity, the presence of any kidney or liver disease, hypertension, pulmonary diseases, any cardiac disease, diabetes, peptic ulcer, and any hypersensitivity to halogenated carbons.

Many of these conditions, such as hepatitis, malnutrition, kidney, liver, or cardiac diseases, among others, are not susceptible to diagnosis by the layman.

In the absence of a qualified physician's diagnosis, the layman is not aware of the existence of any such conditions in himself. The layman therefore would be unaware of his increased susceptibility to the toxic effects of carbon tetrachloride resulting from the presence of these conditions and diseases. No evidence in this record supports a finding that laymen know of the potentiating effect of preexisting physical conditions and diseases upon the toxic effects of carbon tetrachloride poisoning.

Devising labeling equally applicable to all users of carbon tetrachloride is medically impossible due to the great variability of susceptibility to the adverse effects of carbon tetrachloride in disease-free individuals, the increased susceptibility to the adverse effects of carbon tetrachloride in persons suffering from a variety of preexisting conditions, the lack of knowledge by laymen of this increased susceptibility, and the impossibility of laymen diagnosing many of these conditions. Labeling could only protect the public by warning each individual on the basis of his individual susceptibility. In the absence of complete physical and laboratory tests on each individual by competent physicians, such susceptibility cannot be determined; therefore, protecting the public from the extremely dangerous toxic effects of carbon tetrachloride by any amount or form of label warnings is medically impossible. (G. 84, 86–91, 93.)

6. By the late 1940's, carbon tetrachloride use as a degreasing solvent was largely abandoned by industry due to its toxicity as evidenced by the increasing number of reported injuries and deaths resulting from industrial exposure. The present primary industrial use is as a chemical intermediate. Due to knowledge of carbon tetrachloride's toxicity, industrial users instituted certain restrictions on its use in plants; that is, limited the quantity used to the minimum amount required to accomplish specific jobs and allowed its use only in restricted areas. Additionally, extensive air-exhaust ventilating systems were installed to insure adequate ventilation, and employees who were to use carbon tetrachloride were required to submit to medical examinations to detect any existing physical conditions, such as diseases of the liver, kidney, heart, or lung, that would preclude exposing such workers to this chemical. Employees who did use carbon tetrachloride were required to utilize safety equipment such as respirators, gloves, etc. Other plants, mainly those using carbon tetrachloride as a chemical intermediate in the manufacture of other chemicals, restricted carbon tetrachloride to use in closed systems and instituted air-monitoring programs to detect the presence of carbon tetrachloride fumes so that a safe level would not be exceeded. Currently, most members of industry utilizing this chemical employ many or all of the above-mentioned controls. Many plants unable to install the extensive exhaust equipment, or other apparatus necessary for adequate ventilation, eliminated the use of carbon tetrachloride altogether and turned to less toxic chemicals. Some industrial safety

directors have banned its used as a solvent in their plants.

Today, carbon tetrachloride is generally recognized by responsible members of industry as a serious hazard to individuals exposed to it during industrial use. This recognition came about through articles appearing in the published literature, personal knowledge of injury occurring in their own plants, and the dissemination of this knowledge to other members of industry through personal contact and discussions at various industry meetings and conferences.

Reported injuries arising from industrial use of carbon tetrachloride have decreased in recent years due to its general abandonment as a solvent, its restricted use as a chemical intermediate in closed piping systems, and the precautions and safety measures employed in plants.

Beginning in the 1930's the safe exposure level of carbon tetrachloride vapor was generally accepted in industry at 100 parts of carbon tetrachloride per million parts of air (100 p.p.m.). In the 1940's this level was reduced to 50 p.p.m., and in the early 1960's to 25 p.p.m. In 1966, the American Conference of Governmental Industrial Hygienists further reduced this level to 10 p.p.m. This steady and significant reduction of the threshold limit value (TLV) has occurred as industry became increasingly aware of the hazards of the industrial use of this chemical.

"Adequate ventilation" is ventilation sufficient to reduce carbon tetrachloride TLV to acceptable levels and consists of exhaust ventilated booths with sufficient "face" velocity to prevent the escape of carbon tetrachloride vapors from the booth. The word "face" is an engineering term meaning the opening of an exhaust hood. Air must be so exhausted that the vapors of carbon tetrachloride do not go beyond the hood or booth and are drawn away from the face of the user. The design of adequate ventilation facilities is a specialized engineering function requiring specialized technical knowledge.

Adequate ventilation in the home is a practical impossibility because to achieve it would require properly designed and installed forced-air exhaust systems. Thus when carbon tetrachloride is used in the home and windows are open in the area where it is in use, necessary adequate ventilation will not be present. Consequently, dangerously high levels of carbon tetrachloride vapor will accumulate and subject the user or anyone present in the area to potential carbon tetrachloride poisoning.

The ordinary consumer does not understand what the term adequate ventilation means in relation to the use of carbon tetrachloride.

The odor of carbon tetrachloride does not become detectable until concentration of the vapor reaches approximately 80-p.p.m. Thus by the time a person detects its odor, the exposure has reached a level eight times greater than the 10-p.p.m. currently recommended tolerable level. Because of the toxicity of carbon tetrachloride and the variability of susceptibility of persons to its harmful effects, consumers may be subjected to potentially harmful levels of carbon tetrachloride exposure before they are warned of its presence by its odor.

As an example of how little an amount of carbon tetrachloride can produce potentially dangerous vapor concentrations, one teaspoonful of carbon tetrachloride placed in an unventilated bathroom measuring 6′ x 10′ x 8′ will vaporize and produce a concentration of carbon tetrachloride vapor of 100 p.p.m. If one-half pint (8 oz.) were to be dropped in the same size room, a concentration of 4,420 p.p.m. would be produced, which could prove fatal to most individuals depending on the length of exposure.

Typical examples of injuries and deaths due to carbon tetrachloride use in and around the home are set forth in exhibit G. 19.

A number of the country's largest chemical manufacturers, including the prime producer of carbon tetrachloride, Dow Chemical Co., have gone on record against use of this chemical or compounds containing it in or around the home because of its toxicity. (G. 11, 19, 23–27, 31A, 31B, 31D, 31E, 35, 46, 85, 92.)

7. Animal experiments conducted at the Food and Drug Administration's Special Pharmacological Animal Laboratory showed a marked increase in the toxicity of the chlorinated compound lindane (benzene hexachloride) in animals, dogs, and swine when such animals had been previously given phenobarbital. These observed effects made other chlorinated compounds suspect, and experiments recently completed were conducted to determine whether the known hepatoxic properties of carbon tetrachloride were also potentiated by predosages of phenobarbital.

These recent experiments demonstrated that a marked increase in the lethality and hepatoxicity of carbon tetrachloride occurs when this solvent is administered to rats, dogs, and swine pretreated with phenobarbital. In that laboratory, the oral LD 50 for carbon tetrachloride is estimated in phenobarbital-treated dogs and pigs to be approximately 0.05 ml./kg. The oral LD 50 of carbon tetrachloride in normal dogs and pigs is believed to be in excess of 5 ml./kg. Thus the dogs and pigs pretreated with phenobarbital are over 100 times more sensitive to the toxic effects of carbon tetrachloride than normal, nontreated dogs and swine. The mechanism and pharmacological explanation for this greatly increased sensitivity to the toxic effects of carbon tetrachloride are explained in considerable detail in exhibit G. 94.

These investigators concluded that the administration to humans of phenobarbital and other barbiturate drugs such as pentobarbital and amobarbital, anticonvulsants such as Dilantin, antihistamines such as chlorcyclazine, antiarthritic drugs, and insecticides such as DDT, chlordane, dieldrin, and toxophene would also lead to a significant elevation of sensitivity to the toxic effects of carbon tetrachloride. This conclusion is supported by reference to published works of other scientists and to the scientifically established fact that the biochemical pathways for drug metabolism in laboratory animals have also been found in the human liver. Although the rate of drug metabolism in humans may differ from that in laboratory animals, man does metabolize drugs in a way similar to laboratory animals including the species (dog, swine, and rat) used in this carbon tetrachloride investigation.

Thus in the absence of any evidence to the contrary, a reasonable conclusion is that the sensitivity of humans to the toxic effects of carbon tetrachloride is significantly increased when such individuals are taking phenobarbital and the other types of drugs specified above. See also exhibit G. 56, wherein a cardiac patient being maintained on an anticoagulant drug suffered serious adverse effect through the accidental ingestion of a minute amount (0.1 ml.) of carbon tetrachloride that could have proven fatal if the medication had not been suspended.

Thus the adverse interaction of carbon tetrachloride with drugs essential to the medical maintenance of patients constitutes a real and important hazard that cannot be eliminated or reduced by any form or amount of labeling on containers of carbon tetrachloride used by the public at large. (G. 56, 94.)

8. For this record, the Government submitted authenticated medical records of 23 documented cases (some involving more than one individual) of deaths and acute poisonings due to carbon tetrachloride exposure. These cases represent only a small proportion of the number of injuries and fatalities due to carbon tetrachloride exposure reported in the medical and technical literature and merely represent typical examples of such occurrences.

No accurate total of the number of injuries and fatalities due to carbon tetrachloride exposure is possible because, in the absence of a history of exposure, many such cases are not accurately diagnosed (see finding number three above) and many such cases are treated by private physicians and hospitals with no reports of such occurrences made. Although for the past 2 or 3 years efforts have been made to systematize the reporting of accidental poisonings caused by a wide variety of substances by establishing the National Clearing House for Poison Control Centers within the Department of Health, Education, and Welfare (which gathers such information from 395 poison control centers located in 43 States), the substances causing accidental poisonings are not specifically identified nor broken down into sufficiently small categories so that carbon tetrachloride is listed as one such substance. No source is available at this time that will yield an accurate current total of the number of carbon tetrachloride exposures resulting in injury and/or death.

The 23 cases documented by medical records as set forth in exhibits G. 49–73 and 83, excluding G. 55–57, show that carbon tetrachloride exposure caused 15 deaths (14 by inhalation and one by ingestion) and 21 acute poisonings (13 by ingestion and eight by inhalation). Because these 23 cases are typical of cases of injuries and deaths reported in the medical literature, the factual details of four are set forth below as examples of the nature and degree of hazards present in the use of carbon tetrachloride under typical circumstances of home use.

Case 1—exhibit G. 58. In May of 1968, this individual cleaned a necktie with carbon tetrachloride in the kitchen of his home. He became ill that evening, nauseated, and vomited. The following day he experienced chills and elevated temperature and was seen by his private physician who prescribed some medication to quiet him. During the next 2 or 3 days, he became agitated and restless and his respiratory rate increased. He was admitted to a hospital in Boston, Mass., on May 16, 1968, and died the following day. The autopsy report and death certificate list the cause of death as acute hepatic necrosis and renal failure due to accidental inhalation of carbon tetrachloride while cleaning a necktie.

Case 2—exhibit G. 59. This case involved the death of a 7-year-old child in California in March 1967. On a Sunday morning, the parents of this victim were sleeping later than usual as was their custom. At approximately 10:40 a.m., the mother arose and went to the bedroom of her child and found the victim and his 4-year-old brother unconscious on the floor. The bedrooms were on the second floor of the family residence. The wife immediately called her husband who upon entering his sons' bedroom detected a strong odor of carbon tetrachloride, which he readily recognized as he was a chemical engineer employed by a large California aircraft company. The parents carried both boys out of the room and began to administer artificial respiration to their 7-year-old, the 4-year-old evidently having revived. A rescue squad was called by a neighbor and the victim was transported to a local hospital. The boy was pronounced dead upon arrival at the hospital.

This case was investigated by the local police who determined that the parents had stored a gallon bottle containing approximately 1 pint of carbon tetrachloride in an upstairs hall closet. The rug and pad in the victim's room were wet under where the victim and his brother were found unconscious, and a wet towel smelling of carbon tetrachloride was also found in the room. Samples of the rug, pad, the towel, and the bottle were taken as exhibits. The investigating officials concluded that the victim was using the carbon tetrachloride to clean something from the rug in his bedroom, and he and his brother were overcome by the carbon tetrachloride fumes.

Upon autopsy, carbon tetrachloride was found in the victim's blood. The coroner's report listed this fatality as acute carbon tetrachloride intoxication by inhalation of this chemical.

Case 3—exhibit G. 62. This case and the medical records contained in this exhibit represent the acute poisoning of eight persons by accidental ingestion of carbon tetrachloride in Oregon.

In October 1965, a group of middle-aged married couples gathered at the home of one of this group for a dinner party and were served cocktails and canapes. Within 15 minutes from the time that the cocktails were served and consumed, all but the hostess became violently ill with numbness, acute diarrhea, perspiration, weakness, loss of color, vomiting, and palpitations. At first accidental food poisoning was suspected; however, investigation by the local public health department physician disclosed that the food consumed by the victims was not the cause of the illnesses, but that carbon tetrachloride had been accidently used in making the cocktails. One drink had not been consumed and upon chemical analysis showed the presence therein of 66 percent by volume of carbon tetrachloride. The carbon tetrachloride used in making these drinks was contained in a bottle marked "Arrow Spot Remover." The front panel label on this container bore a skull and crossbones warning with the warning "Dangerous—May be fatal if inhaled or swallowed. Read precautions on back before using." Additional warnings and instructions were set forth on the back label of the container.

Ultimately, all eight persons were treated at various local clinics or hospitals and were diagnosed as having suffered severe liver damage as a result of their accidental ingestion of carbon tetrachloride. From the records in this exhibit, all of the victims appeared to have recovered.

Case 4—exhibit G. 72. This case involves the death of a 17-year-old high school student living in Seattle, Wash. On June 1, 1966, this youth was discovered by his father lying fully clothed upon his bed in his bedroom in an unconscious state. An ambulance was summoned and the boy taken to the University Hospital where he was pronounced dead on arrival. Attempts were made to revive the boy to no avail. An investigation was made by the local police department and the coroner's office. It developed that earlier on the day of his death, the victim had worked on his automobile, cleaning the hot engine with carbon tetrachloride. The coroner's report lists the cause of death as acute pulmonary edema due to inhalation of toxic products of decomposition of carbon tetrachloride used in cleaning the hot automobile engine.

Additional typical examples of fatalities and acute poisonings caused by carbon tetrachloride are set forth in exhibits G. 49–54, 60, 61, 63–71, 73, and 83. (G. 4, 5, 9, 13, 27, 27A, 27B, 33.)

9. The hazards associated with carbon tetrachloride use have been extensively commented upon in the medical, scientific, technical, and specialized (industrial, engineering, fire prevention, etc.) literature over the past 30 or more years. Although some efforts have been made to alert the public to these hazards through publication of articles in consumer magazines such as "Family Safety" (see exhibit G. 19), the evidence of record does not reveal that any concentrated, effective dissemnation of this information to the public has been accomplished. Consequently, the nature and degree of the hazards associated with carbon tetrachloride use have become known to specialized groups of people; that is, informed members of the medical profession and members of industries who utilize or have utilized this chemical for a number of applications. The consuming public at large has not been made aware of these hazards.

The Government introduced a number of articles published in journals and publications associated with the various fields mentioned above. An examination of these printed articles reveals that these exhibits are merely a sampling of the total literature available concerning the hazards of carbon tetrachloride use. See the bibliographies set forth in a number of these exhibits; for example, G. 1, 5–7, 10, 14, 16, 21, 22, 27A, and 27B. An exhaustive coverage in detail of the nature and degree of hazards associated with carbon tetrachloride use, both in the home and industry, from the medical, pharmacological, and physiological points of view, as well as the effects caused by such hazards, are set forth in the following exhibits: G. 1–13, 15–18, 20–26, 28–30, 32–36, 38–47, 48A–I, and 55–57.

10. As referred to in finding No. 2 above, one of the major uses of carbon tetrachloride has been as a fire extinguishing agent. These types of fire extinguishers began to appear in this country during the first decade of this century after having been used previously in Europe. Apparently, the popularity of carbon tetrachloride for this use was its portability, inexpensiveness, electrical nonconductability, penetrating capacity, and reported effectiveness on flammable liquid fires.

The literature reported a limited number of injuries and fatalities involving carbon tetrachloride fire extinguishers during the early years of its use. These cases emphasized that the adverse effects experienced were due to the byproducts, mainly phosgene gas, produced by the decomposition of carbon tetrachloride when subjected to high temperatures. (See exhibits G. 39 and 40.) By the middle and late 1930's, however, more published reports began to appear in the literature of injuries caused by this use of carbon tetrachloride. As more knowledge of the toxicity of carbon tetrachloride was accumulated, it became apparent that the use of this chemical as a fire extinguishant presented two hazards: The inherent toxicity of carbon tetrachloride in its natural state and the lethal toxicity of the decomposition products of carbon tetrachloride when subjected to high temperatures, primarily phosgene gas. The relatively small member of published reports of injuries and deaths involving carbon tetrachloride fire extinguishers, where carbon

tetrachloride is listed as the cause, is believed to be due to the tendency to classify all fume exposures from firefighting as "smoke poisonings," even though the adverse effects may have been caused by carbon tetrachloride and its decomposition products. This relatively small number of cases may also be due to the fact that much of the use of carbon tetrachloride fire extinguishers is by unsupervised, nonfirefighting personnel and consequently injuries and adverse reactions go unreported.

A study of a number of vaporizing fire extinguishants conducted in 1958–59 by the Dow Chemical Co. under a U.S. Air Force contract showed carbon tetrachloride to be the most toxic agent studied and to be the only one with the capacity to cause liver damage. (G. 26, 27, 27A, 27B, 38, 42, 81, 92; TR. 370; R. 2.)

11. In the past various types of carbon tetrachloride fire extinguishers in various sizes have been marketed. One was a glass bulb-type mounted in a bracket and affixed to room ceilings or walls. It would be actuated and dispense carbon tetrachloride when a certain degree of heat was reached. This type was referred to as an "automatic" fire extinguisher although it was also recommended as a hand extinguisher used by throwing the globe at a fire to break the glass and allow the carbon tetrachloride to disperse.

In 1947 the Division of Industrial Health of the Illinois State Department of Health, along with other Illinois officials, conducted an experiment to definitely ascertain the cause of death of three children who died in a fire in their trailer that was equipped with two of the glass bulb-type carbon tetrachloride fire extinguishers. The conditions of the fatal fire were simulated and the two bulb-type extinguishers were found to cause a concentration of phosgene gas of 70 p.p.m. within 45 seconds, which concentration remained between 63 to 150 p.p.m. for the remainder of the test, a total of 7 minutes and 15 seconds. The fatal dose of phosgene is 50 p.p.m. during a 51 to 10-minute exposure.

The thermally produced decomposition products of carbon tetrachloride present a hidden hazard to its use. Concentrations of chlorinated hydrocarbons at one half and less of their threshold limit values (TLV) have been found to produce significant amounts of phosgene when exposed to open gas flame. Phosgene is a lethal gas used in World War I that exhibits little irritation and can be inhaled in lethal dosage without undue discomfort. Reportedly, under some conditions the phosgene generated from 1 cup of carbon tetrachloride might be lethal to humans.

Although claims have been made that carbon tetrachloride is an efficient fire extinguishant for flammable liquid fires, this claim is subject to serious question. In 1967 the Federal Fire Council examined this claim and, relying upon a report by the National Bureau of Standards of tests of portable carbon tetrachloride fire extinguishers and other material, concluded that carbon tetrachloride fire extinguishers had been demonstrated to be inefficient in flammable liquid fires. In addition, significant corrosion problems have developed in the past with the hand-pump portable types of extinguishers.

Despite the inadequacies of carbon tetrachloride fire extinguishers they were widely available for use up to the early 1950's, and this use resulted in numerous reported cases of injuries and fatalities. Details of these injuries and deaths are set forth in exhibits G. 2, 7, 11, 18, 26, 39–45, 55, and 81. An excellent summary report of case histories of deaths and injuries from carbon tetrachloride fire extinguishers is set forth in exhibit G. 27B. (G. 11, 26, 27, 41; R. 2.)

12. As a result of the hazards associated with carbon tetrachloride use in fire extinguishers, a number of Federal, State, and local authorities, and other boards and groups responsible for recommending against hazards, have taken actions to ban or severely limit the use of carbon tetrachloride fire extinguishers within their jurisdictions.

a. Pennsylvania banned the use of carbon tetrachloride fire extinguishers on school buses and substituted dry-chemical fire extinguishers.

b. Michigan discontinued the purchase of carbon tetrachloride fire extinguishers and have replaced them in State-owned buildings with other extinguishers.

c. Connecticut outlawed the use in fire extinguishers of any agent having a level of toxicity equal to or greater than carbon tetrachloride for use in any building regulated by the fire safety code. Such extinguishers are also prohibited in school buses or other public service motor vehicles.

d. North Dakota banned extinguishers containing any of the 15 halogenated hydrocarbon liquids, one of which is carbon tetrachloride.

e. Iowa prohibits the use of carbon tetrachloride fire extinguishers in public buildings, hospitals, schools, State-owned vehicles, and school buses.

f. South Dakota prohibits the use of carbon tetrachloride fire extinguishers in all public buildings, amusement parks, hospitals, and schools.

g. Reportedly, France and West Germany outlawed carbon tetrachloride fire extinguishers in 1961.

h. Columbus, Ohio, banned all types of vaporizing liquid fire extinguishers.

i. The Federal Fire Council in its "Recommended Practices No. 3," dated January 1967, makes the following recommendation:

> Carbon tetrachloride extinguishers, including bulb-type devices, should be immediately removed from the Federal Government's operations. Their inefficiency in extinguishing fires, poor maintenance characteristics, and death-dealing potential justifies their immediate and complete removal from the Government's inventory. Existing units should be destroyed and not be made available for transfer within and/or without the Federal establishment. Also, no future carbon tetrachloride fire extinguishers should be purchased as part of any Federal contract nor allowed on Federal property. (G. 27, p. 11.)

j. In 1963, the International Association of Fire Chiefs adopted a resolution recommending that State and local authorities discontinue the listing and approval of fire extinguishers using carbon tetrachloride or similar materials of toxic nature.

k. In 1950, the U.S. Public Health Service initiated a program of prompt replacement of carbon tetrachloride fire extinguishers after a survey of 653 units showed that 25 percent of them had failed when tested due to leakage, corrosion, and other causes.

l. In 1956, the Veterans Administration began to eliminate its carbon tetrachloride fire extinguishers.

m. In 1964, the Federal Supply Service of the General Services Administration deleted carbon tetrachloride fire extinguishers and fire extinguisher liquid from the Federal Supply Schedule.

n. In 1955, the U.S. Navy restricted carbon tetrachloride use throughout the Navy because of its high toxicity.

o. In January 1966, the Navy prohibited carbon tetrachloride use throughout the Navy (except as a laboratory reagent and pharmacological preparation) because of its toxicity and hazards to health.

p. In 1958, the U.S. Coast Guard withdrew its approval of carbon tetrachloride fire extinguishers on board boats and vessels effective January 1, 1962.

q. Through a series of bulletins beginning in November 1966, Underwriters' Laboratories, Inc. (U.L.), withdrew its listing of carbon tetrachloride fire extinguishers as qualifying for use of their U.L. label. This delisting became effective July 1, 1967.

r. In addition, the Underwriters' Laboratories of Canada withdrew their recognition of carbon tetrachloride fire extinguishers effective January 1, 1967, which date was subsequently changed to March 1, 1967.

s. The New York City Poison Control Center has gone on record opposing carbon tetrachloride use because it is "* * * so vicious it should be banned from every home." (G. 27, 27A, 36, 37, 75, 77–80; TR. 221–269.)

13. Since the early 1950's, the use of carbon tetrachloride fire extinguishers has decreased markedly because of the hazards associated with their use and the availability of safer, more efficient types such as the dry chemical type. The evidence of record reveals that since 1962, only one company, the General Fire Extinguisher Corp., has produced such extinguisher and only 0.1 percent of this company's total sales volume consists of carbon tetrachloride fire extinguishers. (TR. 301, 311, 403, and 404.) This company currently manufactures three types of carbon tetrachloride fire extinguishers, a 1-quart portable hand-pump type (see exhibit R. 4), a 1½-quart size of the above type, and a 1-quart stored-pressure type. It also distributes 1-quart (see exhibit R. 6) and 1-gallon size containers of carbon tetrachloride as refills for carbon tetrachloride fire extinguishers. The formulation of the fluid used in these extinguishers is 90 percent carbon tetrachloride, 9 percent trichloroethylene, and 1 percent carbon disulfide, the formula in use for many years by practically all manufacturers. (TR. 293 and

294.) Unless an inhibitor (carbon disulfide) is mixed with it, carbon tetrachloride corrodes fire extinguisher pumps, allowing the escape of the carbon tetrachloride.

