

# FEDERAL REGISTER

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Agencies in this issue—

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Agricultural Stabilization and  
Conservation Service  
Agriculture Department  
Atomic Energy Commission  
Civil Aeronautics Board  
Civil Service Commission  
Coast Guard  
Commodity Credit Corporation  
Consumer and Marketing Service  
Emergency Preparedness Office  
Federal Aviation Administration  
Federal Home Loan Bank Board  
Federal Power Commission  
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Office  
Land Management Bureau  
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Public Health Service  
Small Business Administration  
Veterans Administration

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Just Released

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(Revised as of January 1, 1970)

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# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE Small Business Administration

Section 213.3332 is amended to show that one position of Confidential Assistant to the General Counsel is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (s) is added to § 213.3332 as set out below.

#### § 213.3332 Small Business Administration.

(s) One Confidential Assistant to the General Counsel.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to  
the Commissioners.*

[F.R. Doc. 70-4541; Filed, Apr. 13, 1970;  
8:49 a.m.]

### PART 213—EXCEPTED SERVICE Selective Service System

Section 213.3346 is added to show that one position of Confidential Assistant to the Director of Selective Service is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, § 213.3346 is added as set out below.

#### § 213.3346 Selective Service System.

(a) One Confidential Assistant to the Director of Selective Service.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to  
the Commissioners.*

[F.R. Doc. 70-4540; Filed, Apr. 13, 1970;  
8:49 a.m.]

### PART 213—EXCEPTED SERVICE Office of Economic Opportunity

Section 213.3373 is amended to show that one position of Confidential Assistant to the Assistant Director for Special Programs is excepted under Schedule C. Effective on publication in the FEDERAL

REGISTER, paragraph (d) is added under § 213.3373 as set out below.

#### § 213.3373 Office of Economic Opportunity.

(d) *Office of the Assistant Director for Special Programs.* (1) One Confidential Assistant to the Assistant Director.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to  
the Commissioners.*

[F.R. Doc. 70-4539; Filed, Apr. 13, 1970;  
8:49 a.m.]

## Title 42—PUBLIC HEALTH

### Chapter I—Public Health Service, Department of Health, Education, and Welfare

#### SUBCHAPTER D—GRANTS

### PART 57—GRANTS FOR CONSTRUCTION OF HEALTH RESEARCH FACILITIES (INCLUDING MENTAL RETARDATION RESEARCH FACILITIES), TEACHING FACILITIES, STUDENT LOANS, EDUCATIONAL IMPROVEMENT AND SCHOLARSHIPS

#### Subpart J—Scholarship Grants to Schools of Nursing

#### CLARIFICATION OF ELIGIBILITY OF RESIDENTS OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS

Notice of proposed rule making, public rule making procedures and postponement of effective date have been omitted in the issuance of the following amendment to Subpart J—Scholarship Grants to Schools of Nursing, which relates solely to grants. The purpose of this amendment is to make clear that residents of the Trust Territory of the Pacific Islands who otherwise satisfy the eligibility requirements are eligible to receive nursing scholarships under section 860 of the Public Health Service Act as amended (42 U.S.C. 298c).

The following amendment shall become effective on the date of publication in the FEDERAL REGISTER.

Paragraph (a) of § 57.907 is revised to read as follows:

#### § 57.907 Eligibility and selection of scholarship recipients.

(a) *Eligibility.* Scholarships may be awarded with respect to any year only to students who are:

(1) Nationals of the United States or in a State for other than temporary purposes and intend to become permanent residents of the United States, or permanent residents of the Trust Territory of the Pacific Islands;

(2) Enrolled and in good standing, or accepted for enrollment in the school as full-time students; and

(3) Of exceptional financial need who need such financial assistance to pursue a course of study at the school for such year.

(Sec. 805(d), Public Health Service Act as amended, 82 Stat. 786; 42 U.S.C. 298c(d))

Dated: March 6, 1970.