The General Fire Extinguisher Co. purchases the carbon tetrachloride for its fire extinguishers from the Freeport, Tex., plant of the Dow Chemical Co. It assembles and fills its extinguishers at its plant at Northbrook, Ill., and ships them to its branch offices in Atlanta, Dallas, San Francisco, Culver City, and New York City. The extinguishers are then shipped to "* * * authorized distributors who distribute these to their industrial and trucking customers." (TR. 304–307.) The containers holding refills of carbon tetrachloride for the extinguishers are distributed in a similar fashion. This company does not distribute its carbon tetrachloride fire extinguishers or its refill containers directly to any retail market; that is, to any outlet other than its industrial and trucking customers. (TR. 308.) This market is extremely small. (TR. 312, 373, and 376.) The manufacturer at the present time, however, has no positive control over its products beyond the branch office level. The company does discourage its distributors from selling its carbon tetrachloride fire extinguishers and refills to noncommercial customers. This company and its exclusive supplier of carbon tetrachloride, the Dow Chemical Co., maintain that carbon tetrachloride in any form is too hazardous to be allowed for use in the home. (TR. 405.) At the subject hearing, this participant did not controvert either the toxicity of carbon tetrachloride, nor the hazards associated with its use as a fire extinguishant in the household. (TR. 160–210, 246, 290–291, 293–294, 301–312, 326, 343–344, 373–376, 396–399, 401–405, 411–419, 425–426; R. 4, 6; G. 19, 31D.)

14. The evidence of record indicates that products on the market, including fire extinguishing fluid, contain from 90 to 100 percent of carbon tetrachloride. Prior to the enactment of the Federal Hazardous Substances Act, carbon tetrachloride fire extinguishers bore on their labels the warning "Avoid exposure to smoke or fumes." Current labels contain the additional warnings "Danger—Poison—May be fatal if inhaled or swallowed. Poisonous gases form when used to extinguish flame. Avoid repeated or prolonged contact with skin. Do not enter area until well-ventilated and all odor of chemical has disappeared. Use in an enclosed space may be fatal."

Even this current labeling, however, cannot be considered adequate or effective because a layman cannot recognize preexisting physical conditions, diseases, or circumstances that will make him more susceptible to the toxic effects of carbon tetrachloride. Public health officials believe that the nature of the toxicity of carbon tetrachloride is such that the average home user cannot familiarize himself with proper precautions for use. Some experts question whether the average consumer either reads, understands, or heeds warning information concerning the hazards associated with carbon tetrachloride use in any application and thus question the effectiveness of any label warning that could be devised. (G. 3, 4, 17, 19, 24, 26, 46, 84, 86–94; TR. 175, 207, 309, 405.)

15. A fair evaluation of all the evidence of this record leads to the conclusion that both issues, as stated in the notice scheduling the hearing in this matter published in the FEDERAL REGISTER of March 27, 1969 (34 F.R. 5721), are answered in the affirmative.

16. On December 16, 1969, the Chemical Specialties Manufacturers Association withdrew its objection to classifying carbon tetrachloride and mixtures containing it (including that used in fire extinguishers) as a banned hazardous substance, conceding that Government exhibit 94 reflects data indicating that carbon tetrachloride is considerably more toxic in the presence of certain drugs and chemicals which are present in a substantial portion of the population. The Association states it has no evidence to refute this, and thus the nature of this hazard is such as to be beyond the reach of adequate precautionary labeling.

PROPOSED CONCLUSIONS OF LAW

1. Carbon tetrachloride is a hazardous substance as defined in the Federal Hazardous Substances Act in that it is a toxic substance that has the capacity to produce personal injury, illness, and death to man through ingestion or inhalation (sec. 2(f)(1)(A)(i), (g), 74 Stat. 372; 15 U.S.C. 1261).

2. Products containing carbon tetrachloride are packaged in a form suitable for use in the household (a) if they are intended or offered for such use or (b) if under any reasonably forseeable condition of purchase, storage, or use such products may be found in or around a dwelling (21 CFR 191.1(c)).

3. The nature of the hazard involved in the presence or use of carbon tetrachloride and mixtures containing it in households is the toxicity of such substances. The degree of such hazard is, depending upon an individual's physical condition and the circumstances and duration of exposure, that this hazard has proven to be lethal or to have caused serious personal injury and illness.

4. The nature and degree of the hazards involved in the presence or use of carbon tetrachloride and mixtures containing this substance in households are such that it is impossible to adequately protect consumers through any form or amount of precautionary labeling or directions for use because no adequate and effective labeling can be devised.

5. Because no adequate and effective labeling can be devised to adequately protect the public health and safety, the only way to prevent further consumer injuries and deaths is to ban the distribution of carbon tetrachloride and mixtures containing it (including that used in fire extinguishers) for use in households.

6. Carbon tetrachloride and mixtures containing it (including that used in fire extinguishers) are banned hazardous substances within the meaning of the Federal Hazardous Substances Act (sec. 2(q)(1)(B), 74 Stat. 374, as amended 80 Stat. 1304; 15 U.S.C. 1261).

TENTATIVE ORDER

Therefore, on the basis of the foregoing findings of fact and conclusions of law drawn therefrom: *It is ordered*, That the stay of effective date of § 191.9(a)(2), which stay was promulgated July 27, 1968 (33 F.R. 10715), be ended. The subject regulation reads as follows:

§ 191.9 Banned hazardous substances.

(a) * * *

(2) Carbon tetrachloride and mixtures containing it (including carbon tetrachloride and mixtures containing it used in fire extinguishers).

Any interested person whose appearance was filed at the hearing may, within 30 days after the date of publication of this tentative order 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 exceptions thereto. Exceptions shall point out with particularity the alleged errors in the findings of fact and proposed order, and shall contain specified references to the pages of the transcript of testimony or to the exhibits on which the exceptions are based. Exceptions and accompanying briefs should be submitted in quintuplicate.

Dated: February 24, 1970.

SAM D. FINE,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 70–2538; Filed, Mar. 2, 1970; 8:47 a.m.]

FEDERAL MEDIATION AND CONCILIATION SERVICE

[29 CFR Part 1425]

RESOLUTION OF NEGOTIATION DISPUTES IN THE FEDERAL SERVICE

Notice of Proposed Rule Making

Section 16 of Executive Order 11491 (34 F.R. 17605) directs the Federal Mediation and Conciliation Service to provide services and assistance to Federal agencies and labor organizations in the resolution of negotiation disputes. This section also provides that the manner in which it shall proffer its services shall be determined by the Federal Mediation and Conciliation Service.

Accordingly, notice is hereby given that the Federal Mediation and Conciliation Service proposes to issue a new Part 1425 to Chapter XII of Title 29 of the Code of Federal Regulations to indicate the manner in which it will proffer its services. The text of the proposed new part is set forth below.

Interested persons are invited to submit written comments, suggestions, or objections to the proposed regulations within thirty (30) days after the date of publication of this notice in the FEDERAL

REGISTER. Such comments, suggestions or objections should be addressed to: Director, Federal Mediation and Conciliation Service, 14th and Constitution Avenue NW., Washington, D.C. 20427.

J. CURTIS COUNTS,
Director.

Sec.
1425.1 Definitions.
1425.2 Functions of the Service under Executive Order 11491.
1425.3 Types of assistance available.
1425.4 Notice to Service of agreement negotiations.
1425.5 Duty to negotiate.
1425.6 Use of third-party mediation assistance.

AUTHORITY: The provisions of this Part 1425 issued under secs. 202, 203, 61 Stat. 153; 29 U.S.C. 172, 173; sec. 16, E.O. 11491, 34 F.R. 17605.

§ 1425.1 Definitions.

As used in this part:

(a) "The Service" means the Federal Mediation and Conciliation Service.

(b) "Party" or "parties" means an agency or a labor organization as those terms are defined in Executive Order 11491, entitled "Labor-Management Relations in the Federal Service."

(c) "Third-party mediation assistance" means mediation by persons other than the Federal Mediation and Conciliation Service commissioners.

§ 1425.2 Functions of the Service under Executive Order 11491.

The Service will extend its full assistance to the Federal labor-management relations program prescribed by Executive Order 11491 and will provide mediation assistance similar to that which it offers in the private sector, without charge, to either party. Except in unusual circumstances, however, the Service will not proffer its mediation assistance in any employee grievance or any dispute involving the interpretation or application of an existing agreement.

§ 1425.3 Types of assistance available.

The Service offers the following types of assistance:

(a) *Negotiation disputes.* The Service may, either upon its own motion or at the request of one or both of the parties, proffer its assistance in any negotiation dispute other than one of the type specified in section 11(c) of Executive Order 11491. When the Service decides to exercise jurisdiction, it will promptly communicate with the parties and use its best efforts to assist them to agreement by mediation and concilation.

(b) *Preventive mediation.* The Service may, at the request of one or both of the parties, proffer its preventive mediation services (1) in order to avoid disputes, or (2) to improve the relationship of the parties, or (3) when the parties seek third-party assistance on a particular problem outside of formal agreement negotiations.

(c) *Arbitration.* The Service shall provide arbitrators from its roster for grievance arbitration under the rules and regulations set forth in Part 1404 of this chapter.

§ 1425.4 Notice to Service of agreement negotiations.

(a) The assistance of the Service is conditioned upon the filing of a notice of the desire to amend, modify, or terminate an existing agreement between the parties. This notice must be filed with the regional director of the region in which the negotiations will take place by the party initiating the negotiations thirty (30) days (1) prior to the expiration of an existing agreement or (2) after the start of negotiations to amend or modify an existing agreement.

(b) The notice referred to in paragraph (a) of this section shall be a written notice signed by an appropriate official of the initiating party. The Service has prepared a form, FMCS Form F–53,[1] which may be used by the party filing this notice. Receipt of such notice by the Service does not constitute a request for mediation and such receipt will not be acknowledged.

§ 1425.5 Duty to negotiate.

Upon receipt of advice by the Service that it will exercise jurisdiction in a particular negotiation dispute, it shall be the duty of the parties to participate fully and promptly in such meetings as may be scheduled by the Service for the purpose of assisting in the settlement of the dispute.

§ 1425.6 Use of other third-party mediation assistance.

If, prior to acceptance of jurisdiction by the Service, the parties have mutually agreed to third-party mediation assistance other than that of the Service, both parties should advise the Service in writing of this decision. Such written communication should be filed with the regional director of the region in which the negotiations are scheduled and state what alternate assistance they have agreed to use.

[F.R. Doc. 70–2540; Filed, Mar. 2, 1970; 8:47 a.m.]

[1] Filed as part of the original document. Copies of this form are available upon request to the Director, Federal Mediation and Conciliation Service, 14th and Constitution Avenue NW., Washington, D.C. 20427. The location of the regional offices of the Service and their respective jurisdictions are shown on FMCS Form F–53.

FEDERAL POWER COMMISSION

[18 CFR Parts 154, 201, 260]

[Docket No. R–380]

ACCOUNTING AND RATE TREATMENT OF ADVANCE PAYMENTS TO SUPPLIERS FOR GAS

Notice of Proposed Rule Making

JANUARY 23, 1970.

1. Notice is hereby given, pursuant to section 553 of Title 5 of the United States Code and sections 4, 5, 7, 15, and 16 of the Natural Gas Act[1] that the Commission is proposing to amend its regulations under the Natural Gas Act so as to provide for accounting and rate treatment of advance payments made to suppliers by pipelines for gas to be delivered at a future date.

2. Requests have been made for approval of accounting for advance payments to suppliers for gas to be delivered at a future date. The basis for the requests is stated to be the requirement, as a condition by independent producers to contracting for gas which they stand ready to deliver, that pipelines agree to pay for gas beginning a specific date even if they are unable to take deliveries on that date. The pipelines claim that the costs so incurred should be recoverable from customers in rates because such costs are directly associated with the acquisition of gas supply for their customers and, that absent such advances, such gas supply would be unavailable.

3. As used in this notice, advance payments are amounts paid to others, including affiliated companies, for exploration, development, or production of natural gas which are to be repaid by delivery of gas or otherwise. Such payments are made prior to any delivery of gas by payee under an effective gas purchase contract with payer, or prior to Federal and/or State authorization as appropriate. Advance payments are to be distinguished from gas prepayments which are amounts paid to a gas seller under take-or-pay provisions of an effective gas purchase contract for a sale certificated by the Commission where future makeup of the gas not taken in the current period is provided by the contract. In light of the distinction between advance payments and prepayments the Commission believes that it would be appropriate to amend Account 165, Prepayments, of the Uniform System of Accounts prescribed for Class A and Class B Natural Gas Companies, which presently includes both prepayments and advance payments, to limit that account to gas prepayments and to add a new account for recording of advance payments.

4. The Commission has never specifically ruled on whether pipelines should be permitted to reflect in their rates costs associated with advance payments. This matter is an important policy question on which the Commission desires to receive comments by interested persons expressing their veiws of the appropriate treatment.[2] The Commission has under consideration the following alternative methods of treating advance payments:

[1] 52 Stat. 822, 823, 824, 825, 829, and 830 (1938); 56 Stat. 83, 84 (1942); 61 Stat. 459 (1947); 76 Stat. 72 (1962); 15 U.S.C. sec. 717c, d, f, n, and o.

[2] This proposed rule making does not consider the question of whether independent producers should be permitted to collect advance payments for gas proposed to be sold in interstate commerce. This question is at issue in El Paso Natural Gas Co., et al., Docket No. CP66–306, et al.

A. That advance payments for gas be recorded as prepayments and the unrecovered portion of the advances be allowed in rate base as part of working capital.

B. That advance payments for gas be recorded as prepayments and carrying charges be capitalized until recovery of the advances commences. As found reasonable in a rate proceeding the unrecovered advances and related carrying charges would be allowed in rate base as part of working capital and the carrying charge component of recovered advances would be allowed as a cost of gas purchased.

C. That advance payments for gas be excluded from rate base.

Comments should be directed to the proposition that, if Alternative A or Alternative B is adopted, outstanding advance payments should be reduced within a reasonable period of time following commencement of deliveries (5 years at the maximum). A portion of all gas taken should be credited to outstanding advance payments; the reduction of the outstanding advance payments should not be dependent on a buyer purchasing more than 100 percent of the minimum take or pay quantity provided in the contract.

5. The Commission proposes to amend § 154.63(f) of the regulations under the Natural Gas Act, Subchapter E, Chapter I, Title 18 of the Code of Federal Regulations, by revising clause (b) in the first sentence of the second paragraph of the description of Statement E in accordance with one of the following alternatives:

§ 154.63 Changes in a tariff, executed service agreement or part thereof.

* * * * *

(f) *Description of statements.* * * *

Statement E—Working Capital. * * *

[Alt. 1] Insert between the words "prepayments," and "and", the words, "the unrecovered portion of advance payments to suppliers," so that clause (b) as revised will read:

(b) An allowance for the average of 13 monthly balances of materials and supplies, prepayments, the unrecovered portion of advance payments to suppliers, and gas for current delivery from underground storage.

[Alt. 2] Insert between the words "prepayments," and "and" the words, "the unrecovered portion of advance payments to suppliers outstanding subsequent to the commencement of deliveries under the contract (including related carrying charges as defined in Account 165 Prepayments in Part 201 of this Chapter)", so that clause (b) as revised will read:

(b) An allowance for the average of 13 monthly balances of materials and supplies, prepayments, the unrecovered portion of advance payments to suppliers outstanding subsequent to the commencement of deliveries under the contract (including related carrying charges as defined in Account 165 Prepayments in Part 201 of this Chapter), and gas for current delivery from underground storage.

or

[Alt. 3] Insert between the words "prepayments" and "and" the words, "not including advance payments to suppliers prior to the commencement of deliveries under the contract," so that clause (b) as revised will read:

(b) An allowance for the average of 13 monthly balances of materials and supplies, prepayments (not including advance payments to suppliers prior to the commencement of deliveries under the contract), and gas for current delivery from underground storage.

6. Contingent on the treatment for advance payments adopted pursuant to paragraph 5 supra, the Commission proposes to revise the paragraphs describing Schedules E–1 and E–2 in Statement E—Working Capital, in § 154.63(f), Part 154, Subchapter E, Regulations under the Natural Gas Act, Chapter I, Title 18 of the Code of Federal Regulations, in accordance with one of the following alternatives:

§ 154.63 Changes in a tariff, executed service agreement or part thereof.

* * * * *

(f) *Description of statements.* * * *

Statement E—Working Capital. * * *

[Alt. 1] Schedule E–1: In the first sentence, delete the word "and" between the words "supplies" and "prepayments". Immediately following the word "prepayments," insert the words "and advance payments," so that as revised the paragraph describing Schedule E–1 will read as follows:

Schedule E–1 setting forth monthly balances for materials and supplies, prepayments, and advance payments in such detail as to disclose, either by subaccounts regularly maintained on the books or by analysis of the principal items included in the main account, the nature of the charges included therein.

Schedule E–2: In the first sentence, delete the word "and" between the words "supplies" and "prepayments." Immediately following the word "prepayments," insert the words "and advance payments," so that as revised the paragraph describing Schedule E–2 will read as follows:

Schedule E–2 setting forth monthly balances of material and supplies, prepayments, and advance payments on purchased gas for 2 years immediately preceding the 12 months of actual experience used in the filing.

or

[Alt. 2] Schedule E–1: In the first sentence, delete the word "and" between the words "supplies" and "prepayments." Immediately following the word "prepayments," insert the words "and advance payments (including related carrying charges as defined in Account 165 in Part 201 of this chapter)," so that as revised the paragraph describing Schedule E–1 will read as follows:

Schedule E–1 setting forth monthly balances for materials and supplies, prepayments, and advance payments (including related carrying charges as defined in Account 165 in Part 201 of this chapter), in such detail as to disclose either by subaccounts regularly maintained on the books or by analysis of the principal items included in the main account, the nature of the charges included therein.

Schedule E–2: In the first sentence, delete the word "and" between the words "supplies" and "prepayments." Immediately following the word "prepayments," insert the words "and advance payments (including related carrying charges as defined in Account 165 in Part 201 of this chapter)," so that as revised the paragraph describing Schedule E–2 will read as follows:

Schedule E–2 setting forth monthly balances of material and supplies, prepayments, and advance payments (including related carrying charges as defined in Account 165 in Part 201 of this chapter), in such detail as to disclose either by subaccounts regularly maintained on the books or by analysis of the principal items included in the main account, the nature of the charges included therein.

7. If the second alternative change set forth in paragraph 5 supra, is adopted, the Commission proposes to amend the description of Schedule H(1)–3 in Statement H(1), § 154.63(f), Part 154, Subchapter E, Regulations under the Natural Gas Act, Chapter I, Title 18 of the Code of Federal Regulations, by inserting immediately following the first paragraph of Schedule H(1)–3, a new paragraph which reads as follows:

§ 154.63 Changes in a tariff, executed service agreement or part thereof.

* * * * *

(f) *Description of statements.* * * *

Statement H(1)—Operation and Maintenance Expenses. * * *

Schedule H(1)–3. * * *

If the company receives gas for which it has paid prior to commencement of deliveries under the contract, the carrying charge component of such gas (as defined in Account 165 in Part 201 of this chapter) may be included in this schedule.

8. Because of the apparent need to distinguish between prepayments and advance payments for gas, the Commission proposes to amend Account 165, Prepayments, and add a new Account 166, Advance Payments for Gas, to the Uniform System of Accounts prescribed for Class A and Class B Natural Gas Companies, Part 201, Subchapter F, Chapter I, Title 18 of the Code of Federal Regulations, to read as follows:

Balance Sheet Accounts

* * * * *

3. CURRENT AND ACCRUED ACCOUNTS

* * * * *

MATERIALS AND SUPPLIES

* * * * *

165 Prepayments.

A. This account shall include payments for undelivered gas and other prepayments of rents, taxes, insurance, interest and like disbursements made prior to the period to which they apply. Prepayments for gas are those amounts paid to a seller of gas under "take or pay" provisions of a gas purchase contract for a sale certificated by the Commission where future make-up of the gas not taken in

the current period is provided for by the contract.

B. As the periods covered by such prepayments expire, credit this account and charge the proper operating expense or other appropriate account with the amount applicable to the period.

C. This account shall be kept or supported in such a manner as to disclose the amount of each class of prepayments.

166 Advance payments for gas.

A. This account shall include all advance payments made for gas (whether called "advance payments," "contribution," or otherwise) to others, including affiliated companies, for exploration, development, or production of natural gas, when such advance payments are to be repaid by delivery of gas or otherwise. Such payments must be made prior to initial gas deliveries by the payee, or prior to Federal and/or State authorization, as appropriate. Noncurrent advance payments shall be reclassified and transferred to Account 124, Other Investments, for balance sheet purposes.

B. This account shall be maintained in such a manner as to allow full disclosure of each advance payment.

9. If the second alternative change set forth in paragraph 5 supra, is adopted, the Commission proposes to add the following note to the proposed new Account 166, Advance Payments for Gas, as set out above:

NOTE: When authorized by the Commission, "carrying charges" may accumulate on advance payments made to assure future gas supply. These carrying charges shall be computed in the same manner as "interest during construction" as defined in gas plant instruction 3(17). The accumulation of carrying charges must cease upon delivery of the gas related to the advance payment. The actual detailed computation utilized in arriving at the amount of carrying charges must accompany the request for Commission approval to capitalize carrying charges.

10. So that the reporting of the Class A and Class B companies under Part 260, Statements and Reports (Schedules), will comply with the above proposed changes in the Uniform System of Accounts as indicated above, the Commission proposes to (1) amend Schedules 210 and 210–A of Form No. 2 as prescribed by 18 CFR 260.1 to delete references to advance payments for gas as indicated in attachment A hereto;[1] (2) amend Schedule 210–B to include Account 166, Advance Payments for Gas, as indicated in attachment B hereto;[1] and (3) expand Schedule 110, Comparative Balance Sheet, to include reference to Account 166 as indicated in attachment C hereto.[1]

11. The revision of the Commission's regulations is proposed to be issued under the authority granted to the Federal Power Commission by the Natural Gas Act, as amended, particularly sections 4, 5, 6, 15, and 17 thereof (52 Stat. 822, 824, 825, 829, and 830 (1938); 56 Stat. 83, 84 (1942); 61 Stat. 459 (1947); 76 Stat. 72 (1962); 15 U.S.C. 717c, d, f, n, and o).

12. Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than February 27, 1970, views and comments in writing concerning the alternatives here proposed or any other appropriate alternatives thereto. Operating, technical and economic data and views on the proposals are solicited. Any such submittal should contain the name, title, and mailing address of the person or persons to whom communications concerning the matter should be addressed. An original and 14 copies of all submittals shall be filed. Responses to the submittals may be filed not later than March 20, 1970, in the same form and number as the original submittals. After receipt and analysis of the written submittals by our staff, a conference of interested persons or representatives of interested groups with common interests and our staff may be held. The Commission will consider all such written submittals and responses before issuing an order in this proceeding.

13. The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

GORDON M. GRANT,
Secretary.

[1] Attachments A, B, and C filed as part of original document.

[F.R. Doc. 70–2512; Filed, Mar. 2, 1970; 8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Internal Revenue Service

SAMUEL ELIAS

Notice of Granting of Relief

Notice is hereby given that Samuel Elias, 529 Sheridan, Detroit, Mich. 48214, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on June 5, 1933, in the U.S. District Court for the Eastern District of Michigan, Detroit, Mich., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Samuel Elias because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. Elias to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Samuel Elias' application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Samuel Elias be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 24th day of February 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-2539; Filed, Mar. 2, 1970; 8:47 a.m.]

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense

LIMITATION ON COMPENSATION OF FEDERAL CONTRACT RESEARCH CENTER EMPLOYEES

The Deputy Secretary of Defense approved the following memorandum on February 19, 1970:

Memorandum for the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, and the Director, Defense Research and Engineering.

Reference:

(a) Section 407, Public Law 91-121, approved November 19, 1969, 83 Stat. 208.

(b) Regulation of the President dated February 11, 1970.

For purposes of this memorandum the terms "Federal Contract Research Center", "compensation" and "Federal funds" are defined as follows:

a. "Federal Contract Research Center (FCRC)" means those organizations listed below.

b. "Compensation" means the salary, including any bonuses, incentive compensation, or deferred compensation, of an officer or employee of an FCRC.

c. "Federal funds" means any funds received before or after December 31, 1969, by an FCRC, under a contract or other agreement with any Federal agency, including funds received from Federal agencies other than DOD, and including funds received as either cost or fee.

The legislative history of reference (a) indicates the position of the Congress that, because of the unique relationship between the FCRC's and the Government, the salary level for officers and employees of FCRC's should be more closely aligned to that of the Government rather than that of private industry.

Accordingly, to assure proper implementation of the statute, it is the policy of the Department of Defense that "reasonable" compensation within the meaning of section XV of the Armed Services Procurement Regulation shall not, with respect to officers and employees of FCRC's exceed a total of $45,000 per year for services rendered to the Centers without the approval of the Secretary of Defense. (This policy shall apply regardless of the source of the funds from which compensation is paid, such as (1) current cost reimbursement, (2) fees (whether received before or after December 31, 1969), (3) interest or investment return on current and accumulated fees, (4) income received by the Centers from non-Federal sources and interest or investment return thereon.)

The Secretary of Defense will consider approval of annual compensation above $45,000 in a limited number of cases only on the following conditions and in accordance with the attached procedures. (Any approvals granted during calendar year 1970 shall be retroactive to January 1, 1970):

a. Adequate justification for higher compensation is provided under the criteria established by reference (b).

b. The approved compensation is not increased or supplemented by the FCRC.

In the event the approved annual compensation is increased or supplemented by the FCRC the approval given by the Secretary of Defense shall automatically be considered as withdrawn and the amount allowable out of Federal funds for such compensation shall not exceed $45,000. The sponsoring DOD activity shall notify the Secretary of Defense in any case where the approved annual compensation is increased or supplemented by the FCRC.

In any case where the Secretary of Defense disapproves the payment of higher compensation the maximum amount allowable out of Federal funds shall be $45,000.

Addressees shall make an annual review of the FCRC's sponsored by them to assure that approved compensation levels continue to be appropriate, and shall establish such procedures and take such further action as may be necessary to assure adherence to the policies expressed in this memorandum.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, OASD (Administration).

FEBRUARY 24, 1970.

Federal contract Research centers	*Sponsoring DOD activity*
Human Resources Research Organization.	Army.
Research Analysis Corportation.	Do.
Applied Physics Laboratory—The Johns Hopkins University.	Navy.
Applied Physics Laboratory—University of Washington.	Do.
Center for Naval Analysis.	Do.
Ordnance Research Laboratory.	Do.
Aerospace Corporation.	Air Force.
Analytical Services, Inc.	Do.
Electromagnetic Compatibility Analysis Center.	Do.
Lincoln Laboratory	Do.
MITRE Corporation	Do.
RAND Corporation	Do.
Institute for Defense Analysis.	DDR&E.

PROCEDURES

1. The sponsoring DOD activity shall promptly prepare and forward requests for approval, through appropriate channels, to the Secretary of the military department involved for review. Requests for approval for

the Institute for Defense Analysis will be forwarded to the Director of Defense Research and Engineering. The Secretary of the military department involved or the Director, Defense Research and Engineering will forward the request, with his comments and recommendations, to the Secretary of Defense for decision.

2. Requests for approval shall be fully documented and shall contain a detailed analysis supporting the requesting activities' recommendations and conclusions. All requests shall include, but need not be limited to, the following data:

a. Name of FCRC.

b. Name of officer or employee.

c. Position title and description of duties.

d. Amount of annual compensation for which approval is being requested.

e. History of compensation increases and promotions (including position and salary immediately prior to joining the FCRC).

f. A statement clearly demonstrating that the amount of compensation for which approval is being requested is necessary to employ an individual with the qualifications needed to accomplish the Center's mission.

g. Information supporting the other factors established by Regulation of the President dated February 11, 1970.

3. The sponsoring DOD activity shall promptly notify the Procuring Contracting Officer, the Administrative Contracting Officer and the audit agency for the FCRC involved of the decision of the Secretary of Defense, and assure that appropriate action is taken to implement such decision.

[F.R. Doc. 70-2529; Filed, Mar. 2, 1970; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. S 3526]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

FEBRUARY 24, 1970.

The Forest Service, U.S. Department of Agriculture, has filed an application, Serial No. S 3526 for the withdrawal of the lands described below, subject to valid existing rights, from prospecting, location, entry, and patenting under the mining laws (Title 30, U.S.C. Ch. 2), but not from leasing under the mineral leasing laws.

The applicant desires the land for an addition to the Abbey Bridge Recreation Area within the Plumas National Forest in order to insure full public use of the proposed reservoir and recreation improvements to be constructed and maintained by the Forest Service.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, U.S. Department of the Interior, Room E-2807, Federal Office Building, 2800 Cottage Way, Sacramento, Calif. 95825.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN

PLUMAS NATIONAL FOREST

Abbey Bridge Recreation Area

T. 24 N., R. 13 E.,
Sec. 1, lots 1 and 2;
Sec. 2, lots 2, 3, and 4;
Sec. 3, lots 1, 2, 3, and 4;
Sec. 8, S½NE¼; SE¼NW¼, and N½SE¼;
Sec. 9, SW¼NW¼, SW¼, S½NW¼SE¼, and S½SE¼;
Sec. 10, SW¼SW¼ and S½SE¼SW¼;
Sec. 14, S½NE¼; NW¼NW¼, and SE¼NW¼;
Sec. 15, N½NE¼ and N½NW¼.
T. 24 N., R. 14 E.,
Sec. 5, SW¼NW¼, E½SW¼, NW¼SW¼, and W½SE¼;
Sec. 6, lots 1 and 2, and SE¼NE¼;
Sec. 7, lot 2.
T. 25 N., R. 13 E.,
Sec. 32, SE¼NE¼;
Sec. 33, S½NE¼ and NW¼;
Sec. 34, SW¼NE¼, S½NW¼, and SE¼;
Sec. 35, S½SW¼ and SE¼.
T. 25 N., R. 14 E.,
Sec. 31, lot 4, E½SW¼, and W½SE¼.

The areas described aggregate approximately 2,654 acres in Plumas County.

ELIZABETH H. MIDTBY,
Chief, Lands Adjudication Section.

[F.R. Doc. 70-2533; Filed, Mar. 2, 1970; 8:46 a.m.]

[NM Misc. 19]

NEW MEXICO

Order Opening Lands to Entry

FEBRUARY 24, 1970.

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:

NEW MEXICO PRINCIPAL MERIDIAN

T. 9 N., R. 34 E.,
Sec. 20, SW¼SE¼;
Sec. 29, NE¼NE¼.
T. 17 N., R. 3 W.,
Sec. 34, NE¼.
T. 30 N., R. 9 W.,
Sec. 32, NW¼, N½S½, and SW¼SW¼.
T. 17 N., R. 11 W.,
Sec. 4, SE¼.
T. 29 N., R. 11 W.,
Sec. 16, N½SW¼, N½SW¼SW¼, SE¼SW¼SW¼, and SE¼SW¼.
T. 5 N., R. 12 W.,
Secs. 5 and 6;
Sec. 7, lots 1, 2, 3, 4, NE¼, and E½W½.
T. 6 N., R. 12 W.,
Sec. 35.
T. 6 N., R. 13 W.,
Secs. 1, 3, 5, 7, 9, 11, 13, 15, 19, 21, 23, 25, 27, 29, 31, 33, and 35.
T. 7 N., R. 13 W.,
Sec. 23, S½N½ and S½;
Secs. 25, 27, 29, 31, 33, and 35.
T. 30 N., R. 13 W.,
Sec. 25, N½, NE¼SW¼, and SE¼.
T. 21 S., R. 2 E.,
Sec. 19, lot 22.
T. 26 S., R. 4 E.,
Sec. 31, lots 2, 3, 4, and SE¼NW¼.
T. 18 S., R. 18 E.,
Sec. 6, lots 1, 2, 7, 8, 9, 10, 11, 12, 13, 14, E½SW¼, and SE¼SE¼;
Sec. 7, lots 1, 2, 3, 4, S½NE¼, SE¼NW¼, E½SW¼, and SE¼.

The lands described aggregate 20,171.06 acres in Chaves, Dona Ana, McKinley, Quay, Sandoval, San Juan, and Valencia Counties, N. Mex.

The topography of the lands described above varies from moderately rolling to rougher badlands and some mountainous and rough broken terrain created by intermittent drainages. Soils vary from sandy, clayey loams to shallow and rocky soils with moderate size boulders and in some areas in Valencia County, lava outcroppings. Vegetation consists of native grasses, snakeweed, Spanish daggar, yucca, prickly pear cacti, creosote bush and pinon and juniper trees.

3. Subject to valid existing rights, the provisions of existing withdrawals and requirements of applicable law, the lands described above are hereby open to petition-application, location and selection. All valid applications received at or prior to 10 a.m. on April 8, 1970, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing. The lands described as lot 22, sec. 19, T. 21 S., R. 2 E., lots 2, 3, 4, and SE¼NW¼ sec. 31, T. 26 S., R. 4 E., and SE¼ sec. 4, T. 17 N., R. 11 W., shall also be open to applications and offers under the mineral leasing laws and to location and entry under the United States mining laws. All valid applications received at or prior to 10 a.m. on April 8, 1970, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the lands shall be addressed to the Land Office Manager, Bureau of Land Management, Post Office Box 1449, Santa Fe, N. Mex. 87501.

MICHAEL T. SOLAN,
Land Office Manager.

[F.R. Doc. 70-2518; Filed, Mar. 2, 1970; 8:45 a.m.]

Fish and Wildlife Service

[Docket No. A-525]

EUGENE WELLS

Notice of Loan Application

Eugene Wells, Box 708, Wrangell, Alaska 99929, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 32.9-foot registered length wood vessel to engage in the fishery for halibut, salmon, and shrimp.

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.

JAMES F. MURDOCK,
Acting Chief,
Division of Financial Assistance.

[F.R. Doc. 70-2517; Filed, Mar. 2, 1970; 8:45 a.m.]

National Park Service

NATIONAL REGISTER OF HISTORIC PLACES

Additions, Deletions, or Corrections

By notice in the FEDERAL REGISTER of February 3, 1970, Part II (pp. 2476-2496), there was published a list of the properties included in the National Register of Historic Places. Further notice is hereby given that certain amendments or revisions, in the nature of additions, deletions, or corrections to the previously published list are adopted as set out below.

It is the responsibility of all Federal agencies to take cognizance of the properties included in the National Register as herein amended and revised in accordance with section 106 of the National Historic Preservation Act of 1966, 80 Stat. 915, 16 U.S.C. 470.

The following properties have been added to the National Register since February 3:

ARKANSAS

Cleveland County

Fordyce vicinity, *Mark's Mill Battlefield Park*, intersection of Arkansas 8 and 97.

Grant County

Leola vicinity, *Jenkin's Ferry Battleground State Park*, northeast of Leola on Arkansas 46.

Jackson County

Jacksonport, *Jacksonport State Park*, located between Avenue, Main, and Dillard Streets, and the White River.

GEORGIA

Chatham County

Savannah vicinity, *Fort Jackson*, Islands Expressway, 3 miles east of Savannah on the Savannah River.

INDIANA

Tippecanoe County

Lafayette vicinity, *Fort Ouiatenon*, SE¼ SE¼, sec. 28, T. 23 N., R. 5 W.

KANSAS

Harvey County

Newton, *Warkentin House*, 211 East First Street.
Newton, *Warkentin Mill*, Third and Main Streets.

KENTUCKY

Mason County

Washington, *Washington Historic District*, corporate limits of the city of Washington in 1969.

MAINE

Aroostook County

Littleton vicinity, *Watson Settlement Bridge*, across the Meduxnekeag Stream, 1 mile west of United States-Canadian border.

Cumberland County

Harpswell vicinity, *Peary (Robert E.) Home*, Eagle Island.
Naples vicinity, *Songo Lock (Cumberland-Oxford Canal)*, 1 mile off Maine 114 south of Naples.
Portland, *Tate House*, 1270 Westbrook Street.
South Windham vicinity, *Babb's Bridge*, across the Presumpscot River, 2 miles north of South Windham.

Hancock County

Castine, *Cate House*, corner of Court and Pleasant Streets.

Knox County

Rockport, *Rockport Historic Kiln Area*, on Rockport Harbor at the mouth of the Goose River.
Thomaston vicinity, *Knox (Henry) Home, Montpelier*, northeast of Thomaston on Maine 131.

Lincoln County

Dresden, *Pownalborough Courthouse*, Cedar Grove Road.
Wiscasset, *Wiscasset Jail and Museum*, Maine 218.

Oxford County

Fryeburg vicinity, *Hemlock Bridge*, across the Saco River, 6 miles northeast of Fryeburg.
Newry vicinity, *Sunday River Bridge*, across the Sunday River.
South Andover, *Lovejoy Bridge*, across the the Ellis River.
Wilson Mills vicinity, *Bennett Bridge*, across Magalloway River 1.25 miles south of Wilson Mills.

Penobscot County

Bangor, *Morse Bridge*, Valley Avenue, across Kenduskeag River.
Kenduskeag vicinity, *Robyville Bridge*, across the Kenduskeag River, 2.5 miles northwest of Kenduskeag.

Piscataquis County

Guilford vicinity, *Lowe's Bridge*, across the Piscataquis River between Guilford and Sangerville.

Sagadahoc County

Popham Beach vicinity, *Popham Colony Site*, the mouth of the Kennebec River at the end of Maine 209.

Somerset County

New Portland vicinity, *New Portland Wire Bridge*, Wire Bridge Road, over the Carrabassett River.

Washington County

Columbia Falls, *Ruggles House*, Main Street.
Eastport, *Fort Sullivan*, Moose Island; barracks, 74 Washington Street.

York County

Porter vicinity, *Porter-Parsonfield Bridge*, across the Ossipee River, 0.5 mile southwest of Porter.

MICHIGAN

Berrien County

Berrien Springs, *Berrien Springs Courthouse*, north side, corner of Union and Cass Streets.

Delta County

Fayette, *Fayette State Park*, on a peninsula in Big Bay de Noc, on Michigan 149.

Kent County

Ada vicinity, *Ada Covered Bridge*, across the Thornapple River.

MINNESOTA

Washington County

Marine on St. Croix, *Marine Mill Site*, Mill Reservation, block 47.

MISSOURI

Adair County

Kirksville vicinity, *Thousand Hills State Park Petroglyphs Archeological Site*, 2.5 miles west of Kirksville.

Clark County

Canton vicinity, *Boulware Mound Group Archeological Site*, NW¼SE¼, sec. 9, T. 63 N., R. 6 W.

Platte County

Kansas City vicinity, *Deister Archeological Site*, NW¼SE¼, sec. 28, T. 51 N., R. 33 W.

Saline County

Arrow Rock vicinity, *Sappington (William B.) House*, 3 miles southwest of Arrow Rock on County Route TT.

MONTANA

Madison County

Dillon vicinity, *Beaverhead Rock*, NW¼ and N½SW½, sec. 22, T. 5 S., R. 7 W.

NEBRASKA

Burt County

Oakland vicinity, *Logan Creek Site*, SE¼, sec. 11, SW¼, sec. 12, T. 12 N., R. 8 E.

Cass County

Nehawka vicinity, *Nehawka Flint Quarries*, north of Nehawka.

NEW MEXICO

Bernalillo County

Albuquerque, *Alvarado Hotel Complex*, 110 First Street SW.

NORTH CAROLINA

Halifax County

Halifax, *Halifax Historic District*, bounded on the southwest by St. David Street, on the northwest by the Owens House drainage ditch, on the northeast by the Roanoke River, and on the southeast by the Magazine Spring Gut.

OHIO

Franklin County

Columbus, *Fort Hayes*, Cleveland Avenue and Interstate 71.

Hamilton County

Cincinnati, *Cincinnati Music Hall*, 1243 Elm Street.

Cincinnati, *Wesley Chapel Methodist Church*, 320 East Fifth Street.

Lucas County

Maumee, *Hull-Wolcott House*, 1031 River Road.

Miami County

Lockington and vicinity, *Lockington Locks Historical Area*, T. 7 N., R. 6 E. of Washington Township (Shelby County); T. 6 N., R. 6 E. of Washington Township (Miami County).

Montgomery County

Dayton, *Old Courthouse*, northwest corner of Third and Main Streets.

Pike County

Piketon, *Friendly Grove*, Ohio 220 east of Piketon.

Shelby County, *Lockington Locks Historical Area* (see Miami County).

PENNSYLVANIA

Franklin County

Chambersburg, *Franklin County Jail*, northwest corner of King and Second Streets.

Philadelphia County

Philadelphia, *Fort Mifflin*, Marina and Penrose Ferry Roads.

Philadelphia, *Fort Mifflin Hospital*, Marina and Penrose Ferry Roads.

SOUTH CAROLINA

Charleston County

Charleston, *Charleston Historic District* (extended), the total area corresponds to the Old and Historic District delineated in the zoning ordinance of the city of Charleston, ratified on August 16, 1966.

TEXAS

Galveston County

Galveston, *The Strand Historic District*, bounded on the north by Avenue A, on the east by 20th Street, on the south by an alley separating Avenues C and D, and on the west by the railroad passenger depot extending north to Avenue A (including lots 5, 6, and 7 of block 685 between Avenue A and New Strand Street).

VIRGINIA

Caroline County

Port Royal, *Port Royal Historic District*, bounded on the north by the intersection of Route 301 and the Rappahannock River; extending 0.1 mile east of intersection of Routes T 1004 and T 1005, 0.1 mile west of intersection of Routes T 1003 and 301, and 0.2 mile south of intersection of Routes T 1003 and 301.

Culpeper County

Stevensburg vicinity, *Salubria*, 0.8 mile east of intersection of Routes 3 and 663.

Newport News (independent city)

Denbigh Plantation, 0.2 mile southwest of southern end of Lukas Creek Road.

Norfolk (independent city)

Myers (Moses) House, southwest corner of East Freemason and North Bank Streets.

Powhatan County

Powhatan Court House, *Powhatan Court House Historic District*, 0.2 mile north and south and 0.1 mile east and west of Routes 13 and 300.

Virginia Beach (independent city)

Pembroke Manor, 1.5 miles east of intersection of Routes 58, 627, and 647.

WEST VIRGINIA

Mason County

Point Pleasant vicinity, *Point Pleasant Battleground*, confluence of the Ohio and Kanawha rivers.

Monongalia County

Pisgah vicinity, *Henry Clay Furnace*, Coopers Rock State Forest.

Monroe County

Sweet Springs, *Old Sweet Springs*, West Virginia 3, 0.5 mile from the Virginia line.

Ohio County

Wheeling, *Independence Hall*, 16th and Market Streets.

Wheeling, *Wheeling Suspension Bridge*, across the Ohio River, east channel, from 10th Street to Wheeling Island.

Pocahontas County

Droop vicinity, *Droop Mountain Battlefield State Park*, west side of U.S. 219 between Droop and Hillsboro.

Tucker County

Pierce vicinity, *Fairfax Stone Historical Monument*, northeast of Pierce.

ERNEST ALLEN CONNALLY,
Chief, Office of Archeology and Historic Preservation.

[F.R. Doc. 70-2519; Filed, Mar. 2, 1970; 8:50 a.m.]

Office of the Secretary

PESTICIDES

Interdepartmental Agreement for Protection of Public Health and Quality of Environment

CROSS REFERENCE: For a document issued jointly by the Department of Agriculture, the Department of Health, Education, and Welfare, and the Department of the Interior relating to an interdepartmental agreement for protection of the public health and the quality of the environment in relation to pesticides, see F.R. Doc. 70-2568, Agriculture Department, *infra*.

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

TOBACCO INSPECTION

Referendum in Connection With Proposed Designation of Tobacco Auction Market of Yadkinville, N.C.

Pursuant to the provisions of The Tobacco Inspection Act (7 U.S.C. 511 et seq.) and in accordance with the applicable regulations (7 CFR 29.74) issued thereunder by the Secretary, notice is given that a referendum of tobacco growers will be conducted from March 16 through March 20, 1970, to determine whether growers favor the designation of the Yadkinville, N.C., tobacco auction market for free and mandatory inspection of tobacco sold on this market.

Growers who sold tobacco on the aforesaid market during the 1969 crop marketing season shall be eligible to vote in the referendum. Ballots for use in said referendum will be mailed to all eligible voters insofar as their names and addresses are known. Eligible voters who do not receive ballots by mail may obtain them from the county agent or the office of the county ASC committee at Yadkinville.

All completed ballots shall be mailed to the Tobacco Division, Consumer and Marketing Service, U.S. Department of Agriculture, Post Office Box 549, Raleigh, N.C. 27602, and in order to be counted in said referendum, must be postmarked not later than March 20, 1970.

Done at Washington, D.C., this 26th day of February 1970.

ROY W. LENNARTSON,
Administrator, Consumer and Marketing Service.

[F.R. Doc. 70-2570; Filed, Mar. 2, 1970; 8:49 a.m.]

Office of the Secretary

PESTICIDES

Interdepartmental Agreement for Protection of Public Health and Quality of Environment

Purpose. Coordination of the activities of the three Departments pertaining to economic poisons as defined in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135), hereinafter referred to as pesticides, with reference to the review of current or proposed registrations to assure maximum protection of the public health, the well being of man, and the quality of the environment.

Existing departmental responsibilities. Each of the three Departments has certain statutory authority and responsibility relating to pesticides in the environment, as set forth below:

DEPARTMENT OF AGRICULTURE

1. Statutory authority under the Federal Insecticide, Fungicide, and Rodenticide Act for registration of pesticides.

2. Responsibility for research, education, information, regulatory, and action programs designed to protect the well being of man, crops, livestock, forests, ranges, habitats, products, structures, and premises against arthropod and other invertebrate pests, weeds, and fungi with equal concern for the protection of beneficial nontarget organisms and the quality of the environment.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

DHEW has the statutory authority and responsibility under the Federal Food,

Drug, and Cosmetic Act for establishing safe tolerances for pesticides in or on raw agricultural commodities, processed food and potable water. The Department also has responsibilities for protecting the public from health, occupational, and environmental hazards related to the use and disposal of pesticides, and for other public health aspects such as the control of diseases and their vectors.

DEPARTMENT OF INTERIOR

USDI has statutory authority and responsibility under the Federal Water Pollution Control Act to carry out programs, to protect and enhance the quality of the Nation's waters including determining the effects of pesticides in water on health, welfare, and aquatic life. These responsibilities include establishing water quality standards for interstate waters. The Department also has statutory authority for the conservation of wild birds, fish, mammals, their food organisms and their environment as affected by pesticides and the appraisal of effects of pesticides on fish and wildlife.

Information. Each Department will keep each of the other Departments fully informed of developments in knowledge from research or other sources which may come into its possession in connection with matters referred to in this agreement. High priority shall be placed by each Department representative to respond to each of the other Departments' requests, whether written or oral, for any and all information concerning action pending or taken on pesticide matters.

Procedures—A. *General.* 1. Each Department will designate a qualified representative to act on behalf of such Department in carrying out the terms of this agreement. All communications from USDA, DHEW, and USDI will be directed to these representatives.

2. USDA shall furnish to the other Departments copies of each proposal received for registration or reregistration with the accompanying safety data (if any) and a request for an opinion from DHEW and USDI on the requested action in their areas of responsibility.

3. Within 15 working days, DHEW and USDI shall evaluate each registration or reregistration proposal in light of the data supplied and offer an opinion or provide a status report as to whether or not the registration should be granted or specify the additional data deemed necessary before such evaluation can be made. When either is unable to assess the public health or environmental risk without additional data, USDA shall advise the registrant of its inability to consider registration of the pesticide until the additional data requested have been received and reviewed by the respective Departments according to the following procedures described below.