ROBERT Q. MARSTON,  
*Director,  
National Institutes of Health.*

Approved: April 7, 1970.

ROBERT H. FINCH,  
*Secretary.*

[F.R. Doc. 70-4569; Filed, Apr. 13, 1970;  
8:49 a.m.]

## Title 21—FOOD AND DRUGS

### Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

#### SUBCHAPTER A—GENERAL

### PART 8—COLOR ADDITIVES

#### Subpart—Provisional Regulations

#### POSTPONEMENT OF CLOSING DATES OF PROVISIONAL LISTING

The color additive amendments of 1960 (Public Law 86-618; 74 Stat. 404; 21 U.S.C. 376, note) authorize the Secretary of Health, Education, and Welfare to postpone the closing date of a provisional listing of a color additive on his own initiative or upon the application of an interested person. Requests have been received to postpone the closing dates of provisional listings of a number of color additives because scientific investigations necessary for listing these color additives under section 706 of the Federal Food, Drug, and Cosmetic Act have not been completed.

The Commissioner of Food and Drugs finds that postponement of the closing dates of the provisionally listed color additives in this order is consistent with the protection of the public health. These extensions are granted on condition that,



when applicable, progress reports be supplied on or before June 30, 1970.

Scientific investigations of the safety of D&C Red No. 36 for ingested use have been completed. The Commissioner concludes that the data available to him do not support continuation of tolerance-free use of this color additive in ingested drugs and cosmetics. Accordingly, this color (1) may be used in lipsticks in amounts not greater than 6 percent by weight alone or in combination with the colors listed in § 8.503(a), and (2) may be used in ingested drug products provided that it alone or in combination with the colors listed in § 8.503(b) does not contribute more than 0.75 milligram of the color additive, expressed as pure dye, to the amount of the product reasonably expected to be ingested in 1 day. The effective date of the imposition of this tolerance is June 30, 1970.

Therefore, pursuant to the authority of the Federal Food, Drug, and Cosmetic Act (sec. 203(a)(2), Public Law 86-618; 74 Stat. 404; 21 U.S.C. 376, note), delegated to the Commissioner (21 CFR 2.120), Part 8 is amended as follows:

§ 8.501 [Amended]

1. Section 8.501 *Provisional lists of color additives* is amended by changing the closing dates of all color additives listed therein to December 31, 1970.

§ 8.503 [Amended]

2. Section 8.503 *Temporary tolerances* is amended by adding "D&C Red No. 36 (§ 9.181 of this chapter)" immediately after "D&C Red No. 33" in paragraphs (a) and (b).

3. Section 8.515 is amended by adding thereto a new paragraph, as follows:

§ 8.515 *Limitation of certificates.*

(c) *D&C Red No. 36.* Certificates issued heretofore for D&C Red No. 36 and all mixtures containing this color additive are limited effective June 30, 1970, to the conditions imposed by § 8.503 (a) and (b). Use of D&C Red No. 36 in any other manner after June 30, 1970, in drugs or cosmetics will result in adulteration. Any D&C Red No. 36 distributed after June 30, 1970, shall bear a label statement of the tolerance applicable to it.

Notice and public procedure and delayed effective date are unnecessary prerequisites to the promulgation of this order, and I so find, since section 203 (a)(2) of Public Law 86-618 provides for this issuance.

*Effective date.* The portion of this order amending § 8.501 is effective as of January 1, 1970, and the portions amending §§ 8.503 and 8.515 shall become effective June 30, 1970.

(Sec. 203(a)(2), Public Law 86-618; 74 Stat. 404; 21 U.S.C. 376, note)

Dated: February 26, 1970.

SAM D. FINE,  
Acting Associate Commissioner  
for Compliance.