B. *Specific.* 1. The Departmental Representative will accomplish review by his agency of each proposal and report results of such review to each of the other agencies within 15 working days of the receipt of the proposal. If there is insufficient information to reach a decision on the proposal, USDA will be contacted within such period of 15 working days and advised with particularity what additional information is needed for the necessary evaluation. Applicants for registration should not be discouraged from communicating with DHEW or USDI on registration matters of mutual interest, so long as the other representatives are informed of the details of such contact by memorandum thereof.

2. Upon receipt of such a request for further information, USDA will make arrangements to obtain the additional information, if available, and furnish it to the Department making the request. USDA will withhold final action on the matter for 15 working days, from the date of furnishing the requested information or advice that such information is not available, pending receipt of the report of the other Department of the results of further review.

3. If a Department concludes that the registration should be rejected in whole or in part, this view shall be expressed in writing along with a statement of the reasons for the conclusion including the specific information, lack of information, or scientific judgment upon which these are based.

Upon being so notified, USDA will notify the party involved, i.e., the applicant or registrant, and offer him an opportunity to submit any data, views, or arguments with respect to the proposed rejection and any such submission shall be promptly referred to the other Department representatives who shall report to USDA the results of their review of the submission.

4. In the event that after the review of the additional data the Departments cannot agree on the approval of the proposal, any Department may request the formation of a Registration Review Panel for the purpose of making a complete review of the issues and related information or lack thereof and submit a detailed report of their findings. Each Registration Review Panel shall be composed of two representatives from each of the three Departments with the chairman to be selected from the representatives of the Department from which the objections have come.

The Registration Review Panel shall prepare its report within 20 working days, including any minority opinions, and submit it to each of the three Departments.

5. The report(s) of the Registration Review Panel shall be reviewed by each Department within 15 working days of its receipt.

6. If significant differences between the Departments remain still unresolved, all data and information submitted by all parties shall be reviewed at the first monthly Interdepartment Pesticide Meeting after the reviews of the Registration Review Panel reports have been made.

7. In the event agreement is not reached among the Department representatives at the monthly Interdepartment Pesticide Meeting, a submission of the reports of the reviews referred to in paragraphs B–1 through B–6 above, will be referred at the request of the Secretary of the objecting Department to the Cabinet Committee on Environmental Quality. The referral shall be accompanied by a statement prepared by each Department analyzing the issues involved and setting forth the decision it recommends. The Cabinet Committee on Environmental Quality will consider such recommendations and make a written report, either accepting, rejecting, or modifying them.

8. Based upon consideration of the action of the Cabinet Committee, the Secretary of Agriculture will make the decision as to the specific action to be taken with respect to the matter on which the Department representatives were not in agreement, and will thereupon notify the other two Secretaries in writing in advance of the publication of the final determination if he has not followed the recommendations made by the objecting Department(s), specifically stating his reasons for such action.

9. When registration is granted, USDA shall supply to DHEW and USDI final printed labeling at the time of registration with a copy of the final letter to the registrant.

10. The Departmental representatives may review existing patterns of usage and registrations for particular pesticides. A conclusion by USDA, DHEW, or USDI that an existing pesticide use or registration may be detrimental to the public health or to the quality of the environment shall be transmitted to the other two Departments together with the supporting reasoning and information, with a recommendation for corrective action. Written information from all sources on the health or environmental aspects of such pesticides shall be submitted to a Registration Review Panel for review and recommendations. If USDA, DHEW, or USDI disagrees with the recommendations of the Registration Review Panel, that Department can initiate further review by the procedural steps described in paragraphs B–6 through B–8 above.

Interdepartment pesticide meetings and conferences. The Department representatives will meet jointly at an Interdepartment Pesticide Meeting once a month to provide a continuous dialogue concerning all aspects of their current activities and to promote cooperation and understanding among the Departments. Monthly reports concerning their activities will be made to the Secretaries of the three Departments, according to a mutually agreed upon format.

The Departmental representatives will arrange a general conference at least once each year to discuss research needs, research program and policy, and the application of research findings in action programs, including public information relating to pesticides. The Interdepartment Pesticide Conference will consider broad questions on policies relating to pesticides involving the interrelationships of control programs, research, registration, tolerances, the public health,

and general departmental recommendations to the public.

In order to promote free interchange or information among the Departments involved under this agreement, each Department representative should be invited and encouraged to participate in conferences, meetings, and various symposiums with Federal, State, university, or industry people on possible matters of mutual interest.

Effective date and supersedure. This agreement shall become effective upon signature by the Secretaries of USDA, USDI, and DHEW, and shall supersede the agreement entitled "Interdepartmental Coordination of Activities Relating to Pesticides by the Department of Agriculture, the Department of Health, Education, and Welfare, and the Department of the Interior", published in the FEDERAL REGISTER on May 1, 1964 (29 F.R. 5808).

Dated: January 28, 1970.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

ROBERT H. FINCH,
Secretary of Health, Education, and Welfare.

WALTER J. HICKEL,
Secretary of the Interior.

[F.R. Doc. 70-2568; Filed, Mar. 2, 1970; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Case No. 403-B]

ROBERT PAULE

Order Denying Export Privileges

In the matter of Robert Paule, 14 Avenue Gallieni, 92 Courbevoie, France, respondent; Case No. 403-B.

By letter dated May 31, 1968 the Director, Investigations Division, Office of Export Control, charged the above respondent and Sercel S.A. (Societe D'Etudes, Recherches et Constructions Electroniques) with violations of the Export Control Act of 1949 and regulations thereunder.[1] The respondent Paule at all times here material was the sales manager of Sercel. The charging letter was duly served and Paule and Sercel appeared by separate counsel and filed answers. One of the charges is against Sercel only and the other is against both Sercel and Paule. The charge against Paule and Sercel is for making a false statement in an answer to an interrogatory in the course of an investigation under the Export Control Act.

Pursuant to the provisions of § 388.10 of the Export Control Regulations, with agreement of the Director, Office of Export Control, Paule and Sercel submitted to the Compliance Commissioner separate proposals for the issuance of consent orders against them. The proposals, as modified, have been approved and accepted and a separate order is being issued with respect to Sercel.

Paule in his consent proposal admitted for the purpose of this compliance proceeding only the charge against him as set forth in the charging letter. He waived all right to an oral hearing before the Compliance Commissioner and consented to the issuance of an order to be entered by the Director, Office of Export Control, substantially in the form hereinafter set forth. He also waived all rights of administrative appeal from and judicial review of such order.

The Compliance Commissioner reviewed the facts in the case and the consent proposal. After some modifications to which respondent agreed the Compliance Commissioner approved the consent proposal and recommended that it be accepted. He also made findings of fact which, after considering the record in the case, I adopt as my own.

Findings of fact. 1. The respondent Robert Paule at all times here material was an employee, in the capacity of sales manager of the firm Sercel S.A. (Societe D'Etudes, Recherches et Constructions Electroniques) located at Montrouge, Seine, France.

2. On October 12, 1964 Sercel entered into a sales contract with China National Technical Import Corporation of Peking, China, to furnish certain magnetic seismic exploration equipment. Sercel ordered from two suppliers in France certain U.S.-origin geophones and cable to be used therewith, said U.S.-origin equipment to be used in fulfilling the said contract.

3. Sercel received the above-mentioned equipment which was manufactured in the United States and exported to France. Sercel incorporated said equipment into the seismic exploration systems it was manufacturing under its aforesaid contract and reexported the U.S.-origin equipment to its customer in Peking, China.

4. In the course of an investigation under the Export Control Act as to the above-mentioned geophones and cable, written interrogatories were served on Sercel and Paule pursuant to § 388.15 of the Export Control Regulations.

5. One of said interrogatories in substance inquired whether said equipment had left metropolitan France. The respondent Paule acting individually and on behalf of Sercel on October 19, 1967 in answer to said interrogatory, in writing, stated in substance that the equipment had not been shipped to countries of the East. This statement was of a material fact and Paule knew or had reason to know that it was false since he knew or should have known that in or about December 1965 Sercel had in fact reexported the said equipment from France to Communist China.

Based on the foregoing I have concluded that the respondent Paule violated § 387.5 of the Export Control Regulations in that in the course of an investigation instituted under authority of the Export Control Act he made a false and misleading statement to the Office of Export Control.

I have considered the record in the case and the recommendation of the Compliance Commissioner. The consent proposal as modified of respondent Paule is hereby accepted. Being of the view that the following order is calculated to achieve effective enforcement of the law and the purposes thereof: *It is hereby ordered:*

I. All outstanding validated export licenses in which respondent appears or participates in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. Except as qualified in Part IV hereof, the respondent for a period of 3 years from the effective date of this order is hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States, in whole or in part, or to be exported, or which are otherwise subject to the export regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control documents; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data; (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondent, but also to his representatives, agents, and employees, and also to any person, firm, corporation, or other business organization with which he now or hereafter may be related by ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. One year after the effective date hereof, without further order of the Bureau of International Commerce, the respondent shall have his export privileges restored conditionally and thereafter for the remainder of the denial period the respondent shall be on probation. The conditions of probation are that the respondent shall fully comply with all requirements of the Export Administration Act of 1969 and all regulations, licenses, and orders issued thereunder.

[1] This Act has been succeeded by the Export Administration Act of 1969, Public Law 91-184, approved Dec. 30, 1969. Section 13(b) of the new Act provides, "All outstanding delegations, rules, regulations, orders, licenses, or other forms of administrative action under the Export Control Act of 1949 * * * shall, until amended or revoked, remain in full force and effect, the same as if promulgated under this Act".

V. Upon a finding by the Director, Office of Export Control, or such other official as may be exercising the duties now exercised by him, that the respondent has knowingly failed to comply with the requirements and conditions of this order or with any of the conditions of probation, said official at any time, without prior notice to said respondent, by supplemental order, may summarily revoke the probation of said respondent, revoke all outstanding validated export licenses to which said respondent may be a party, and deny to said respondent all export privileges for the remaining period of the order. Such supplemental order shall not preclude the Bureau of International Commerce from taking further action for any violation as shall be warranted. On the entry of a supplemental order revoking respondent's probation without notice, he may file objections and request that such order be set aside, and may request an oral hearing, as provided in § 388.16 of the Export Control Regulations, but pending such further proceedings, the order of revocation shall remain in effect.

VI. During the time when the respondent is prohibited from engaging in any activity within the scope of Part II hereof, no person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity on behalf of or in any association with the respondent, or whereby said respondent may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation or reexportation, of any commodity or technical data exported or to be exported from the United States, by, to, or for the respondent; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation or reexportation of any commodity or technical data exported or to be exported from the United States.

This order shall become effective on March 3, 1970.

Dated: February 25, 1970.

RAUER H. MEYER,
Director,
Office of Export Control.

[F.R. Doc. 70-2521; Filed, Mar. 2, 1970; 8:45 a.m.]

[Case No. 403-A]

SERCEL S.A.

Order Denying Export Privileges

In the matter of Sercel S.A. (Societe D'Etudes, Recherches et Constructions Electroniques), Avenue Bel-Air, Zone Industrielle, 44 Carquefou, France, and 96 Avenue Verdier, 92 Montrouge, Seine, France, respondent; Case No. 403-A.

By letter dated May 31, 1968 the Director, Investigations Division, Office of Export Control charged the above respondent and Robert Paule, of Courbevoie, France (a former employee of said respondent) with violations of the Export Control Act of 1949 and regulations thereunder.[1] The charging letter was duly served and Sercel and Paule appeared by separate counsel and filed answers. The charging letter as it affected Sercel was subsequently amended. There are two charges. Charge I is against Sercel only and alleges in substance that it knowingly reexported from France to Communist China U.S.-origin commodities that were incorporated in seismic exploration equipment. Charge II is against Sercel and Paule and alleges, in substance, that they gave a false answer to an interrogatory when they said the commodities in question had not been reexported to a country in the East.

Pursuant to the provisions of § 388.10 of the Export Control Regulations with agreement of the Director of the Investigations Division, Sercel and Paule submitted to the Compliance Commissioner separate proposals for the issuance of consent orders against them. The proposals as modified have been approved and accepted and a separate order is being issued with respect to Paule.

Sercel in its consent proposal admitted for the purpose of this compliance proceeding only the charges set forth in the charging letter. It waived all right to an oral hearing before the Compliance Commissioner and consented to the issuance of an order against it substantially in the form hereinafter set forth. It also waived all rights of administrative appeal from and judicial review of such order.

The Compliance Commissioner reviewed the facts in the case and the consent proposal. After some modifications which respondent agreed to the Compliance Commissioner approved the consent proposal and recommended that it be accepted. He also made Findings of Fact, which, after considering the record in the case I adopt as my own.

Findings of fact. 1. The respondent Sercel S.A., Societe D'Etudes. Recherches et Constructions Electroniques, is a French corporation with headquarters in Montrouge (near Paris) France and laboratories and factory, located in Carquefou (near Nantes), France. It is engaged in the manufacturing and sale of equipment for geophysical exploration, including seismic systems for this purpose. At all times here material Robert Paule of Courbevoie (a suburb of Paris), France, was sales manager of Sercel. His connection with the company was terminated in February 1968.

2. On October 12, 1964 the respondent Sercel entered into a sales contract with China National Technical Import Corporation of Peking, China, to furnish certain magnetic seismic exploration equipment. This contract was modified by a supplement dated December 14, 1965. The equipment to be furnished by Sercel under this contract had a value of approximately $2.1 million.

3. Sercel ordered certain U.S.-origin equipment to be used in fulfilling this contract from two suppliers in France. Said U.S.-origin equipment consisted of geophones, vector type cable to be used with geophones, and a monitor oscilloscope. The total value of this equipment was approximately $85,000.

4. Sercel received the above mentioned equipment which was manufactured in the United States and exported to France. Sercel incorporated said equipment into the seismic exploration systems it was manufacturing under its aforesaid contract and reexported said U.S.-origin equipment to its customer in Peking, China.

5. Sercel knew at the time it received the U.S.-origin equipment from the two French suppliers that the equipment was of U.S.-origin. Sercel reexported and caused said equipment to be reexported to its customer in Peking, China, without first requesting and receiving prior authorization from the Office of Export Control which it knew or should have known was required by the U.S. Export Control Regulations.

6. In the course of the investigation under the Export Control Act as to the disposition of the above mentioned geophones and vector type cable, written interrogatories were served on Sercel and Robert Paule, pursuant to § 388.15 of the Export Control Regulations.

7. One of said interrogatories, in substance, inquired whether any of said equipment had left metropolitan France. Paule, acting individually and on behalf of respondent Sercel, on or about October 19, 1967, in answer to said interrogatory in writing stated, in substance, that the geophones had not been shipped to the countries of the East. This statement was of a material fact and respondent knew or had reason to know that it was false since it knew or should have known that in or about December 1965 respondent Sercel had in fact reexported the said equipment from France to Communist China.

Based on the foregoing I have concluded that the respondent Sercel violated § 387.6 of the Export Control Regulations in that it knowingly reexported U.S.-origin commodities to Communist China, an unauthorized destination, without first requesting specific authorization from the Office of Export Control as required by § 374.1 of the said regulations. I have further concluded that said respondent violated § 387.5 of said regulations in that in the course of an investigation instituted under authority of the Export Control Act it made

[1] This Act has been succeeded by the Export Administration Act of 1969, Public Law 91-184, approved Dec. 30, 1969. Section 13(b) of the new Act provides, "All outstanding delegations, rules, regulations, orders, licenses, or other forms of administrative action under the Export Control Act of 1949 * * * shall, until amended or revoked, remain in full force and effect, the same as if promulgated under this Act".

a false and misleading statement to the Office of Export Control.

I have considered the record in the case and the recommendation of the Compliance Commissioner. The consent proposal as modified of respondent Sercel is hereby accepted and being of the view that the following order is calculated to achieve effective enforcement of the law and the purposes thereof: *It is hereby ordered:*

I. All outstanding validated licenses in which the respondent, Sercel, appears or participates in any manner are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. Except as qualified in Part IV hereof the respondent Sercel for a period of 3 years from the effective date of this order is hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part or to be exported or which are otherwise subject to the U.S. Export Control Regulations, but only when such participation would under said regulations, applicable at the time, require a validated export license, as defined in § 372.2(a) of said regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction either in the United States or abroad shall include participation: (a) as a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any validated export license application or reexportation authorization, or document to be submitted therewith; (c) in the obtaining or using of any validated export license; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodites or technical data where such transaction under said regulations, applicable at the time, require a validated export license; (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data where such transaction would under said regulations, applicable at the time, require a validated export license.

This order does not affect the participation by Sercel in transactions for which validated export licenses are not required. Nothing in this order shall be construed to affect matters relating to exceptions which may be granted in the future as set forth in letter of even date or to the continuing validity of the letter dated November 12, 1969, both of said letters from the Director, Office of Export Control to Sercel.

III. The foregoing denial of validated license export privileges shall extend not only to Sercel but also as to the trade or business connected to the commerce of Sercel, to its representatives, agents, and other persons, firms, or corporations controlling or controlled by Sercel. This order applies to Compagnie Generale de Geophysique only to the extent that said firm may not participate in any transaction for the account of or on behalf of Sercel in which Sercel itself could not participate under the terms of this order.

IV. One year after the effective date of this order, without further order of the Bureau of International Commerce, the export privileges denied under this order shall be restored conditionally, but no validated licenses which have been revoked under this order shall be restored.

V. In the event that Sercel shall knowingly violate the terms of this order during the period of actual suspension or knowingly violates any of the laws or regulations relating to export control at any time during the entire period of this order, the Bureau of International Commerce, may after giving Sercel appropriate notice and an opportunity to respond, (a) determine that such violation has occurred and (b) issue a supplemental order which may deny Sercel all export privileges for the remaining period of the order, and revoke all validated licenses then outstanding which may have been issued since the beginning of the suspension period and to which Sercel may be a party. Any action that may be taken by the Bureau of International Commerce under this paragraph will not limit it from taking such other action based upon such violation as it shall deem warranted.

VI. During the time when Sercel is subject to the restrictions of this order (which affect only validated license export privileges) no person with knowledge that Sercel is subject to said restrictions, without prior disclosure of the facts to and specific authorization from the Bureau of International Commerce: (a) May, with respect to commodities or technical data requiring validated export licenses, apply for, obtain, or use any license, Shipper's Export Declaration, bill of lading or other export control document relating to any exportation or reexportation of such commodities or technical data by, to, or for Sercel; or (b) may, with respect to such commodities or technical data requiring validated export licenses, order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any transaction which may involve any such commodity or technical data exported or to be exported from the United States whereby Sercel may obtain any benefit therefrom or have an interest therein, directly or indirectly.

This order shall become effective on March 3, 1970.

Dated: February 25, 1970.

RAUER H. MEYER,
Director,
Office of Export Control.

[F.R. Doc. 70-2522; Filed, Mar. 2, 1970; 8:45 a.m.]

Office of the Secretary

INTERAGENCY COMMITTEES

Committees Chaired by Department of Commerce

The following information on interagency committees chaired by the Department of Commerce is published pursuant to the provisions of Bureau of the Budget Circular No. A-63.

COMMITTEES IN EXISTENCE FOR TWO YEARS ON JUNE 30, 1969, WHICH HAVE BEEN CONTINUED

Adjustment Assistance Advisory Board.
Advisory Committee on Export Policy (ACEP).
Committee of Alternates, Foreign-Trade Zones Board.
Committee to Provide Continuing Coordination for Sewer and Water Programs.
Export Control Review Board.
Foreign-Trade Zones Board.
Interagency Fire Research Committee.
Interagency Textile Administrative Committee.
Meteorological Satellite Program Review Board.
Patent Advisory Panel.[1]
Operating Committee of the Advisory Committee on Export Policy (ACEP).

COMMITTEES ESTABLISHED SINCE JULY 1, 1968

Alaskan Task Group of the Federal Advisory Council on Regional Economic Development.
Committee on Preventive Medicine, Council of Federal Medical Directors for Occupational Health.
Export Expansion Advisory Committee.
Export Strategy Committee.
Federal Geodetic Control Committee.
Interagency Committee for Minority Business Enterprise.
Interagency Nickel Working Group.
Marine Environmental Prediction Planning Staff.
Task Group to Evaluate Proposed Revisions to BOB Circular A-21.
UJNR[2] Marine Communications and Electronics Panel.
UJNR[2] Marine Environmental Observation and Forecasting Panel.
UJNR[2] Sea Bottom Survey Panel.

Dated: February 20, 1970.

LARRY A. JOBE,
Assistant Secretary
for Administration.

[F.R. Doc. 70-2564; Filed, Mar. 2, 1970; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

IMPERIAL CHEMICAL INDUSTRIES, LTD.

Notice of Withdrawal of Petition for Food Additives

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Imperial Chemical Industries, Ltd., Dyestuffs Division, Hexagon House, Blackley, Manchester 9, England, has withdrawn its petition (FAP 0B2464), notice of which was published in the FEDERAL REGISTER of October 24, 1969 (34 F.R. 17310), proposing that

[1] Subject to merger with Committee on Government Patent Policy.

[2] U.S.-Japan Committee on Cooperation in Development of Natural Resources (UJNR).

§ 121.2566 *Antioxidants and/or stabilizers for polymers* (21 CFR 121.2566) be amended to provide for the safe use of dicetyl thiodipropionate as an antioxidant and/or stabilizer in polymers used in the manufacture of articles for food-contact use.

Dated: February 20, 1970.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 70-2515; Filed, Mar. 2, 1970; 8:45 a.m.]

Office of the Secretary

PESTICIDES

Interdepartmental Agreement for Protection of Public Health and Quality of Environment

CROSS REFERENCE: For a document issued jointly by the Department of Agriculture, the Department of Health, Education, and Welfare, and the Department of the Interior relating to an interdepartmental agreement for protection of the public health and the quality of the environment in relation to pesticides, see F.R. Doc. 70-2568, Agriculture Department, *supra*.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

DIRECTOR, ADMINISTRATION DIVISION, AND CHIEF AND PROGRAM INSURANCE ADVISER, LOCAL AGENCY SERVICES BRANCH, RENEWAL AND HOUSING MANAGEMENT

Redelegation of Authority

SECTION A. *Redelegation of authority.* The Director, Administration Division, and the Chief and Program Insurance Adviser, Local Agency Services Branch, Renewal and Housing Management, each is authorized to approve non-Federal insurance contracts and to execute endorsements on behalf of the Department of Housing and Urban Development on insurance checks on which the United States of America, Department of Housing and Urban Development or any predecessor agency of the Department of Housing and Urban Development, is a joint payee with respect to the programs listed below:

1. Slum clearance and urban renewal program under title I of the Housing Act of 1949, as amended (42 U.S.C. 1450-1468), and section 312 of the Housing Act of 1954 (42 U.S.C. 1450 note).

2. Low-rent public housing program under the United States Housing Act of 1937, as amended (42 U.S.C. 1401 et seq.).

SEC. B. *Supersedure.* This document supersedes the redelegations of authority published at 33 F.R. 17928, December 3, 1968.

(Secretary's delegations of authority with respect to renewal assistance program et al. and with respect to low-rent public housing program, as amended effective Feb. 7, 1970, 35 F.R. 2748 and 2747, Feb. 7, 1970)

Effective date. This redelegation of authority is effective as of February 7, 1970.

LAWRENCE M. COX,
Assistant Secretary for Renewal and Housing Management.

[F.R. Doc. 70-2545; Filed, Mar. 2, 1970; 8:47 a.m.]

DIRECTOR, HOUSING PROGRAMS MANAGEMENT DIVISION, AND CHIEF AND SUPERVISORY SUPPLY MANAGEMENT OFFICER, MAINTENANCE ENGINEERING AND SUPPLY BRANCH, RENEWAL AND HOUSING MANAGEMENT

Redelegation of Authority With Respect to Low-Rent Public Housing Program

The Director, Housing Programs Management Division, and the Chief and Supervisory Supply Management Officer, Maintenance Engineering and Supply Branch, Renewal and Housing Management, each is authorized to execute contracts and amendments thereto, in furtherance of the low-rent public housing program under the United States Housing Act of 1937, as amended (42 U.S.C. 1401 et seq.), with respect to the purchase by local housing authorities of materials, equipment, and supplies.