[F.R. Doc. 70-4488; Filed, Apr. 13, 1970;  
8:45 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Administration, Department of Transportation

#### SUBCHAPTER C—AIRCRAFT

[Docket No. 10118; Admt. 39-975]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### British Aircraft Corporation Viscount Models 744, 745D, and 810 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring replacement of the cabin blower (supercharger) drive quill with a drive quill having a reduced shear neck diameter on British Aircraft Corp. Viscount Models 744, 745D, and 810 series airplanes was published in the FEDERAL REGISTER, 35 F.R. 2594.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT CORP. Applies to Viscount Models 744, 745D, and 810 series airplanes.

Within the next 750 hours' time in service after the effective date of this AD, unless already accomplished, replace the obsolete cabin blower (supercharger) drive quill with a serviceable or reworked drive quill in accordance with Dowty Rotol Service Bulletin No. 83-407, Revision 2, dated August 1969, for Models 744 and 745D series airplanes; or Dowty Rotol Service Bulletin No. 83-378, dated August 1968, for Model 810 series airplanes; or an FAA-approved equivalent as follows:

| Obsolete drive quill P/N        | Replacement drive quill P/N |
|---------------------------------|-----------------------------|
| 602206000 (Models 744 and 745D) | 602206002                   |
| G28165 (Models 744 and 745D)    | 601017004                   |
| G2575 (Model 810)               | G28302                      |

(British Aircraft Corp. Viscount Bulletins for Modification Nos. D3237 and G2083 cover this same subject.)

This amendment becomes effective May 14, 1970.

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

Issued in Washington, D.C., on April 7, 1970.

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

[F.R. Doc. 70-4492; Filed, Apr. 13, 1970;  
8:45 a.m.]

[Airworthiness Docket No. 70-WE-11-AD;  
Amdt. 39-971]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Hughes Model 269 Series Helicopters

Reports have been received of cracks and failures of the lead-lag hinge bolts and the flapping hinge bolts, P/N HS 1446-10-68, with vendor identification AC impression-stamped on top of the bolt heads, installed on Hughes Model 269 Series Helicopters. Such cracks and failures could result in the loss of a rotor blade. Since this condition is likely to exist or develop in other helicopters of the same type design, an airworthiness directive is being issued to require inspections of lead-lag hinge bolts and the flapping hinge bolts for cracks and replacement of these bolts if such cracks are found on Hughes Model 269 Series helicopters.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

HUGHES. Applies to Model 269A, 269A-1, 269A-2, and 269B Series helicopters, certificated in all categories, which incorporate lead-lag and flapping hinge bolts, P/N HS 1446-10-68, with vendor identification AC impression-stamped on top of the bolt heads (hereafter referred to as AC bolts). If bolts do not have the vendor identification AC on the bolt head they are acceptable for continued service and no further action is required by this airworthiness directive.

Compliance required as indicated.

To detect cracks and failures in the AC bolts, P/N HS 1446-10-68, accomplish the following:

(a) Within 25 hours' time in service after the effective date of this AD, remove all AC bolts in accordance with Hughes Handbook of Maintenance Instruction (HMI). Perform a dye penetrant or magnaflex inspection of the AC bolts for evidence of cracking.

NOTE: During this inspection particular attention should be directed to the area of the bolt shank at the radius of the bolt head.

(b) Any AC bolt which shows evidence of cracking must be conspicuously and permanently marked to prevent its inadvertent return to service. Any AC bolt inspected per (a), above, which exhibits no evidence of cracking may be identified with a green dot painted in the recessed head of the bolt.

(c) Prior to further operation following the accomplishment of (a), above, install bolts P/N HS 1446-10-68 without vendor identification AC on the bolt heads or AC bolts which have a green dot painted on the head as authorized by (b), above.

(d) Prior to each flight following reinstallation of bolts per (c), above, visually check each AC bolt, using the green dot in the head for ease of identification, to ascertain if there is any evidence of head separation from the body of the bolt. Any bolt showing evidence of head separation must be replaced with a serviceable bolt prior to further flight.



**NOTE:** The rotorcraft pilot may perform this visual check and determination regarding evidence of bolt head separation. For the requirements regarding the listing in the rotorcraft's permanent maintenance record of compliance and method of compliance with this provision of this AD, see PAR 91.173.

(e) Within 225 hours' time in service after the effective date of this AD but not prior to 175 hours time in service from such date, reinspect all AC bolts in service in accordance with (a), above. Permanently and conspicuously mark any AC bolts showing evidence of cracks as prescribed by (b), above, and replace such bolts with serviceable bolts prior to further operation. This one-time reinspection does not cancel the preflight check required by (d), above.

(f) Prior to 400 hours' time in service or within 6 months, whichever occurs first, after the effective date of this AD, replace all AC bolts with bolts, P/N HS 1446-10-68, without vendor identification AC impression-stamped on top of the bolt heads. The special inspections required by this AD may be discontinued when this AC bolt replacement program is accomplished.

(g) AC bolts removed from service prior to 6 months from the effective date of this AD for the purpose of compliance with (f), above, must be marked permanently and conspicuously to prevent their inadvertent return to service.

(Hughes Service Information Notice No. N-75.1 covers this same subject.)

This amendment becomes effective April 14, 1970.

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

Issued in Los Angeles, Calif., on April 3, 1970.

ARVIN O. BASNIGHT,  
Director, FAA Western Region.

[P.R. Doc. 70-4493; Filed, Apr. 13, 1970; 8:45 a.m.]

[Docket No. 70-EA-19; Amtd. 39-970]

### PART 39—AIRWORTHINESS DIRECTIVES

#### Fairchild Hiller Aircraft

The Federal Aviation Administration is amending § 39.19 of Part 39 of the Federal Aviation Regulations so as to amend Airworthiness Directive 69-13-7 applicable to Fairchild Hiller UH12 type helicopters.

Subsequent to the publication of Airworthiness Directive 69-13-7 it was determined that oversize inserts, which are the subject of the AD, other than those mentioned in the directive have been installed in the referenced helicopters. This, therefore, requires amending the directive to include such inserts.

Since this amendment is corrective in nature and still requires the same expeditious adoption as Airworthiness Directive 69-13-7, notice and public procedure hereon are impractical and the amendment may be made effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by amending Airworthiness Directive 69-13-7 by adding the following to paragraph (b):

Where oversize Rosan R231SB-8 inserts have been installed, replaced with Rosan RD231SB-8 inserts and RL-31-8B9 locking rings in accordance with Fairchild Hiller Service Bulletins UH12L-23-1 and UH12D through G-23-1 dated January 19, 1970, or an alternate method approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

This amendment is effective April 30, 1970.

(Secs. 313(a), 601, 608, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on April 1, 1970.

WAYNE HENDERSHOT,  
Deputy Director, Eastern Region.

[P.R. Doc. 70-4495; Filed, Apr. 13, 1970; 8:45 a.m.]

### SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 69-SW-75]

### PART 73—SPECIAL USE AIRSPACE

#### Alteration of Restricted Areas

On February 5, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 2595) stating that the Federal Aviation Administration was considering amendments to Part 73 of the Federal Aviation Regulations that would alter Restricted Areas R-5104A, R-5104B, and R-5105 at Melrose, N. Mex.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., May 28, 1970, as hereinafter set forth.

Section 73.51 (35 F.R. 2340) is amended as follows: In R-5104A, R-5104B, and R-5105, Melrose, N. Mex., "Sunrise to sunset" is deleted and "Continuous" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on April 9, 1970.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[P.R. Doc. 70-4526; Filed, Apr. 13, 1970; 8:48 a.m.]

[Airspace Docket No. 70-SO-22]

### PART 73—SPECIAL USE AIRSPACE

#### Alteration of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to alter the designated altitudes of the Fort McClellan, Ala., Restricted Area R-2102.