(Secretary's delegations of authority published at 31 F.R. 8967, June 29, 1966, as amended at 31 F.R. 11624, Sept. 2, 1966; 32 F.R. 15723, Nov. 15, 1967; and 35 F.R. 2747, Feb. 7, 1970)

Effective date. This redelegation of authority shall be effective as of February 7, 1970.

LAWRENCE M. COX,
Assistant Secretary for Renewal and Housing Management.

[F.R. Doc. 70-2547; Filed, Mar. 2, 1970; 8:47 a.m.]

DIRECTOR, LOAN AND CONTRACT SERVICING DIVISION, ET AL.

Redelegation of Authority and Assignment of Functions

SECTION A. *Director and Deputy Director, Loan and Contract Servicing Division.* To the position of Director, Loan and Contract Servicing Division, and under his general supervision to the position of Deputy Director, Loan and Contract Servicing Division, there is redelegated the following authority and assigned the following functions:

1. To develop and recommend policies and establish operating plans and procedures for servicing HUD-insured project mortgages; multifamily housing mortgages insured under the National Housing Act; equity investments in multifamily housing; and mortgages for the construction and equipment of group medical facilities.

2. To develop and recommend policies and establish operating plans and procedures for servicing HUD-held project mortgages as a result of payment of insurance claims and to approve Provisional Work Out Arrangements for the continued holding of project mortgages although in default.

3. To aprove the modification in the terms of project mortgages subsequent to final insurance endorsement, and to approve the modification of or authorize the foreclosure of any project mortgage acquired and held as a result of assignment under the terms of the insurance contract or taken back and held in connection with the sale of an acquired property.

4. To service loans and grants for college housing under title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749-1749c).

5. To service loans for housing for the elderly or handicapped under section 202 of the Housing Act of 1959, as amended (12 U.S.C. 1701q).

6. To service loans for rehabilitation under section 312 of the Housing Act of 1964, as amended (42 U.S.C. 1452b).

7. To service loans for Alaska remote housing under section 1004 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3371).

8. To exercise the authority of the Assistant Secretary for Renewal and Housing Management as holder of the preferred stock in any corporation or under any regulatory agreement or other agreement made for the purpose of controlling or regulating a housing project on which there is a mortgage held by the Secretary or insured by HUD.

9. To take any action authorized to be taken by any officials heading a Branch under his jurisdiction.

SEC. B. *Chief, Insured Project Servicing Branch.* To the position of Chief, Insured Project Servicing Branch, there is redelegated the following authority and assigned the following functions:

1. To develop and recommend policies and recommend operating plans and procedures for servicing HUD-insured project mortgages.

2. To grant extensions of time within which the mortgagee must make its election either to assign the mortgage or to tender title to the property under the contract of mortgage insurance.

SEC. C. *Chief, HUD-Held Project Servicing Branch.* To the position of Chief, HUD-Held Project Servicing Branch, there is redelegated the following authority and assigned the following functions:

1. To develop and recommend policies and establish operating plans and procedures for servicing HUD-held project mortgages.

2. To approve Provisional Work Out Arrangements for the continued holding of project mortgages although in default.

(Secretary's delegations and amendments of delegations of authority effective Feb. 7, 1970, 35 F.R. 2746 and 2747, Feb. 7, 1970)

Effective date. This document is effective as of February 7, 1970.

LAWRENCE M. COX,
Assistant Secretary for Renewal and Housing Management.

[F.R. Doc. 70-2544; Filed, Mar. 2, 1970; 8:47 a.m.]

DIRECTOR, OFFICE OF HOUSING MANAGEMENT ET AL.

Redelegation of Authority

SECTION A. *Authority redelegated.* The Director, Office of Housing Management, and the Deputy Director, Office of Housing Management, each is authorized to exercise the power and authority of the Secretary of Housing and Urban Development with respect to the programs and matters listed below except as specified under this section A and as additionally excepted under section B:

1. Titles II, V, VI, VII, VIII, IX, X, and XI of the National Housing Act, as amended (12 U.S.C. 1701 et seq.):

a. Subsequent to final insurance endorsement relating to: Insured loans and mortgages, claims, rights, and interests involving multifamily projects (other than collection of insurance premiums), housing for the elderly, nursing homes, group practice facilities, and nonprofit hospitals.

b. Relating to: The payment of mortgage insurance claims on mortgages covering multifamily projects; and managing, dealing with, and disposing of real and personal property, mortgages, loans, claims, rights, and interests acquired by the Secretary in connection with the settlement of claims arising under multifamily loans and mortgages insured under the National Housing Act; and managing, dealing with, and disposing of real and tangible personal property acquired by the Secretary in connection with the settlement of claims arising under 1–4 family loans and mortgages insured under the National Housing Act.

2. Section 1, title I, of the National Housing Act, as amended (12 U.S.C. 1702), in exercising the power and authority redelegated under section A, 1.

3. Sections 235 and 236 of the National Housing Act, as amended (12 U.S.C. 1715z and 1715z–1), with respect to administration of contracts and requirements for assistance payments and for interest reduction payments.

4. Section 101(e) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701w) and section 237(e) of the National Housing Act, as amended (12 U.S.C. 1715z–2(e)), with respect to providing budget, debt management, and related counseling services.

5. Section 101 of the Housing and Urban Development Act of 1965, as amended (12 U.S.C. 1701s), with respect to administration of contracts and requirements for rent supplements for disadvantaged persons.

6. Section 5(a) of the Department of Housing and Urban Development Act (42 U.S.C. 3534) with respect to the activities listed below:

a. *Disposition of certain Government-owned property at AEC Communities of Oak Ridge, Tenn.; Richland, Wash.; and Los Alamos, N. Mex.* To execute the functions, powers, and duties authorized under Executive Order 10657 of February 14, 1956 (21 F.R. 1063, Feb. 16, 1956), as amended by Executive Order 10734 of October 17, 1957 (22 F.R. 8275, Oct. 22, 1957), and Executive Order 11105 of April 18, 1963 (28 F.R. 3909, Apr. 20, 1963), with respect to the disposition of certain Government-owned property at the Atomic Energy Commission communities of Oak Ridge, Tenn., Richland, Wash., and Los Alamos, N. Mex., pursuant to the Atomic Energy Community Act of 1955, as amended (42 U.S.C. 2301), except the Secretary's power to make the finding required under section 51 of the Act (42 U.S.C. 2341).

b. *Disposition of Greentown Projects and subsistence homesteads.* To execute the functions, powers and duties authorized under the Act of June 29, 1936, 49 Stat. 2035; the Act of May 19, 1949, 63 Stat. 68; and section 4(b) of Reorganization Plan No. 3 of 1947, 61 Stat. 955 (5 U.S.C. 133y—133y–16 note).

c. *Disposition of emergency housing properties.* To execute the functions, powers, and duties authorized under Public Law 781, 76th Cong. (54 Stat. 883); Public Law 849, 76th Cong., as amended (Lanham Act, as amended, 42 U.S.C. 1521), and Reorganization Plan No. 17 of 1950 (64 Stat. 1269); Public Laws 9, 73, and 353, 77th Cong., as amended (55 Stat. 14, 198, and 818, as amended); and title II of Public Law 266, 81st Cong. (63 Stat. 659).

d. *Authority to endorse checks.* To endorse any checks or drafts in payment of insurance losses on which the United States of America, acting by and through the Housing and Home Finance Administrator or the Secretary, or the successors or assigns of either of them, is a payee (joint or otherwise) in connection with the disposition of the Government's interest in property at such communities or lease of such property.

e. *Conclusive evidence of authority.* Any instrument or document executed in the name of the Secretary by an employee of the Department of Housing and Urban Development under the authority of this redelegation purporting to relinquish or transfer any right, title, or interest in or to real or personal property shall be conclusive evidence of the authority of such employee to act for the Secretary in executing such instrument or document.

7. As contracting officer, enter into and administer procurement contracts and make related determinations except determinations under sections 302(c) (11), (12), and (13) of the Federal Property and Administrative Services Act, as amended (41 U.S.C. 252(c) (11), (12), and (13)), with respect to all contracts for goods and services for repair, construction, improvement, removal, demolition or alteration, maintenance, and operation of acquired properties, including properties held by HUD as mortgagee in possession, and broker management services in connection with such properties, the publication of notices and advertisements in newspapers, magazines, and periodicals; contracts with public or private organizations to provide budget, debt management, and related counseling services; and contracts for credit reports.

8. Section 312 of the Housing Act of 1964, as amended (42 U.S.C. 1452b), subsequent to approval of a rehabilitation loan; and managing, dealing with, and disposing of real and personal property, mortgages, loans, claims, rights, and interests acquired by the Secretary in connection with the settlement of claims arising under rehabilitation loans.

9. Title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749–1749c), with respect to the college housing program.

10. Section 202 of the Housing Act of 1959, as amended (12 U.S.C. 1701q), with respect to the program of loans for housing for the elderly or handicapped.

11. Section 1004 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3371) with respect to the program of loan or grant assistance for housing in Alaska, except the authority to approve the statewide program prepared by the State of Alaska or any duly authorized agency or instrumentality.

12. Delegation of authority under Article VII of the agreement between the Department of Defense and the Department of Housing and Urban Development dated June 8 and June 18, 1968, respectively (published at 34 F.R. 18031, Nov. 7, 1969), which authority has been redelegated to the Assistant Secretary for Renewal and Housing Management (published at 35 F.R. 2748, Feb. 7, 1970), concerning section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374): With respect to acquired properties, to acquire title to, hold, manage, sell for cash or credit by taking a purchase money mortgage in the name of the Secretary of Housing and Urban Development and, in connection therewith, to execute deeds of conveyance and all other instruments necessary to fulfill the purposes of section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) and to make any or all determinations and to take any or all further actions in connection with acquired properties which the Secretary of Defense is authorized to undertake pursuant to the provisions of the Act.

13. In exercising the power and authority redelegated under section A, 1, 6, 8, 9, 10, 11, and 12:

a. To execute any deed, deed of release, assignment and satisfaction of mortgage, contract to purchase (installment contract of purchase), offer, acceptance, or other form of contract of sale, or other instrument relating to real or personal property or any interest therein acquired by the Secretary.

b. To consent to the release of portions of mortgaged property from the lien of the mortgage.

14. In exercising the power and authority redelegated under section A, 1:

a. To approve the sale and terms of sale of mortgages taken as security in selling property acquired in connection with HUD insurance claims.

b. To waive all or part of the 1 percent deduction upon assignment of a project mortgage to the Secretary, and to make determinations concerning collection of adjusted premium and termination charges.

15. To take any action authorized to be taken by any officials heading any Office, Division, or Branch under his jurisdiction.

SEC. B. *Additional authority excepted.* There is further excepted from the authority redelegated under section A the power to:

1. Establish the rate of interest on Federal loans.

2. Issue notes or other obligations for purchase by the Secretary of the Treasury.

3. Exercise the powers under section 402(a) of the Housing Act of 1950, as amended (12 U.S.C. 1749a(a)).

4. Sue and be sued.

5. Issue rules and regulations.

(Secretary's delegations of authority effective Feb. 7, 1970, 35 F.R. 2746, 2747, and 2748, Feb. 7, 1970)

Effective date. This document shall be effective as of February 7, 1970.

LAWRENCE M. COX,
Assistant Secretary for Renewal and Housing Management.

[F.R. Doc. 70-2541; Filed, Mar. 2, 1970; 8:47 a.m.]

OFFICE OF HOUSING MANAGEMENT, ET AL.

Redelegations of Authority With Respect to Low-Rent Public Housing Program

The redelegations of authority by the Assistant Secretary for Renewal and Housing Assistance to the Deputy Assistant Secretary for Housing Assistance et al. published at 31 F.R. 8967, June 29, 1966, as amended (31 F.R. 11624, Sept. 2, 1966; and 32 F.R. 15723, Nov. 15, 1967), with respect to the low-rent public housing program, are amended in the following respects:

(1) *Nomenclature changes.* Each current official or organization title listed below is changed wherever it appears in the redelegations of authority to the respective new official or organization title listed below:

Current official or organization title	*New official or organization title*
Assistant Secretary for Renewal and Housing Assistance.	Assistant Secretary for Renewal and Housing Management.
Deputy Assistant Secretary for Housing Assistance.	Director, Office of Housing Management.
General Deputy, Housing Assistance Administration.	Deputy Director, Office of Housing Management.
Housing Assistance Administration.	Office of Housing Management.

(Secretary's delegations of authority published at 31 F.R. 8967, June 29, 1966, as amended at 31 F.R. 11624, Sept. 2, 1966; 32 F.R. 15723, Nov. 15, 1967; and 35 F.R. 2747, Feb. 7, 1970).

Effective date. This amendment of redelegations of authority shall be effective as of February 7, 1970.

LAWRENCE M. COX,
Assistant Secretary for Renewal and Housing Management.

[F.R. Doc. 70-2548; Filed, Mar. 2, 1970; 8:47 a.m.]

DIRECTOR, OFFICE OF RENEWAL ASSISTANCE, ET AL.

Redelegations of Authority With Respect to Renewal Assistance and Certain Other Programs

The redelegations of authority by the Assistant Secretary for Renewal and Housing Assistance to the Deputy Assistant Secretary for Renewal et al. published at 31 F.R. 8965, June 29, 1966, as amended (32 F.R. 625, Jan. 19, 1967; 32 F.R. 11390, Aug. 5, 1967; and 33 F.R. 10161, July 16, 1968), with respect to the renewal assistance program et al., are amended in the following respects:

(1) *Nomenclature changes.* Each current title listed below is changed wherever it appears in the redelegations of authority to the respective new title listed below:

Current title	*New title*
Assistant Secretary for Renewal and Housing Assistance.	Assistant Secretary for Renewal and Housing Management.
Deputy Assistant Secretary for Renewal Assistance.	Director, Office of Renewal Assistance.
General Deputy, Renewal Assistance.	Deputy Director, Office of Renewal Assistance.

(2) Under section B (as revised under (1) above), *Authority redelegated to Director, Office of Renewal Assistance, and the Deputy Director, Office of Renewal Assistance,* paragraph 1 (Open-Space Land and Urban Beautification and Improvement) and paragraph 2 (Neighborhood Facilities Grant Program) are deleted.

(Secretary's delegations of authority published at 31 F.R. 8964, June 29, 1966, as amended at 32 F.R. 624, Jan. 19, 1967; 32 F.R. 11390, Aug. 5, 1967; 33 F.R. 10161, July 16, 1968; and 35 F.R. 2748, Feb. 7, 1970)

Effective date. This amendment of redelegations of authority shall be effective as of February 7, 1970.

LAWRENCE M. COX,
Assistant Secretary for Renewal and Housing Management.

[F.R. Doc. 70-2546; Filed, Mar. 2, 1970; 8:47 a.m.]

DIRECTOR, PROPERTY DISPOSITION DIVISION, ET AL.

Redelegation of Authority and Asssignment of Functions

SECTION A. *Director and Deputy Director, Property Disposition Division.* To the position of Director, Property Disposition Division, and under his general supervision to the position of Deputy Director, Property Disposition Division, there is redelegated the following authority and assigned the following functions:

1. To formulate procedures for the operation and management of all properties conveyed to the Secretary of Housing of Housing and Urban Development, all properties held during foreclosure proceedings by the Secretary of Housing and Urban Development as mortgagee in possesison pursuant to court orders, and all properties held pursuant to the agreement between the Department of Defense and the Department of Housing and Urban Development with respect to section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) (delegations and redelegations published at 34 F.R. 18031, Nov. 7, 1969; and 35 F.R. 2748, Feb. 7, 1970).

2. To develop and maintain a program for the management, operation, and disposition of all properties conveyed to the Secretary and, as required, to operate and manage such properties, properties held as mortgagee in possession, and all properties held pursuant to the agreement between the Department of Defense and the Department of Housing and Urban Development with respect to section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374), including authority with respect to such properties to:

a. Approve offers to rent or purchase, except that offers to purchase 12 or more living units acquired by the Secretary under any title of the National Housing Act (12 U.S.C. 1701 et seq.) shall be subject to the approval of the Property Disposition Committee.

b. Make repairs, alterations, and improvements.

c. In connection with the sale, rental, maintenance, or management of acquired properties or properties of the United States over which the Secretary has been granted custody or possession by another agency of the United States or properties held as mortgagee in possession, to execute contracts for supplies and services and to issue orders for the publication of notices and advertisements in newspapers, magazines, and periodicals.

d. Approve offers to rent or purchase individually acquired 1- to 4-family units and execute contracts for the sale of any properties and projects conveyed to the Secretary of Housing and Urban Development or over which the Secretary has been granted custody or possession by another agency of the United States.

e. Execute such contracts, leases, assignments, and instruments as may be necessary in the rental or sale of such

properties, including deeds or other documents in connection with the conveyance of title, deeds of release, assignments or satisfactions of mortgages, deeds of trust, or other liens taken as security in connection therewith.

f. Authorize expenditures.

g. Compromise and settle claims by or against tenants or former tenants of HUD-acquired properties, as well as properties held by HUD as mortgagee in possession, and execute releases or other instruments required in connection with such compromise or settlement.

h. Compromise and settle contract claims by or against HUD with respect to such properties and execute releases and other instruments required in connection with such compromise or settlement.

i. Approve expenditures to correct or compensate for defects in properties sold by the Secretary to comply with any warranty provisions incorporated in the sales contract and to initiate such action as might be indicated.

3. As contracting officer, to enter into and administer procurement contracts and make related determinations except determinations under sections 302(c) (11), (12), and (13) of the Federal Property and Administrative Services Act, as amended (41 U.S.C. 252(c) (11), (12), and (13)), with respect to all contracts for goods and services for repair, construction, improvement, removal, demolition or alteration, maintenance, and operation of acquired properties, including properties held by HUD as mortgagee in possession, and broker management services in connection with such properties, the publication of notices and advertisements in newspapers, magazines, and periodicals; and contracts for credit reports.

4. Section 5(a) of the Department of Housing and Urban Development Act (42 U.S.C. 3534) with respect to the activities listed below:

a. *Disposition of certain Government-owned property at AEC Communities of Oak Ridge, Tenn.; Richland, Wash.; and Los Alamos, N. Mex.* To execute the functions, powers, and duties authorized under Executive Order 10657 of February 14, 1956 (21 F.R. 1063, Feb. 16, 1956), as amended by Executive Order 10734 of October 17, 1957 (22 F.R. 8275, Oct. 22, 1957), and Executive Order 11105 of April 18, 1963 (28 F.R. 3909, Apr. 20, 1963), with respect to the disposition of certain Government-owned property at the Atomic Energy Commission communities of Oak Ridge, Tenn., Richland, Wash., and Los Alamos, N. Mex., pursuant to the Atomic Energy Community Act of 1955, as amended (42 U.S.C. 2301), except the Secretary's power to make the finding required under section 51 of the Act (42 U.S.C. 2341).

b. *Disposition of Greentown Projects and subsistence homesteads.* To execute the functions, powers, and duties authorized under the Act of June 29, 1936, 49 Stat. 2035; the Act of May 19, 1949, 63 Stat. 68; and section 4(b) of Reorganization Plan No. 3 of 1947, 61 Stat. 955 (5 U.S.C. 133y—133y–16 note).

c. *Disposition of emergency housing properties.* To execute the functions, powers, and duties authorized under Public Law 781, 76th Cong. (54 Stat. 883); Public Law 849, 76th Cong., as amended (Lanham Act, as amended, 42 U.S.C. 1521), and Reorganization Plan No. 17 of 1950 (64 Stat. 1269); Public Laws 9, 73, and 353, 77th Cong., as amended (55 Stat. 14, 198, and 818, as amended); and title II of Public Law 266, 81st Cong. (63 Stat. 659).

d. *Authority to endorse checks.* To endorse any checks or drafts in payment of insurance losses on which the United States of America, acting by and through the Housing and Home Finance Administrator or the Secretary, or the successors or assigns of either of them, is a payee (joint or otherwise) in connection with the disposition of the Government's interest in property at such communities or lease of such property.

e. *Conclusive evidence of authority.* Any instrument or document executed in the name of the Secretary by an employee of the Department of Housing and Urban Development under the authority of this redelegation purporting to relinquish or transfer any right, title, or interest in or to real or personal property shall be conclusive evidence of the authority of such employee to act for the Secretary in executing such instrument or document.

SEC. B. *Chief, Contracting Branch, Property Disposition Division.* To the position of Chief, Contracting Branch, there is redelegated the authority, as contracting officer, to enter into and administer procurement contracts and make related determinations except determinations under sections 302(c) (11), (12), and (13) of the Federal Property and Administrative Services Act, as amended (41 U.S.C. 252(c) (11), (12), and (13)), with respect to all contracts for goods and services for repair, construction, improvement, removal, demolition or alteration, maintenance, and operation of acquired properties, including properties held by HUD as mortgagee in possession, and broker management services in connection with such properties, the publication of notices and advertisements in newspapers, magazines, and periodicals; and contracts for credit reports.

(Secretary's delegation of authority, 35 F.R. 2746, Feb. 7, 1970; Secretary's redelegation of authority, Homeowners Assistance Program, Department of Defense, 35 F.R. 2748, Feb. 7, 1970)

Effective date. This document shall be effective as of February 7, 1970.

LAWRENCE M. COX,
Assistant Secretary for Renewal and Housing Management.

[F.R. Doc. 70–2542; Filed, Mar. 2, 1970; 8:47 a.m.]

PROPERTY DISPOSITION COMMITTEE AND ASSISTANT SECRETARY FOR RENEWAL AND HOUSING MANAGEMENT

Members; Redelegation of Authority and Assignment of Functions

SECTION A. *Property Disposition Committee Members.* The Property Disposition Committee is comprised of the following members: Director, Office of Housing Management, RHM, Chairman; Director, Property Disposition Division, RHM; General Counsel or his designee; Director, Loan and Contract Servicing Division, RHM; Director, Housing Provision, RHM; Director, Housing Programs Mangement Division, RHM; and such other members as the Assistant Secretary for Renewal and Housing Management (herein called the Assistant Secretary) shall designate.

SEC. B. *Redelegation of authority, and assignment of functions, to the Committee.* The Property Disposition Committee is redelegated the following authority and assigned the following functions:

1. To pass upon and determine the action to be taken with respect to the acceptance or rejection of any offer to purchase a property of 12 or more living units or any morgtage acquired by the Secretary in connection with multifamily housing mortgage insurance under any title of the National Housing Act (12 U.S.C. 1701 et seq.), the sale and terms of sale of mortgages taken as security in connection with the sale of such properties, and to establish general policies with respect to the disposition of acquired properties and mortgages. The minutes of the Committee reflecting its determinations shall constitute the basis of acceptance or rejection of such offers and the execution of all documents and instruments relating and incident thereto by the Director, Property Disposition Division, or his Deputy.

2. To determine whether or not an expenditure is "necessary to carry out the provisions" of titles I, II, VI, VII, VIII, IX, X, and XI of the National Housing Act as such term is used in section 1 of the Act (12 U.S.C. 1702), and to approve such expenditure for and on behalf of the Assistant Secretary whenever such a determination and approval is necessary to support the legal authority of the Assistant Secretary to make such expenditure.

3. In connection with the functions of the Committee, the Chairman is authorized to execute any deed, deed of release, assignment and satisfaction of mortgage, contract to purchase (installment contract of purchase), offer, acceptance, or other form of contract of sale, or other instrument relating to such properties or any interest therein acquired by the Secretary.

4. The Committee shall meet at the call of the Chairman and shall maintain

minutes of each meeting. Such minutes shall be dated, consecutively numbered, and shall be signed by each member who attended the meeting. The original of such minutes shall be retained in the official records of the Department.

(Secretary's delegation of authority effective Feb. 7, 1970, 35 F.R. 2746, Feb. 7, 1970)

Effective date. This document is effective as of February 7, 1970.

LAWRENCE M. COX,
Assistant Secretary for Renewal and Housing Management.

[F.R. Doc. 70-2543; Filed, Mar. 2, 1970; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 70-13]

SHELL OIL CO.

Notice of Qualification as U.S. Citizen

1. This is to give notice that pursuant to 46 CFR 67.23-7, issued under the provisions of section 27A of the Merchant Marine Act, 1920, as amended by the Act of September 2, 1958 (46 U.S.C. 883-1), Shell Oil Co. of 50 West 50th Street, New York, N.Y., incorporated under the laws of the State of Delaware, did on February 6, 1970, file with the Commandant, U.S. Coast Guard, in duplicate, an oath for qualification of a corporation as a citizen of the United States following the form of oath prescribed in Form 1260.

2. The oath shows that:

(a) A majority of the officers and directors of the corporation are citizens of the United States (list of names, home addresses, and citizenship attached to the oath);

(b) Not less than 90 percent of the employees of the corporation are residents of the United States;

(c) The corporation is engaged primarily in a manufacturing or mineral industry in the United States, or in a Territory, District, or possession thereof;

(d) The aggregate book value of the vessels owned by the corporation does not exceed 10 percent of the aggregate book value of the assets of the corporation; and

(e) The corporation purchases or produces in the United States, its Territories or possessions not less than 75 percent of the raw materials used or sold in its operations.

3. The Commandant, U.S. Coast Guard, having found this oath to be in compliance with the law and regulations, on February 19, 1970, issued to the Shell Oil Co. a certificate of compliance on form 1262, as provided in 46 CFR 67.23-7(d). The certificate and any authorization granted thereunder will expire 3 years from the date thereof unless there first occurs a change in the corporate status requiring a report under 46 CFR 67.23-7(c).

Dated: February 19, 1970.

W. J. SMITH,
Admiral, U.S. Coast Guard, Commandant.

[F.R. Doc. 70-2520; Filed, Mar. 2, 1970; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-238]

FIRST ATOMIC SHIP TRANSPORT, INC.

Notice of Issuance of Facility License Amendment

The Atomic Energy Commission (the Commission) has issued, effective as of the date of issuance, Amendment No. 6 to Facility License No. NS-1 dated August 4, 1969. The license presently authorizes First Atomic Ship Transport Inc. (FAST), to possess, use, and operate the pressurized water reactor facility aboard the Nuclear Ship SAVANNAH at steady-state power levels up to a maximum of 80 megawatts (thermal). The amendment revises section 2.B(3) of the license in its entirety to authorize receipt, possession and use of 200 curies of polonium and 1 curie of various byproduct materials under atomic numbers 3 through 83 (inclusive) in any form, but not to exceed 500 millicuries of any one isotope.

The Commission has found that the application for the amendment complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations published in 10 CFR Chapter I. The Commission has made the findings required by the Act and the Commission's regulations which are set forth in the amendment, and has concluded that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Within fifteen (15) days from the date of publication of the notice in the FEDERAL REGISTER, the applicant may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's rules of practice in 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the licensee's application for license amendment dated January 19, 1970, and (2) the amendment to the facility license, which are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. Copies of item (2) above may be obtained upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 19th day of February 1970.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director, Division of Reactor Licensing.

[F.R. Doc. 70-2526; Filed, Mar. 2, 1970; 8:46 a.m.]

[Docket No. 50-171]

PHILADELPHIA ELECTRIC CO.

Notice of Issuance of Amendment to Provisional Operating License

The Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 2 to Provisional Operating License No. DPR-12 dated January 24, 1966. The license authorizes the Philadelphia Electric Co. to possess, use, and operate the Peach Bottom Atomic Power Station located in York County, Pa. Amendment No. 2 doubles the total quantities of uranium-235, uranium-238 and thorium-232 in the form of fuel elements, and doubles the amount of polonium in polonium-beryllium neutron source which the licensee may receive, possess, and use under this license.

By application dated January 28, 1970, Philadelphia Electric Co. requested authorization to receive, possess and use the additional fuel elements in preparation for the second core loading. The additional fuel elements will be shipped to the site over an extended period of 5 to 6 months and will be stored in the New Fuel Storage Vault in accordance with procedures which have previously been reviewed and approved by the Commission. The additional polonium-beryllium neutron sources will be stored in their shielded shipping containers in the controlled area until required for use with the second core.

The Commission has found that the application for the amendment complies with the requirements of the Atomic Energy Act of 1954, as amended ("the Act"), and the Commission's regulations published in 10 CFR Chapter I. The Commission has made the findings required by the Act and the Commission's regulations which are set forth in the amendment, and has concluded that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Within thirty (30) days from the date of publication of the notice in the FEDERAL REGISTER, the applicant may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's rules of practice in 10 CFR Part 2. If a request

for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the licensee's application for license amendment dated January 28, 1970, and (2) the amendment to facility license, which are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. Copies of the amendment may be obtained upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 19th day of February 1970.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 70-2527; Filed, Mar. 2, 1970; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 19176]

TRANSAMERICA CORP. AND TRANS INTERNATIONAL AIRLINES, INC.

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on April 14, 1970, beginning at 10 a.m., e.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

For information concerning the issues involved and other details concerning this proceeding, interested persons are referred to the prehearing conference report and other documents on file in the Docket section of the Civil Aeronautics Board.

Dated at Washington, D.C., February 25, 1970.

[SEAL] E. ROBERT SEAVER,
Hearing Examiner.

[F.R. Doc. 70-2551; Filed, Mar. 2, 1970; 8:48 a.m.]

[Docket No. 21761]

WEIGHT LIMITATION INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on March 30, 1970, at 10 a.m., e.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner F. Merritt Ruhlen.

Statements of position regarding items 1 through 6 enumerated on page 3 of Order 70-1-15, proposed issues, proposed procedural dates, requests for information and motions should be filed with the Examiner with copies to Bureau Counsel on or before March 23, 1970. As Orders 70-1-15 and 70-2-48 designated no parties to the investigation, all persons who expect to participate as parties should file petitions for leave to intervene, pursuant to § 302.15 of the Procedural Regulations, on or before March 23, 1970.

Dated at Washington, D.C., February 25, 1970.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 70-2550; Filed, Mar. 2, 1970; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

AMERICAN MAIL LINE, LTD., AND EVERETT ORIENT LINE

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202, or may inspect the agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreement, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. W. R. Purnell, District Manager, American Mail Line, Ltd., 601 California Street, Suite 610, San Francisco, Calif. 94108.

Agreement No. 9844 between American Mail Line, Ltd., and Everett Orient Line establishes a through billing arrangement for the transportation of cargo from ports of call of Everett Orient Line in the Ryukyu Islands and Formosa to ports of call of American Mail Line in Washington, Oregon, and Alaska with transshipment at ports in Japan in accordance with the terms and conditions set forth therein.

Dated: February 26, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-2552; Filed, Mar. 2, 1970; 8:48 a.m.]

AMERICAN MAIL LINE, LTD., AND EVERETT ORIENT LINE

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202, or may inspect the agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreement, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

W. R. Purnell, District Manager, American Mail Line, Ltd., 601 California Street, Suite 610, San Francisco, Calif. 94108.

Agreement No. 9839 between American Mail Line, Ltd. and Everett Orient Line establishes a through billing arrangement for the transportation of cargo from ports of call of Everett Orient Line in the Philippines to ports of call of American Mail Line in Washington, Oregon, and Alaska with transshipment at ports in Japan in accordance with the terms and conditions set forth therein.

Dated: February 26, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-2553; Filed, Mar. 2, 1970; 8:48 a.m.]

HENDY INTERNATIONAL CO.

Notice of Application for Exemption of Bulk Liquid Cargoes in Tank Vessels Transported Between Continental United States and Puerto Rico

Notice is hereby given that the following application for exemption has been filed with the Commission for approval pursuant to section 35 of the Shipping Act, 1916, as amended (46 Stat. 1425, U.S.C. 848).

Interested parties may inspect and obtain a copy of this application at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Washington, D.C., Room 1202; or may inspect a copy of the application at the offices of the District Managers, New York, N.Y.; New Orleans, La.; and San Francisco, Calif. Comments with reference to the application including a request for hearing if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573 within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement shall be also forwarded to the party filing the application (as indicated hereinafter), and the comments should indicate that this has been done.

Application of Hendy International Co. pursuant to section 35, Shipping Act, 1916 for exemption for bulk liquid carriage from the Intercoastal Shipping Act, 1933, and Shipping Act, 1916.

Notice of application filed by:

Edward D. Ransom, Lillick, McHose, Wheat, Adams & Charles, 311 California Street, San Francisco, Calif. 94104.

Application designated Exemption No. 1 is hereby made pursuant to section 35 of the Shipping Act, 1916, for exemption from the Intercoastal Shipping Act, 1933 and the Shipping Act, 1916, and regulations applicable thereto, for liquid cargo in bulk in tank vessels transported between the Continental United States and Puerto Rico.

Specifically, the exemption requested would read as follows:

The provisions of sections 2, 3, and 4 of the Intercoastal Shipping Act, 1933 and section 18(a), Shipping Act, 1916, as amended, shall not apply to the transportation to and from the Continental United States and Puerto Rico of liquid cargoes in bulk, in tank vessels designed for use exclusively in such service and certified under regulations approved by the Comandant of the Coast Guard pursuant to the provisions of section 391(a) of Title 46.

The effect of such an exemption would be to permit tank vessels to operate between the contiguous States and Puerto Rico with freedom from tariff filing requirements, and regulation with respect to reasonableness of rates.

According to the application an increased and urgent need for this exemption has been created by the recent and continuing expansion of the chemical and petrochemical industries in Puerto Rico encouraged by favorable tax laws of the Government of Puerto Rico in order to industrialize the Commonwealth.

Moreover, it is asserted by the application that the exemption would not eliminate or materially reduce the quantity of liquid chemicals now carried in the Puerto Rico trade in dry cargo vessels in portable containers, tank cars or tank trucks.

This exemption from the aforementioned requirements of the Intercoastal Shipping Act, 1933 and the Shipping Act, 1916, should become effective upon the approval of the Commission pursuant to section 35, Shipping Act, 1916.

Dated: February 26, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-2555; Filed, Mar. 2, 1970; 8:48 a.m.]

ITALPACIFIC LINE

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202, or may inspect the agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreement, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. Gerald B. Greenwald,
Mudge, Rose, Guthrie & Alexander,
1701 Pennsylvania Avenue NW.,
Washington, D.C. 20006.

Agreement No. 9557-1, between the parties to the "ItalPacific Line," a joint service comprised of Gemstone Shipping Corp., Goldstone Shipping Corp., Starstone Shipping Corp., and Silverstone Shipping Corp. which operates a joint cargo and mail service in the trades of the Pacific Coast European Conference (Agreement No. 5200) and the Mediterranean/North Pacific Coast Freight Conference (Agreement No. 8090), modifies the basic agreement by adding Rubystone Shipping Corp., Lodestone Shipping Corp., Coralstone Shipping Corp., and Pearlstone Shipping Corp. as members thereof in accordance with the terms and conditions set forth in the agreement.

Dated: February 25, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-2556; Filed, Mar. 2, 1970; 8:48 a.m.]

ITALY, SOUTH FRANCE, SOUTH SPAIN, PORTUGAL/U.S. GULF AND PUERTO RICO CONFERENCE

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202, or may inspect the agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of application to extend approval of a modification to Agreement No. 9522 filed by:

Mr. G. Ravera, Secretary, Italy, South France, South Spain, Portugal/U.S. Gulf and Puerto Rico Conference, Vico San Luca 4, 16123 Genova, Italy

On April 15, 1969, the Commission approved Agreement No. 9522-11 for a period of one (1) year. This agreement modifies the basic agreement of the

Italy, South France, South Spain, Portugal/U.S. Gulf and Puerto Rico Conference as follows:

1. Adds Puerto Rico to its geographic scope.

2. Includes Olives from Spain to Puerto Rico within its ratemaking authority.

3. Divides the geographic scope of the Conference into five (5) separate sections and designates them as the Italian, French, Spanish, Portuguese, and Puerto Rican sections.

4. Provides that qualified carriers may join one or more of these sections upon payment of stipulated fees and deposits.

5. Establishes an additional rate committee to deal with Puerto Rican rates.

6. Clarifies the procedures for apportioning Conference expenses.

Because of the approaching termination of agreement No. 9522–11, the members of this Conference have requested the Commission to approve the modifications effected thereby as permanent changes to the basic agreement.

Dated: February 24, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70–2557; Filed, Mar. 2, 1970; 8:48 a.m.]

PORT OF SEATTLE AND CONTAINER FREIGHT SYSTEMS, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202, or may inspect agreements at the offices of the District Managers, New York, N.Y.; New Orleans, La.; and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Wade Thompson, Assistant Manager, Property Management Department, Port of Seattle, Post Office Box 1209, Seattle, Wash. 98111.

Agreement No. T–2361–1 between Port of Seattle (Port) and Container Freight Systems, Inc. (CFS), modifies the basic agreement which permits CFS to occupy space on Port property for operation as a container freight station. The purpose of the modification is to add 15,000 square feet of open storage area to the leased premises.

Dated: February 26, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70–2554; Filed, Mar. 2, 1970; 8:48 a.m.]

NEW YORK SHIPPING ASSOCIATION, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202, or may inspect the agreement at the offices of the District Managers, New York, N.Y.; New Orleans, La.; and San Francisco, Calif.

By order served November 28, 1969, in Docket No. 69–57 the Commission instituted an investigation to determine whether Agreement No. T–2336, a temporary assessment formula between the members of the New York Shipping Association, should be approved, modified, or disapproved pursuant to section 15, Shipping Act, 1916. Subsequently, agreement No. T–2364 was filed and included in Docket No. 69–57 since the Commission order stated that in the event any modification of agreement No. T–2336 or further agreement establishing a temporary or permanent assessment formula was filed with the Commission, such agreement would be made subject to the investigation. Agreement No. T–2390, the subject agreement, will also be included in Docket 69–57. Persons who desire to become parties to this proceeding and to participate herein, shall promptly file a petition to intervene with the Secretary, Federal Maritime Commission, Washington, D.C. 20573.

Notice of agreement filed for approval by:

Mr. Alfred Giardino, Lorenz, Finn & Giardino, 21 West Street, New York, N.Y. 10006.

Agreement No. T–2390 between the members of the New York Shipping Association (NYSA) supersedes T–2364 adopted by NYSA to meet its obligation provided for in collective bargaining agreements with the International Longshoremen's Association. The new agreement provides for a man-hour/tonnage assessment for the 2-year period beginning October 1, 1969 and ending September 30, 1971 as follows:

1. Each direct employer shall pay to NYSA the amount of 93.1 cents per man-hour paid by such direct employer to employees employed under and covered by NYSA–ILA agreements during the period October 1, 1969 to September 30, 1971, at such times and under such conditions as shall be established by the Board of Directors.

2. (a) In addition to the man-hour assessment provided above, the vessel carrier member or agent of a nonmember shall be responsible for an additional amount per ton on each ton of non-excepted cargo loaded or discharged in the Port of New York during the period October 1, 1969 to September 30, 1971, in accordance with the computation provided for in (b) below.

(b) To calculate the tonnage assessment, the Board of Directors shall:

First: Estimate the total liabilities for the contract years 1969–70 and 1970–71, for the obligations above set forth, together with 1968–69 shortfall,

Second: Deduct the estimated total revenue to be derived from the man-hour assessment provided in 1 above and from the continued man-hour assessment provided below on excepted cargo, to secure a total estimated net liability,

Third: Compute the assessment per ton by dividing into the total estimated net liability the total estimated non-exceped tonnage to be loaded or discharged in the Port during the period October 1, 1969, to September 30, 1971.

3. All domestic cargo, all number at lumber terminals, bulk cargo (including scrap and sugar), and passengers and their personal baggage shall be deemed cargo excepted from the man-hour and tonnage assessments set forth in paragraphs 1 and 2 hereof. In place thereof, payments shall be made on such excepted cargo on the basis of the man-hour assessment presently in effect for pension, welfare, clinics, GAI and NYSA administration (but not for short-fall) through September 30, 1970. Thereafter, there shall be added to such present hourly rates the collective bargaining agreement escalations effective October 1, 1970. Excepted cargo shall also continue to pay any royalty which may be applicable.

Any member shall have the right to request modification of the tonnage definition set forth above with respect to any specific cargo which it is believed is unduly burdened by such tonnage definition. A qualified neutral group shall be selected by the Board of Directors to hear and determine such requests for modification.

Dated: February 27, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70–2639; Filed, Mar. 2, 1970; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI70–1195 etc.]

W. M. LYLE ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

FEBRUARY 20, 1970.

The respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention 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 and 1.37(f)) on or before April 10, 1970.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI70-1195	W. M. Lyle et al	1	2	El Paso Natural Gas Co. (Allison Field, Sutton County, Tex.) (RR. District No. 7-C) (Permian Basin Area).	$1,500	1-23-70	[2] 3-2-70	8-2-70	14.5	[3] [4] [5] 17.5	
RI70-1196	Pecos Growers Oil Co.	3	5	Transwestern Pipeline Co. (Putnam Area, Pecos County, Tex.) (RR. District No. 8) (Permian Basin Area).	18,330	1-26-70	[2] 2-26-70	7-26-70	17.3757	[3] [4] 18.3801	RI70-675.
RI70-1197	Atlantic Richfield Co.	552	[6] 8	El Paso Natural Gas Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	1,700	1-28-70	[2] 2-28-70	7-28-70	13.0	[3] [7] 14.0	
	do	597	[8] 5	Arkansas Louisiana Gas Co. (Edith Richards Unit, Pittsburg County, Okla.) (Oklahoma "Other" Area).	500	1-28-70	[2] 2-28-70	7-28-70	15.0	[3] [4] 16.0	
RI70-1198	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001.	377	[9] 8	El Paso Natural Gas Co. (Worsham-Bayer Field, Reeves County, Tex.) (RR. District No. 8) (Permian Basin Area).	126,308	1-26-70	[2] 2-26-70	7-26-70	[10] 16.50	[4] [10] [11] 20.3450	
	do	449	[12] 2	Northern Natural Gas Co. (Kermit Field, Winkler County, Tex.) (RR. District No. 8) (Permian Basin Area).		12-15-69	[13] 7-18-69	Accepted			
		449	3		20,509	1-26-70	[2] 2-26-70	7-26-70	16.50	[4] [14] 17.0619	
	do	244	6	Natural Gas Pipeline Co. of America (Southeast Camrick Field, Beaver County, Okla.) (Panhandle Area).	340	1-23-70	[2] 2-23-70	7-23-70	[15] 17.6	[3] [15] 18.6	RI69-567.
	do	234	3	Northern Natural Gas Co. (Camrick Field, Beaver County, Okla.) (Panhandle Area).	219	1-23-70	[2] 2-23-70	7-23-70	[15] 17.5	[3] [4] [15] 18.5	RI67-272.
	do	93	12	Colorado Interstate Gas Co. (Greenwood Field, Morton County, Kans.).	292	1-23-70	[2] 2-23-70	7-23-70	[16] 17.0	[3] [4] [16] 18.0	RI67-272.
	do	180	6	do	176	1-23-70	[2] 2-23-70	7-23-70	[16] 17.0	[3] [4] [16] 18.0	RI67-272.
	do	183	[17] 6	Cities Service Gas Co. (North Medicine Lodge Field, Barber County, Kans.).		1-23-70	[2] 2-23-70	Accepted			
		183	7		142	1-23-70	[2] 2-23-70	7-23-70	[15] 14.0	[4] [15] [16] 15.0	RI67-272.
	do	219	6	Cities Service Gas Co. (Woodward and Northeast Woodward Fields, Woodward County, Okla.) (Panhandle Area).	373	1-23-70	[2] 2-23-70	7-23-70	[15] [19] 16.0	[3] [4] [15] [19] 18.0	
	do	63	16	Natural Gas Pipeline Co. of America (Camrick Field, Texas County, Okla.) (Panhandle Area).	212	1-23-70	[2] 2-23-70	7-23-70	[15] 18.415	[3] [4] [15] 18.615	RI68-550.
RI70-1199	Southern Union Production Co.	15	[20] 9	El Paso Natural Gas Co. (San Juan Basin Area, San Juan County, N. Mex.) (San Juan Basin Area).	1,240	1-28-70	[3] 3-1-70	8-1-70	13.0	[3] [7] 14.0	
RI70-1200	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla. 74102.	383	1	Northern Natural Gas Co. (Catesby, Chaney, and W. Shattuck Fields, Ellis County, Okla.) (Panhandle Area).	831	1-26-70	[2] 2-26-70	7-26-70	[16] [21] 18.581	[3] [4] [16] [21] 19.674	
	do	414	3	Natural Gas Pipeline Co. of America (Thomas Area, Dewey and Custer Counties, Okla.) (Oklahoma "Other" Area).	1,380	1-27-70	[2] 2-27-70	7-27-70	[15] 15.0	[3] [4] [15] 16.0	
	do	322	2	Panhandle Eastern Pipe Line Co. (Feldman Douglas Field, Hemphill County, Tex.) (RR. District No. 10).	4,939	1-26-70	[2] 2-26-70	7-26-70	[16] [22] 20.1352	[3] [4] [16] [22] 21.3197	
	do	52	6	Panhandle Eastern Pipe Line Co. (Singley Pool, Meade County, Kans.).	250	1-26-70	[2] 2-26-70	7-26-70	17.0	[3] [4] 18.0	
	do	186	4	Panhandle Eastern Pipe Line Co. (Boyer Pool, Meade County, Kans.)	165	1-26-70	[2] 2-26-70	7-26-70	[16] [23] 18.7	[3] [4] [16] [23] 19.8	RI69-600.
	do	255	6	Arkansas Louisiana Gas Co. (North Carter Pool, Beckham County, Okla.) (Oklahoma "Other" Area).	200	1-26-70	[2] 2-26-70	7-26-70	17.0	[3] [4] 18.0	RI68-143.

See footnote at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
	do	242	4	Panhandle Eastern Pipe Line Co. (Northwest Avard Pool, Woods County, Okla.) (Oklahoma "Other" Area).	$758	1-26-70	[2] 2-26-70	7-26-70	[16 24] 18.4110	[3 4 16 24] 21.1185	RI68-143.
	do	257	7	do	453	1-26-70	[2] 2-26-70	7-26-70	[16 24] 18.1050	[3 4 15 24] 20.7675	RI68-143.
	do	272	7	do	5,202	1-26-70	[2] 2-26-70	7-26-70	[16 24] 18.1390	[3 4 16 24] 20.8065	RI68-167.
	do	254	8	Arkansas Louisiana Gas Co. (North Cooper and Southeast Lacy Area, Blaine and Kingfisher Counties, Okla.) (Oklahoma "Other" Area).	50	1-26-70	[2] 2-26-70	7-26-70	[25] 15.0	[3 4 25] 16.0	
					8,960				[26] 17.0	[3 4 26] 17.8	RI68-143.
	do	256	6	Arkansas Louisiana Gas Co. (Northwest Anton Field, Custer County, Okla.) (Oklahoma "Other" Area).	15	1-26-70	[2] 2-26-70	7-26-70	17.0	[3 4] 18.0	RI68-143.
	do	264	5	Panhandle Eastern Pipe Line Co. (East Greensburg Pool, Woods County, Okla.) (Oklahoma "Other" Area).	1,210	1-26-70	[2] 2-26-70	7-26-70	[15 27] 18.68	[3 4 15 27] 21.43	RI68-167.
	do	292	6	Panhandle Eastern Pipe Line Co. (Northwest Oakdale Pool, Woods County, Okla.) (Oklahoma "Other" Area).	2,150	1-26-70	[2] 2-26-70	7-26-70	[15 28] 18.938	[3 4 15 28] 20.052	RI68-143.
	do	371	3	Panhandle Eastern Pipe Line Co. (Southeast Gage and Tangiers Fields, Ellis and Woodward Counties, Okla.) (Panhandle Area).	5,994	1-26-70	[2] 2-26-70	7-26-70	[15 28] 18.85	[3 4 15 28] 19.96	
RI70-1201	Gulf Oil Corp. (Operator) et al.	409	2	Panhandle Eastern Pipe Line Co. (South Peek Field, Roger Mills County, Okla. (Oklahoma "Other" Area) and Ellis County, Okla.) (Panhandle Area).	1,020	1-26-70	[2] 2-26-70	7-26-70	[15 30] 17.03	[4 15 29 30] 20.43	
RI70-1202	Mesa Petroleum Co., Post Office Box 2009, Amarillo, Tex. 79105.	5	1	Colorado Interstate Gas Co. (Greenfield, Morton County, Kans.).	8,280	1-28-70	[31] 2-28-70	7-28-70	16.0	[3 4 15] 18.0	
RI70-1203	Mesa Petroleum Co. et al., Post Office Box 2009, Amarillo, Tex. 79105.	23	4	Colorado Interstate Gas Co. (Sparks Field, Morton County, Kans.).	3,500	1-28-70	[31] 2-28-70	7-28-70	[15] 16.0	[3 4 15] 18.0	
	do	30	2	Northern Natural Gas Co. (McClain County, Okla.) (Oklahoma "Other" Area).	630	1-28-70	[31] 2-28-70	7-28-70	15.0	[3 4] 16.0	
	do	26	2	Northern Natural Gas Co. (Lips-Morrow Field, Roberts County, Tex.) (RR. District No. 10).	1,057	1-28-70	[31] 2-28-70	7-28-70	[15 32] 17.0	[3 4 15 32] 18.0675	
	do	27	3	Natural Gas Pipeline Co. of America (Quinduno Field, Roberts County, Tex.) (RR. District No. 10).	714	1-28-70	[31] 2-28-70	7 28-70	[15] 13.0	[3 4 15 33] 14.0506	
RI70-1204	Richome Oil & Gas Co., Amarillo Bldg., Amarillo, Tex. 79101.	1	1	El Paso Natural Gas Co. (Gray County, Tex.) (RR. District No. 10).	274	1-21-70	[2] 2-21-70	7-21-70	13.0	[3 4] 14.0525	
RI70-1205	S. D. Butcher (Operator) et al., 2109 University Club Tower, Tulsa, Okla. 74119.	1	[34] 2	Western Gas Interstate Co. (Guymon-Hugoton Area, Texas County, Okla.) (Panhandle Area).		1-22-70	[2] 2-22-70	Accepted			
		1	3		3,400	1-22-70	[2] 2-22-70	7-22-70	11.0	[4 15] 13.0	
RI70-1206	Midhurst Oil Corp.	22	4	Cities Service Gas Co. (Waynoka Field, Woods County, Okla.) (Oklahoma "Other" Area), and Woodward County, Okla. (Panhandle Area).	1,900	1-22-70	[2] 2 22-70	7-22-70	[15 38] 14.0	[3 4 15 35] 15.0	RI69-689.
RI70-1207	Mobil Oil Corp. et al., Post Office Box 1774, Houston, Tex.	281	[36] 10	Northern Natural Gas Co. (Hugoton Field, Stevens and Morton Counties, Kans.).	135	1-23-70	[2] 2-23-70	7-23-70	[15] 16.0	[3 4 15] 17.0	RI67-275.
RI70-1208	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	215	11	Natural Gas Pipeline Co. of America (Southeast Camrick Field, Beaver County, Okla.) (Panhandle Area).	101	1-26-70	[3] 3-21-70	8-21-70	[15] 18.615	[3 4 15] 18.815	RI69-570.
	do	220	13	do	[37]	1-26-70	[3] 3-21-70	8-21-70	[15] 18.615	[3 4 15] 18.815	RI69-570.
	do	227	11	do	23	1-26-70	[3] 3-21-70	8-21-70	[15] 18.615	[3 4 15] 18.815	RI69-570.
	do	202	18	Panhandle Eastern Pipe Line Co. (Guymon-Hugoton Field, Texas County, Okla.) (Panhandle Area).	8,032	1-26-70	[3] 3-22-70	8-22-70	18.415	[3 4] 18.815	RI69-570.
	do	242	12	Natural Gas Pipeline Co. of America (Camrick Field, Beaver County, Okla.) (Panhandle Area).	157	1-26-70	[3] 3-21-70	8-21-70	[15] 18.615	[3 4 15] 18.815	RI69-570.
	do	253	9	do	48	1-26-70	[3] 3-21-70	8-21-70	[15] 18.615	[3 4 15] 18.815	RI69-570.
RI70-1209	Humble Oil & Refining Co. (Operator) et al.	191	24	Natural Gas Pipeline Co. of America (Southeast Camrick Field, Texas County, Okla.) (Panhandle Area).	4,364	1-26-70	[3] 3-21-70	8-21-70	[15] 18.615	[3 4 15] 18.815	RI69-571.
	do	256	8	Natural Gas Pipeline Co. of America (Northwest Dower Field, Beaver County, Okla.) (Panhandle Area).	27	1-26-70	[3] 3-21-70	8-21-70	[15] 18.615	[3 4 15] 18.815	RI69-571.
RI70-1210	Southland Royalty Co., 1600 First National Bldg., Fort Worth, Tex. 76102.	27	3	Arkansas Louisiana Gas Co. (northeast Hillsdale Field, Grant and Garfield Counties, Okla.) (Oklahoma "Other" Area).	3,471	1-23-70	[2] 2-23-70	7-23-70	[16] 16.695	[4 15 24] 19.210	
RI70-1211	James A. Ford, d.b.a. Cypress Gas Co. (Operator).	4	[39] 7	Arkansas Louisiana Gas Co. (northwest Cartersville Field, Le Flore County, Okla.) (Oklahoma "Other" Area).	3,650	1-26-70	[31] 2-26-70	7-26-70	15.0	[3 4] 16.0	
RI70-1212	Atlantic Richfield Co. (Operator) et al.	443	[40] 47	Michigan-Wisconsin Pipe Line Co. (northeast Cedardale Field, Orie C. Johnson Unit, Major County, Okla.) (Oklahoma "Other" Area).	11,308	1-28-70	[2] 2-28-70	7-28-70	[16] 17.9	[3 4 16] 23.135	RI69-809.

See footnote at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI70-1213..	Texaco, Inc. (Operator) et al., Post Office Box 430, Bellaire, Tex. 77401.	1	11	Natural Gas Pipeline Co. of America (Chocolate Bayou Field, Brazoria County, Tex.) (RR. District No. 3).	$183,495	1-26-70	[2] 2-26-70	7-26-70	17.0632	[4] [41] 20.7331	RI68-647.
	....do....	222	8	Natural Gas Pipeline Co. of America (Tejerina-Canales-Blucher, Kelsey and Encinitas Fields, Jim Wells and Brooks Counties, Tex.) (RR. District No. 4).	420,232	1-26-70	[2] 2-26-70	7-26-70	[43] 18.0622	[4] [42] [43] 23.8188	RI68-609.
	....do....	282	8	Natural Gas Pipeline Co. of America (Encino, Luby, and Petronilla Fields, San Patricio and Nueces Counties, Tex.) (RR. District No. 4).	731,089	1-26-70	[2] 2-26-70	7-26-70	[43] 18.0622	[4] [42] [43] 23.8188	RI68-609.
RI70-1214..	Texaco, Inc....	228	6	Natural Gas Pipeline Co. of America (northeast Thompsonville Field, Jim Hogg County, Tex.) (RR. District No. 4).	11,514	1-26-70	[2] 2-26-70	7-26-70	[43] 18.0622	[4] [42] [43] 23.8188	RI66-383.
	....do....	279	8	Florida Gas Transmission Co. (East Mustang Island Field, Nueces County, Tex.) (RR. District No. 4).	3,514	1-26-70	[2] 2-26-70	7-26-70	18.0788	[4] [42] 18.5809	RI68-607
	....do....	281	7	Florida Gas Transmission Co. (South Clara Driscoll Field, Nueces County, Tex.) (RR. District No. 4).	1,250	1-26-70	[2] 2-26-70	7-26-70	18.0	[4] [42] 18.5	RI68-607.
RI70-1215..	Mary Agnes Power Shay, Post Office Drawer 461, Refugio, Tex. 78377.	1	[44] 1	United Gas Pipe Line Co. (Circle "A" Field, Goliad County, Tex.) (RR. District No. 2).	----------	1-21-70	[31] 2-21-70	Accepted	----------	----------	
		1	2		7,740	1-21-70	[31] 2-21-70	7-21-70	13.5	[4] [15] 17.8	

[2] The stated effective date is the effective date requested by Respondent.
[3] Periodic rate increase.
[4] Pressure base is 14.65 p.s.i.a.
[5] Applicable area base rate—Respondent has not filed a quality statement.
[6] For acreage added by Supplement No. 7 only.
[7] Pressure base is 15.025 p.s.i.a.
[8] Applicable to acreage added by Supplement Nos. 3 and 4.
[9] For acreage added by Supplement No. 6 only.
[10] Base rate exclusive of quality adjustments.
[11] Increase to contract rate.
[12] Quality statement pursuant to order issued May 26, 1969, granting a certificate in Docket No. CI69-816.
[13] The stated effective date is the date of initial delivery.
[14] Increase to contract rate (increase includes tax reimbursement and 0.5-cent payment to seller for gathering).
[15] Subject to a downward B.t.u. adjustment.
[16] Subject to upward and downward B.t.u. adjustment.
[17] Letter agreement dated Dec. 11, 1969, which provides for increased rate.
[18] Renegotiated rate increase.
[19] Price includes 1 cent paid by buyer to seller for dehydration, gathering and delivering gas.
[20] For acreage added by Supplement No. 8 only.
[21] Includes base rate of 17 cents before increase and 18 cents after increase plus upward B.t.u. adjustment.
[22] Includes base rate of 17 cents before increase and 18 cents after increase plus upward B.t.u. adjustment.
[23] Includes base rate of 17 cents before increase and 18 cents after increase plus upward B.t.u. adjustment.
[24] Includes base rates of 17 cents before increase and 19.5 cents after increase plus upward B.t.u. adjustment.
[25] Casinghead gas.
[26] Gas-well gas.
[27] Includes base rate of 17 cents before increase and 19.5 cents after increase plu upward B.t.u. adjustment.
[28] Includes base rates of 17 cents before increase and 18 cents after increase plus upward B.t.u. adjustment.
[29] Filing from initial certificated rate to initial contract rate.
[30] Includes base rate of 15 cents before increase and 18 cents after increase plus upward B.t.u. adjustments.
[31] The stated effective date is the first day after expiration of the statutory notice.
[32] Includes 0.0675-cent tax reimbursement.
[33] Includes 0.0506-cent tax reimbursement which is computed on net price to seller after deduction for downward B.t.u. adjustment.
[34] Contract amendment providing for increased rate.
[35] Buyer deducts 0.75-cent for compression charge from price shown.
[36] Applicable only to production from below the Top of The Morrow Sand.
[37] No current production.
[38] Filing from initial certificated base rate of 15 cents to initial contract base rate of 17 cents plus upward B.t.u. adjustment.
[39] Applies to acreage added by Supplement No. 6.
[40] Applicable to acreage added by Supplement No. 42.
[41] Redetermined rate increase.
[42] Increase from fractured rate to contractually provided for rate plus proportional increase in applicable T. R.
[43] Includes 0.25-cent dehydration allowance paid by the purchaser.
[44] Contract dated Oct. 20, 1969, supersedes short term contract Sept. 25, 1968, which expired Jan. 20, 1970. Provides, among other things, for ratable takes and new price schedule.

Mesa Petroleum Co. and Mesa Petroleum Co. et al., requests retroactive effective dates of July 18, 1966, July 1, 1967, January 1, 1969, and January 1, 1970, for their proposed rate increases. Richome Oil & Gas Co. requests that its proposed rate increase be permitted to become effective as of January 21, 1970. James A. Ford, doing businesss as Cypress Gas Co. requests an effective date of January 7, 1970. Mary Agnes Power Shay requests that her proposed rate increase be permitted to become effective as of October 20, 1969. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

Humble Oil & Refining Co. and Humble Oil & Refining Co. (Operator) et al. (both referred to herein as Humble), request that should the Commission suspend their rate filings that the suspension period with respect thereto be limited to 1 day, or as short a period as possible. Good cause has not been shown for limiting to 1 day the suspension periods with respect to Humble's rate filings and such request is denied.

Concurrently with the filing of their rate increases, Mobil Oil Corp. (Mobil) submitted a quality statement, designated as Supplement No. 2 to Mobil's FPC Gas Rate Schedule No. 449, and a letter agreement dated December 11, 1969, designated as Supplement No. 6 to Mobil's FPC Gas Rate Schedule No. 183; S. D. Butcher (Butcher) submitted a contract amendment designated as Supplement No. 2 to Butcher's FPC Gas Rate Schedule No. 1, and Mary Agnes Power Shay (Shay) submitted a contract dated October 20, 1969, designated as Supplement No. 1 to Shay's FPC Gas Rate Schedule No. 1, which provide the basis for the producers' rate increases. We believe that it would be in the public interest to accept for filing the aforementioned supplements to become effective on the dates indicated in Appendix A hereof, but not the proposed rates contained therein which are suspended as ordered herein.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 70-2470; Filed, Mar. 2, 1970; 8:45 a.m.]

[Docket No. RI70-1190 etc.]

MARATHON OIL CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

FEBRUARY 20, 1970.

The respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission

[1] Does not consolidate for hearing or dispose of the several matters herein.

enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.[2]

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention 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 and 1.37(f)) on or before April 10, 1970.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[2] If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI70-1190	Marathon Oil Co.	87	1 to 4	Colorado Interstate Gas Co. (Wamsutter Unit Area, Sweetwater County, Wyo.).	$604	1-26-70	[3] 1-26-70	[4] 1-27-70	16.12	[5 6 7] 16.24	RI70-102.
RI70-1191	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla. 74102.	227	2	West Lake Natural Gasoline Co. and Atlantic Richfield Co. (Nena Lucia Field, Noland County, Tex.) (RR. District No. 7-B).	800	1-27-70	[9] 2-27-70	[4] 2-28-70	[10] 8.50	[5 8] 9.50	
RI70-1192	Mesa Petroleum Co. (Operator) et al., Post Office Box 2009, Amarillo, Tex. 79105.	2	2	Natural Gas Pipeline Co. of America (Quinduno Field, Roberts County, Tex.) (RR. District No. 10).	55	1-28-70	[11] 1-28-70	[4] 1-29-70	[12] 12.0	[5 12 13] 12.043	
	do	4	1	Natural Gas Pipeline Co. of America (West Panhandle Field, Carson County, Tex.) (RR. District No. 10).	29	1-28-70	[11] 1-28-70	[4] 1-29-70	[13] 13.2	[5 12] 13.2495	
	do	13	1	Natural Gas Pipeline Co. of America (Upper Morrow Field, Hansford County, Tex.) (RR. District No. 10).	188	1-28-70	[11] 1-28-70	[4] 1-29-90	[14 15] 18.70	[5 14 15] 18.77	
RI70-1193	Mobil Oil Corp.	147	31	Warren Petroleum Co.[17] (Panhandle Field, Wheeler County, Tex.) (RR. District No. 10).	32	1-26-70	[24] 2-26-70	[4] 2-27-70	12.9487	[5 15] 13.3088	RI67-162.
		148	34		43	1-26-70	[24] 2-26-70	[4] 2-27-70	12.9487	[5 15] 13.3088	RI67-162.
RI70-1194	The California Co., a division of Chevron Oil Co., 1111 Tulane Ave., New Orleans, La. 70112.	51	2	Sea Robin Pipe Line Co. (Block 41 Field, South Marsh Island Area, Offshore Louisiana).	24,367	1-23-70	[18] 2-23-70	[4] 2-24-70	[21 22 23] 18.5	[19 20 21 22] 20.0	

[3] The stated effective date is the date of filing.
[4] The suspension period is limited to 1 day.
[5] Tax reimbursement increase.
[6] Pressure base is 14.65 p.s.i.a.
[7] Tax increase applicable to past production back to Jan. 1, 1968.
[8] Revenue-sharing increase. Contract price is 50 percent of buyer's resale rate but not less than 50 percent of 13 cents. Buyer's rate of 19 cents effective subject to refund in Docket No. RI70-54.
[9] The stated effective date is the effective date requested by Respondent.
[10] Rate being collected subject to refund under temporary certificate issued in Docket No. CI62-344.
[11] The stated effective date is in accordance with the Commission's Order No. 390.
[12] Subject to a downward B.t.u. adjustment.
[13] Tax computed on net rate which includes downward B.t.u. adjustment.
[14] Subject to upward and downward B.t.u. adjustment.
[15] Includes base rate of 17 cents plus upward B.t.u. adjustment.
[16] Redetermined rate increase.
[17] Warren resells the gas after processing under its FPC Gas Rate Schedule No. 51 to Transwestern Pipeline Co. at a current effective rate of 17 cents. Warren's increase to 26 cents is currently suspended in Docket RI70-850 until May 18, 1970.
[18] The stated effective date is the first day after expiration of the statutory notice, or the date of initial delivery, whichever is later.
[19] Rate increase filed pursuant to Ordering Paragraph (A) of Opinion No. 546-A.
[20] Pressure base is 15.025 p.s.i.a.
[21] Subject to quality adjustments.
[22] Area base rate for third vintage offshore gas well gas as established in Opinion No. 546.
[23] Initial rate for gas well gas as conditioned by temporary certificate issued Nov. 11, 1969, in Docket No. CI70-78.
[24] The stated effective date is the first day after expiration of the statutory notice.

Marathon Oil Co. (Marathon) requests an effective date of December 1, 1969, for its proposed rate increase. Mesa Petroleum Co., and Mesa Petroleum Co. (Operator) et al. (Mesa), request a retroactive effective date of October 1, 1969, for their proposed rate increases. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Marathon and Mesa's rate filings and such requests are denied.

Marathon's proposed rate increase reflects partial reimbursement of a severance tax recently enacted by the State of Wyoming and is applicable to past production back to January 1, 1968. Marathon has previously filed for partial reimbursement of the tax applicable to future production which is being collected subject to refund in Docket No. RI70-102. Since Marathon's proposed rate filing reflects tax reimbursement we conclude that it should be suspended for 1 day from January 26, 1970, the date of filing, with waiver of notice granted.

After the amount of tax reimbursement applicable to past production has been recovered, Marathon shall file an appropriate rate decrease under its FPC Gas Rate Schedule No. 87 to reduce the rate proposed herein so as to provide for tax reimbursement for future production only. Marathon will also be required to refund any reimbursement relating to the Wyoming tax collected in the proceeding in the event the tax is for any reason is held invalid upon judicial review.

Supplement No. 2 to Gulf Oil Corp.'s (Gulf) FPC Gas Rate Schedule No. 227 reflects a revenue-sharing increase for a sale of gas to West Lake Natural Gasoline Co. (West Lake) in Nolan County, Tex. The proposed increase represents 50 percent of West Lake's resale rate of 19 cents to El Paso Natural Gas Co., which is being collected subject to refund in Docket No. RI70-54. Although the proposed rate is below the applicable area ceiling rate of 11.5 cents per Mcf, it is a percentage portion of a rate being

collected subject to refund and consistent with prior Commission action we conclude that it should be suspended for 1 day from February 27, 1970, the requested effective date.

The proposed rate increases filed by Mesa reflect the 0.5-percent increase in the production tax from 7 percent to 7.5 percent enacted by the State of Texas on September 9, 1969, to be effective as of October 1, 1969. These rates exceed the applicable area ceiling for Texas Railroad District No. 10 as announced in the Commission's statement of general policy No. 61–1, as amended (18 CFR 2.56). We believe that it would be in the public interest to waive the statutory notice provided in section 4(d) of the Natural Gas Act. Pursuant to the Commission's Order No. 390 issued October 10, 1969, Mesa's proposed tax increases from underlying firm rates should be suspended for 1 day from the date of filing since the filings involved here were made after October 31, 1969.

Mobil Oil Corp. (Mobil) proposes redetermined rate increases from 12.9487 cents to 13.3088 cents per Mcf for sales of gas to Warren Petroleum Corp. (Warren). Warren processes and resells the gas to Transwestern Pipeline Co. at a clean rate of 17 cents per Mcf. Warren's increase from 17 cents to 26 cents is currently suspended in Docket No. RI70–850 until May 18, 1970. Mobil's proposed increases were contractually due on May 12, 1969, while Warren's 26 cents suspended rate became contractually due on September 1, 1969. Had Warren timely filed its proposed increase to 26 cents it would have been suspended until February 2, 1970. The Commission's practice in this type of situation has been to allow the producer's suspended rate to become effective on the same date the purchaser's suspended rate would have become effective had the purchaser timely filed the related increase (i.e. Feb. 2, 1970). Since Mobil failed to give adequate notice for an effective date of February 2, 1970, we believe that Mobil's proposed rate increases should be suspended for 1 day from February 26, 1970, the expiration date of the statutory notice period.

The rate increase filed by The California Co., a division of Chevron Oil Co. (California Co.) from 18.5 cents to 20 cents per Mcf, involves a proposed sale of third vintage gas well gas from offshore Louisiana, and was filed pursuant to the Commission's order issued March 20, 1969, in Opinion No. 546–A which lifted the indefinite moratorium imposed in Opinion No. 546 as to sales of offshore gas-well gas under contracts entitled to a third vintage price (18.5 cents as adjusted for quality), and permitted such producers to file for contractually authorized increases up to the 20 cents base rate established in Opinion No. 546 for onshore gas well gas.

Consistent with previous Commission action on similar rate filings, we conclude that California Co.'s proposed rate increase should be suspended for 1 day from the date of expiration of the statutory notice, or for 1 day from the date of initial delivery, whichever is later. Thereafter, California Co.'s proposed increased rate may be placed in effect subject to refund under the provisions of section 4(e) of the Natural Gas Act pending the outcome of the Area Rate Proceedings instituted in Docket No. AR69–1.

[F.R. Doc. 70–2471; Filed, Mar. 2, 1970; 8:45 a.m.]

[Docket No. CP70–195]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

FEBRUARY 20, 1970.

Take notice that on February 16, 1970, Natural Gas Pipeline Company of America (applicant), 122 South Michigan Avenue, Chicago, Ill. 60603, filed in Docket No. CP70–195 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to transport for NI-Gas Supply (Supply) volumes of natural gas delivered by Supply to applicant at designated points on its system, and redeliver equivalent thermal content quantities to Supply at points on the system of Northern Illinois Gas Co. (Northern Illinois).

Applicant states that it does not propose to construct or operate any new facilities, and that capacity to transport the initial quantity will be made available from applicant's 1970 expansion program, as pending in Docket No. CP70–120, by means of a reduction in the sales authorization to Northern Illinois requested in such expansion, equal to the initial quantity of gas to be transported for Supply.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 12, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 70–2514; Filed, Mar. 2, 1970; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

AMERICAN BANCORPORATION, INC.

Notice of Application for Approval of Acquisition of Shares of Banks

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), by American Bancorporation, Inc., St. Paul, Minn., for prior approval by the Board of action whereby applicant would become a bank holding company through the acquisition of not less than 80 percent of the voting shares of each of the following banks: American National Bank and Trust Co., and Commercial State Bank in St. Paul, both of St. Paul, Minn.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisitions may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Minneapolis.

Dated at Washington, D.C., this 24th day of February 1970.

By order of the Board of Governors.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70–2530; Filed, Mar. 2, 1970; 8:46 a.m.]

FIRST ARKANSAS BANKSTOCK CORP.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant

to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), by First Arkansas Bankstock Corp., Little Rock, Ark., for prior approval by the Board of action whereby Applicant would become a bank holding company through the acquisition of 80 percent or more of the voting shares of Arkansas First National Bank of Hot Springs, Hot Springs, Ark.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of St. Louis.

Dated at Washington, D.C., this 24th day of February 1970.

By order of the Board of Governors.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-2549; Filed, Mar. 2, 1970; 8:48 a.m.]

JACOB SCHMIDT CO.

Notice of Application for Approval of Acquisition of Shares of Banks

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), by Jacob Schmidt Co., St. Paul, Minn., for prior approval by the Board of action whereby applicant would become a bank holding company through the acquisition of indirect control of not less than 80 percent of the voting shares of each of the following banks: American National Bank and Trust Co., and Commercial State Bank in St. Paul, both of St. Paul, Minn.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisitions may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Minneapolis.

Dated at Washington, D.C., this 24th day of February 1970.

By order of the Board of Governors.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-2531; Filed, Mar. 2, 1970; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70-4838]

NARRAGANSETT ELECTRIC CO.

Notice of Proposed Issue and Sale of First Mortgage Bonds at Competitive Bidding

FEBRUARY 25, 1970.

Notice is hereby given that The Narragansett Electric Co. ("Narragansett"), 280 Melrose Street, Providence, R.I. 02901, an electric utility subsidiary company of New England Electric System ("NEES"), a registered holding company, has filed an application-declaration, with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b), 9(a), 10, and 12 of the Act and Rules 42 and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Narragansett proposes to issue and sell $7,500,000 aggregate principal amount of its first mortgage bonds, Series H _____ percent, to mature not less than 5 years nor more than 30 years from the first day of the month as of which the bonds are issued. Such bonds will be sold pursuant to the competitive bidding requirements of Rule 50 and the interest rate (which shall be a multiple of one-eighth of 1 percent) and the price exclusive of accrued interest (which shall be not less than 100 percent nor more than 102.75 percent of the principal amount) will be determined by the competitive bidding. The bonds will be issued under the first mortgage and indenture and deed of trust dated as of September 1, 1944, between Narragansett and Rhode Island Hospital Trust Co., Trustee, as heretofore supplemented and amended and as to be further supplemented by a seventh supplemental indenture to be dated as of April 1, 1970, which may include a prohibition until April 1, 1975, against refunding the bonds with the proceeds of funds borrowed at a lower annual cost of money. Narragansett will decide on both the maturity and refundability of the bonds after the date of public invitation for proposals and subsequently notify prospective bidders, but not later than the second full business day prior to the time of the bidding.

The proceeds from the sale of the bonds will be applied towards the payment of $10 million of outstanding short-term promissory notes evidencing borrowings made for capitalizable construction expenditures or to reimburse the treasury therefor.

The application-declaration states that the Department of Business Regulation of Rhode Island has jurisdiction over the issue and sale of the bonds, and that an appropriate order will be obtained from that Commission and copies thereof will be filed herein by amendment and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. The fees and expenses to be paid by Narragansett are estimated at $65,000, including service fees at cost, of New England Power Service Co., a wholly owned subsidiary company of NEES, of $32,000. The fees of counsel for the underwriters are to be paid by the successful bidders and will be supplied by amendment.

Notice is further given that any interested person may, not later than March 13, 1970, request in writing that a hearing be held in respect of such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the application-declaration which he desires to controvert; or he may request that he be notified should the Commission order a hearin in respect thereof. 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 applicant-declarant at the above-stated address, 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 application-declaration, as filed or as it may be amended, may be granted and permitted to become effective, as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules 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. 70-2535; Filed, Mar. 2, 1970; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

PRUDENTIAL MINORITY ENTERPRISES, INC.

Notice of Application for License as Minority Enterprise Small Business Investment Company

Notice is hereby given concerning the filing of an application with the Small Business Administration (SBA) pursuant to § 107.102 of the Regulations Governing Small Business Investment Companies (33 F.R. 326, 13 CFR Part 107) under the name of Prudential Minority Enterprises, Inc., 213 Washington Street, Newark, N.J. 07101, for a license to operate in the State of New Jersey as a minority enterprise small business investment company (MESBIC) under the provisions of the Small Business Investment Act of 1958, as amended (Act) (15 U.S.C. 661 et seq.).

All of the applicant's stock will be owned by the Prudential Insurance Company of America, a mutual life insurance corporation incorporated under the laws of New Jersey.

The officers and directors of the applicant are as follows:

Guyon W. Turner, 279 Mount Prospect Avenue, Newark, N.J. President and Director.
Jeremy G. Judge, 17 Rumson Road, Rumson, N.J. Treasurer.
William D. Freeston, Old Farm Road, Bernardsville, N.J. Secretary.
Rodney W. Reynolds, 121 Glenmere Drive, Chatham, N.J. Director.
Frederick S. Thompson, 1984 Wood Road, Scotch Plains, N.J. Director.
James A. Hill, Assistant Treasurer.
Richard G. Horvath, Assistant Treasurer.
Edward F. Zimmerman, Jr., Assistant Treasurer.

The company will begin operations with a capitalization of $150,250 and will carry on its operations in the State of New Jersey. It will not concentrate its investments in any particular industry.

Matters involved in SBA's consideration of the application include the general business reputation and character of the management and the probability of successful operation of the new company under their management, including adequate profitability and soundness, in accordance with the Act and regulations.

Notice is further given that any interested person may, not later than March 9, 1970, at 5 p.m., submit to SBA in writing, relevant comments on the proposed company. Any communication should be addressed to: Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Newark, N.J.

Dated: February 25, 1970.

For SBA (pursuant to delegated authority).

JAMES THOMAS PHELAN, *Acting Associate Administrator for Investment.*

[F.R. Doc. 70-2536; Filed, Mar. 2, 1970; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[S.O. 1002; Car Distribution Direction No. 78-A]

BALTIMORE AND OHIO RAILROAD CO. ET AL.

Car Distribution

The Baltimore and Ohio Railroad Co., Chicago and North Western Railway Co., and Great Northern Railway Co.

Upon further consideration of Car Distribution Direction No. 78, and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 78 be, and it hereby is, vacated.

It is further ordered, That this order shall become effective at 11:59 p.m., March 1, 1970, 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 25, 1970.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 70-2562; Filed, Mar. 2, 1970; 8:49 a.m.]

[S.O. 1002; Car Distribution Direction No. 84]

BALTIMORE AND OHIO RAILROAD CO. AND BURLINGTON-NORTHERN, INC.

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 Baltimore and Ohio Railroad Co. shall deliver to the Burlington-Northern, Inc., 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 on or before 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 on or before 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, 1970.

(4) Expiration date: This direction shall expire at 11:59 p.m., March 29, 1970, 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 25, 1970.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 70-2563; Filed, Mar. 2, 1970; 8:49 a.m.]

[S.O. 1002; Car Distribution Directions Nos. 67, Amdt. 8; 79, Amdt. 4; 81, Amdt. 1; 82, Amdt. 1]

PENN CENTRAL CO. ET AL.

Car Distribution

Penn Central Co., Southern Pacific Co., St. Louis-San Francisco Railway Co., Southern Railway Co., Chicago, Burlington & Quincy Railroad Co., Great Northern Railway Co., Burlington-Northern, Inc.

Upon further consideration of Car Distribution Directions Nos. 67, 79, 81, and 82, and good cause appearing therefor:

It is ordered, That:

Car Distribution Directions Nos. 67, 79, 81, and 82 be, and they are hereby, amended by substituting the Burlington-Northern, Inc., for the Chicago, Burlington & Quincy Railroad Co. and for the Great Northern Railway Co. wherever these companies are named in the title and in section 1, paragraph (a) of each of the above-enumerated car distribution directions.

It is further ordered, That these amendments shall become effective at 12:01 a.m., March 2, 1970, and that they 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 they be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., February 25, 1970.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 70-2561; Filed, Mar. 2, 1970; 8:49 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

FEBRUARY 26, 1970.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41907—*Class and commodity rates from and to Boothton, Ala.* Filed by O. W. South, Jr., agent (No. A6160), for interested rail carriers. Rates on property moving on class and commodity rates, between Boothton, Ala., on the one hand, and points in the United States and Canada, on the other.

Grounds for relief—New station and grouping.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-2560; Filed, Mar. 2, 1970; 8:48 a.m.]

[Notice 34]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 26, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 51603 (Sub-No. 2 TA), filed February 20, 1970. Applicant: REESE TRUCK LINE, INCORPORATED, Highway 24 Bypass, Centreville, Miss. 39631. Applicant's representative: John A. Crawford, Post Office Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, with the usual exceptions, between Centreville, Miss., and the Mississippi-Louisiana State line as follows; from Centreville to McComb over Highway 24 and 48, thence from McComb to the Mississippi-Louisiana State line over U.S. Highway 51 and/or Interstate 55, and return over the same routes, serving all intermediate points and serving the off-route point of Summit, Miss., for 180 days. NOTE: Applicant intends to join the requested temporary authority with the certificate issued to it in Docket No. MC 51603 with the point of joinder at Centreville; and also intends to conduct interline or interchange practices with other carriers under the requested authority at any and all available interline or interchange points along the requested routes as well as at points held under its present authority. Supporting shippers: There are 18 letters of support attached to this application. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 107002 (Sub-No. 389 TA), filed February 20, 1970. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, in tank vehicles, from Yazoo City, Miss., to points in Texas, for 180 days. Supporting shipper: Mississippi Chemical Corp., Post Office Box 388, Yazoo City, Miss. 39194. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 107295 (Sub-No. 301 TA), filed February 19, 1970. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Farmer City, Ill. 61842. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrought conduit pipe, and fittings and metallic tubing, and fittings*, from plant and facilities of H. K. Porter at Ambridge, Pa., to points in Arkansas, Alabama, Kansas, Louisiana, Minnesota, Mississippi, Nebraska, Oklahoma, Texas, and Wisconsin, for 180 days. Supporting shipper: H. K. Porter Co., Inc., Porter Building, Pittsburgh, Pa. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 107403 (Sub-No. 788 TA), filed February 20, 1970. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar pitch*, in dump vehicles, from Ironton, Ohio, to Sparrows Point, Md., for 180 days. Supporting shipper: Allied Chemical Corp., 40 Rector Street, New York, N.Y. 10006. Send protests to: Ross A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 108393 (Sub-No. 27 TA), filed February 18, 1970. Applicant: SIGNAL DELIVERY SERVICE, 930 North York Road, Hinsdale, Ill. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise, articles, and commodities* as are dealt in by mail order houses and retail stores, and in connection therewith, such *equipment, materials, and supplies* as are used in the conduct of such business, including *returned shipments;* (1) between Chicago, Ill., on the one hand, and, on the other, points in Illinois, Indiana,

Kentucky, Ohio, Michigan, Wisconsin, and Iowa, on and east of U.S. Highway 169, points in Clark, Lewis, Marion, Ralls, Pike, Lincoln, St. Charles, St. Louis, Jefferson, Washington, St. Francois, Ste. Genevieve, Perry, Cape Girardeau, Iron, Madison, and Bollinger Counties, Mo., and points in Crawford, Mercer, Venango, Lawrence, Butler, and Beaver Counties, Pa., and (2) between Moline, Ill., on the one hand, and, on the other, points in Illinois and points in Iowa on and east of U.S. Highway 169; under contract with Sears, Roebuck & Co., for 180 days. Supporting shipper: Sears, Roebuck & Co., Chicago, Ill. Send protests to: William E. Gallagher, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1086 U.S. Courthouse and Federal Office Bulding, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 110988 (Sub-No. 250 TA), filed February 19, 1970. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. 54956. Applicant's representative: David A. Petersen (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum sulphate, rosin size, resins, and plastic materials*, in bulk, in tank vehicles, from Groos, Mich., to points in Minnesota and Wisconsin, for 150 days. Supporting shipper: American Cyanamid Co., Industrial Chemicals Division, Wayne, N.J. 07470 (A. J. Gruter, Division Traffic Manager). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 113267 (Sub-No. 230 TA), filed February 19, 1970. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. 62232. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts, dairy products, and articles distributed by meat packinghouses* (as defined in modification of permits—Packinghouse Products 46 M.C.C. 23) from the plantsites and warehouse facilities of Swift & Co. located within the St. Louis, Mo.-East St. Louis, Ill., commercial zone as defined by the Commission to Cumberland, Md., and points within a 25-mile radius thereof, for 150 days. Supporting shipper: St. Louis Independent Packing Co., 824 South Vandeventer Avenue, Post Office Box 477, St. Louis, Mo. 63166. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 114632 (Sub-No. 26 TA), filed February 20, 1970. Applicant: APPLE LINES, INC., 225 South Van Epps Avenue, Madison, S. Dak. 57042. Applicant's representative: Robert A. Applewick (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and packinghouse products*, as set forth in sections A and C, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or warehouse facilities of John Morrell & Co. at Madison and Sioux Falls, S. Dak., and Estherville, Iowa, to Kansas City, Kans.-Mo.; St. Joseph, Trenton, and St. Louis, Mo.; Arkansas City, and Wichita, Kans., for 180 days. Supporting shipper: John Morrell & Co., 1400 North Weber Avenue, Sioux Falls, S. Dak. 57104; Claude Stewart, Traffic Manager. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 115022 (Sub-No. 21 TA), filed February 20, 1970. Applicant: CHAMBERLAIN MOBILEHOME TRANSPORT, INC., 64 East Main Street, Thomaston, Conn. 06787. Applicant's representative: Reubin Kaminsky, Suite 211, 342 North Main Street, West Hartford, Conn. 06117. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, in sections, mounted on wheeled undercarriages, with hitchball connectors, in initial movements, from the plantsite of Trus Manufacturing Co. at Cromwell, Conn., to Amherst, Mass., with return of *wheeled undercarriages*, from the above-named point of destination to the above-named point of origin, for 180 days. Supporting shipper: Trus Manufacturing Co., 5 Pasco Hill Road, Cromwell, Conn. Send protests to: District Supervisor David J. Kiernan, Bureau of Operations, Interstate Commerce Commission, 324 U.S. Post Office Building, 135 High Street, Hartford, Conn. 06101.

No. MC 116949 (Sub-No. 15 TA), filed February 20, 1970. Applicant: BURNS TRUCKING, INC., Route No. 1, South Sioux City, Nebr. 68776. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel and aluminum materials, products, components, parts, and accessories* used in the manufacture and production of trailers, from the plantsites of Wilson Trailer Co., in/or near Sioux City, Iowa, to the plantsite of Wiltco Manufacturing, Inc., at/or near Yankton, S. Dak., for 180 days. Supporting shipper: Wiltco Manufacturing, Inc., Yankton, S. Dak. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 117416 (Sub-No. 35 TA), filed February 20, 1970. Applicant: NEWMAN AND PEMBERTON CORPORATION, 2007 University Avenue NW., Knoxville, Tenn. 37921. Applicant's representative: W. A. Popejoy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Processed foodstuffs*, other than in bulk or frozen, from Newport, Tenn., to points in Autauga, Bibb, Blount, Calhoun, Chilton, Clay, Coosa, Cullman, Etowah, Fayette, Jefferson, Marshall, Morgan, Perry, St. Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston Counties, Ala., for 180 days. Supporting shipper: Stokely-Van Camp, Inc., Post Office Box 1113, Indianapolis, Ind. 46206. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 803–1808 West End Building, Nashville, Tenn. 37203.

No. MC 117686 (Sub-No. 111 TA), filed February 20, 1970. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Post Office Box 417, Sioux City, Iowa 51102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* (except hides and commodities in bulk in tank vehicles), from the plantsite, warehouses and storage facilities used by Sioux-Preme Packing Co., at or near Sioux Center, Iowa, to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Kansas, Mississippi, Oklahoma, Tennessee, and Texas, for 180 days. Supporting shipper: Sioux-Preme Packing Co., Post Office Box 177, Highway 75 South, Sioux Center, Iowa 51250. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 120800 (Sub-No. 25 TA), filed February 20, 1970. Applicant: CAPITOL TRUCK LINES, INC., 2500 North Alameda Street, Compton, Calif. 90222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid natural gas*, from port of entry, Highgate Springs, Vt., to Boston, Mass., for 150 days. Supporting shipper: Williams Brothers Co., 3400 Peachtree Road, Atlanta, Ga. 30328. Send protests to: District Supervisor John E. Nance, Bureau of Operations, Interstate Commerce Commission, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 124211 (Sub-No. 145 TA), filed February 19, 1970. Applicant: HILT TRUCK LINE, INC., 1415 South 35th Street, Post Office Box H, Council Bluffs, Iowa 51501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except hides, and commodities in bulk, in tank vehicles, from the plantsite and storage facilities of Sioux-Preme Packing Co., at or near Sioux Center, Iowa, to points in Arkansas, Illinois, Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Oklahoma, Tennessee, Texas, and Wisconsin. Restriction: The authority sought herein is restricted to the transportation of traffic originating at the above-named origins, for 180 days. Supporting shipper: Sioux-Preme Packing Co., Post Office Box 177, Sioux Center, Iowa 51250. Send protests to: K. P. Kohrs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 126714 (Sub-No. 2 TA) (Second Correction), filed January 27, 1970, published FEDERAL REGISTER, issues of February 6, and February 14, 1970, and republished as corrected this issue. Applicant: SOUTHWEST DELIVERY CO., INC., 304 Columbia Street, Vancouver, Wash. 98660. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between Portland, Oreg., and Everett, Wash., over Interstate Highway 5 and/or U.S. Highway 99, serving the intermediate points of Vancouver and Olympia, Wash., and serving all intermediate points between Olympia and Everett, Wash., for 180 days. NOTE: Applicant proposes to interline traffic at all points sought to be authorized. The purpose of this republication is to show that applicant seeks to operate over regular routes, serving specified intermediate points. Supporting shippers: There are approximately 75 statements of support attached to the application, which may be examined here at the Offices of the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, Oreg. 97204.

No. MC 126881 (Sub-No. 8 TA), filed February 20, 1970. Applicant: RICHARD B. RUDY, INC., 203 Linden Avenue, Frederick, Md. 21701. Applicant's representative: C. E. Creager, 816 Easley Street, Silver Spring, Md. 20910. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic containers*, from Allentown and Berwick, Pa., and Middletown, Del., to Frederick, Md., *and powdered chocolate*, from Hillside, N.J., to Frederick, Md., for 150 days. Supporting shipper: Capitol Milk Producers Cooperative, Inc., 428 East Patrick Street, Frederick, Md. 21701. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 2218, 12th and Constitution Avenue NW., Washington, D.C. 20423.

No. MC 127042 (Sub-No. 54 TA), filed February 20, 1970. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Post Office Box 6, Leeds Station, Sioux City, Iowa 51108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* and described in sections A and C of appendix I to *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from plantsite of Sioux-Preme Packing Co., at or near Sioux Center, Iowa, to points in Idaho, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming, for 180 days. Supporting shipper: Sioux-Preme Packing Co., Post Office Box 177, Sioux Center, Iowa 51250. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 129034 (Sub-No. 2 TA), filed February 20, 1970. Applicant: LOOMIS COURIER SERVICE, INC., 55 Battery Street, Seattle, Wash. 98121. Applicant's representative: Jack Davis, IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial documents; business records; accounting and audit media; automated data processing media; and advertising materials* when moving in conjunction with other authorized commodities, between points in Lane, Clackamas, and Multnomah Counties, Oreg., on the one hand, and Clark, Cowlitz, Lewis, Grays Harbor, Pierce, Thurston, King, Snohomish, Skagit, and Whatcom Counties, Wash., on the other hand, for 180 days. Supporting shippers: There are approximately eight statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 129944 (Sub-No. 2 TA), filed February 19, 1970. Applicant: THREE-B FREIGHT SERVICE, INC., 3973 Riverside Drive, Chino, Calif. 91710. Applicant's representative: Milton W. Flack, 1813 Wilshire Boulevard, Suite 400, Los Angeles, Calif. 90057. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New household appliances and new household furnishings*, from points within an area bounded as follows: Beginning at U.S. Highway 66 and Grand Avenue, near Glendora, Calif., thence south on Grand Avenue to its intersection with U.S. Highway 60, thence east on U.S. Highway 60 to its intersection with California Highway 71, thence southeast on California Highway 71, to its intersection with California Highway 91, thence east on California Highway 91 to Hamner Avenue, in Corona, Calif., thence north on Hamner Avenue to River Road, thence north on River Road to Archibald Avenue, thence north on Archibald Avenue to U.S. Highway 66, thence west on U.S. Highway 66 to point of beginning; to Brawley, El Centro, and Calexico, Calif., for 180 days. NOTE: Applicant intends to tack with its existing authority in MC-129944 (Sub-No. 1). Supporting shipper: McMahan's Furniture Stores, Post Office Box 1011, Pomona, Calif. 91769. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 300 North Los Angeles, Calif. 90012.

No. MC 133723 (Sub-No. 7 TA), filed February 20, 1970. Applicant: JOHN H. SMITH, INC., 18709 Ecorse Road, Allen Park, Mich. 48101. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Coal briquets*, from the plantsite of the Johnson Coal Cubing Co. at Detroit, Mich., to points in Fulton County, Ohio, and points in Wood County and Sandusky County, Ohio, on and south of U.S. Highway 6 and to Whitehouse, Elmore, Oak Harbor, and Marblehead, Ohio; (2) *coke*, in bulk, in dump vehicles, from Toledo, Ohio, to the plantsite of Johnson Cubing Co. at Detroit, Mich., for 150 days. Supporting shipper: Johnson Coal Cubing Co., 9309 Hubbell Avenue, Detroit, Mich. Send protests to: Gerald J. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell, Detroit, Mich. 48226.

No. MC 134360 TA, filed February 20, 1970. Applicant: MARVIN PENFOLD, Rural Route No. 2, Coon Rapids, Iowa 50058. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Feed and feed products*, from Audubon and Council Bluffs, Iowa, to points in Nebraska on and east of U.S. Highway 281; (2) *feed and feed ingredients, supplies and equipment*, for Feeders Supply, Audubon, Iowa, and Feeders Best Choice, Irwin, Iowa, from points in Nebraska on and east of U.S. Highway 281 to Audubon and Council Bluffs, Iowa, for 180 days. Supporting shippers: Feeders Best Choice Feeds, Post Office Box 304, Irwin, Iowa; and Feeders Supply, Audubon, Iowa. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 70-2558; Filed, Mar. 2, 1970; 8:48 a.m.]

[Notice 500]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 26, 1970.

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:

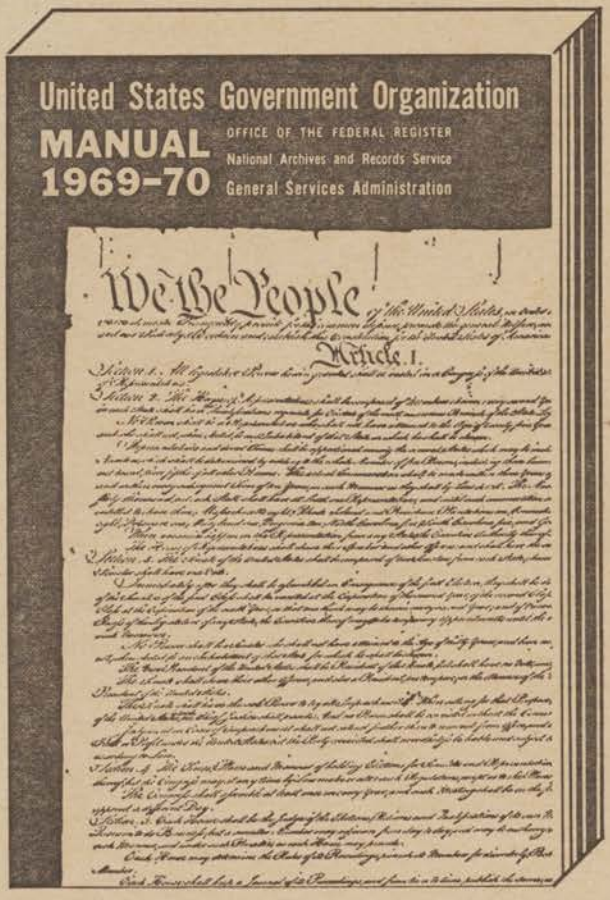
No. MC-FC-72001. By application filed February 25, 1970, DEPENDABLE CONTAINER SERVICE, INC., foot of 23d Street, Brooklyn, N.Y. 10004, seeks temporary authority to lease the operating rights of TAYLOR TRUCKING CO., INC., Post Office Box 213, East Rutherford, N.J. 07073, under section 210a(b). The transfer to DEPENDABLE CONTAINER SERVICE, INC., of the operating rights of TAYLOR TRUCKING CO., INC., is presently pending.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 70-2559; Filed, Mar. 2, 1970; 8:48 a.m.]

United States Government Organization MANUAL 1969–70



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