R-2102 is presently stratified by altitudes as follows:

R-2102A—Surface to and including 5,000 feet MSL.  
R-2102B—From 5,000 feet MSL to and including 14,000 feet MSL.

R-2102C—From 14,000 feet MSL to 24,000 feet MSL.

To simplify the management of these areas, the Federal Aviation Administration is altering the altitude division between R-2102A and R-2102B from 5,000 feet MSL to 8,000 feet MSL. The Department of the Army concurs in this action.

Since this amendment is editorial in nature and does not require the designation of additional airspace, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, § 73.21 (35 F.R. 2312) is amended, effective 0901 G.m.t., May 28, 1970, as follows: In the designated altitudes of R-2102 "5,000 feet MSL" is deleted wherever it appears and "8,000 feet MSL" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on April 9, 1970.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[P.R. Doc. 70-4527; Filed, Apr. 13, 1970; 8:48 a.m.]

[Airspace Docket No. 70-CE-24]

### PART 73—SPECIAL USE AIRSPACE

#### Revocation of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to revoke R-4204 Oscoda, Mich. (Wurtsmith AFB), Restricted Area/Military Climb Corridor.

The Federal Aviation Administration has been advised by the Department of the Air Force that R-4204 is no longer required for its designated purpose. Accordingly, action is taken herein to revoke this restricted area.

Since this amendment restores airspace to the public use and relieves a restriction, notice and public procedure thereon are unnecessary, and good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

In § 73.42 (35 F.R. 2335) "R-4204 Oscoda, Mich. (Wurtsmith AFB), Restricted Area/Military Climb Corridor." is revoked.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on April 9, 1970.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[P.R. Doc. 70-4528; Filed, Apr. 13, 1970; 8:48 a.m.]



## SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 10254; Amdt. 695]

## 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 § 97.11 of Subpart B to delete low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

Burley, Idaho—Burley Municipal, VOR Runway 10, Amdt. 8, 12 Aug. 1967 (established under Subpart C).

2. By amending § 97.13 of Subpart B to delete terminal very high frequency omnirange (TerVOR) procedures as follows:

Riverton, Wyo.—Riverton Municipal, TerVOR-10, Amdt. 3, 12 Nov. 1966 (established under Subpart C).

Riverton, Wyo.—Riverton Municipal, TerVOR-28, Amdt. 3, 12 Nov. 1966 (established under Subpart C).

3. By amending § 97.15 of Subpart B to delete very high frequency omnirange-distance measuring equipment (VOR/DME) procedures as follows:

Burley, Idaho—Burley Municipal, VOR/DME Runway 28, Orig., 12 Aug. 1967 (established under Subpart C).

4. By amending § 97.17 of Subpart B to amend instrument landing system (ILS) procedures as follows:

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

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

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 approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

| From—          | Transition  |        | Course and distance | Minimum altitude (feet) | Condition | Ceiling and visibility minimums |  |                    |
|----------------|-------------|--------|---------------------|-------------------------|-----------|---------------------------------|--|--------------------|
|                | To—         |        |                     |                         |           | 2-engine or less                | More than 2-engine, more than 65 knots | More than 65 knots |
| MKE VOR        | LOM         | Direct | 2500                | T-dn**                  | 300-1     | 300-1                           | 300-½                                  |                    |
| Big Bend Int.  | LOM         | Direct | 2500                | C-dn                    | 500-1     | 500-1                           | 500-1½                                 |                    |
| Racine Int.    | LOM         | Direct | 2500                | S-dn-1*§                | 300-¼     | 300-¼                           | 300-¼                                  |                    |
| Cardinal Int.  | LOM         | Direct | 2700                | A-dn                    | 600-2     | 600-2                           | 600-2                                  |                    |
| Wind Lake Int. | LOM         | Direct | 2500                |                         |           |                                 |  |                    |
| Horlick Int.   | LOM         | Direct | 2500                |                         |           |                                 |  |                    |
| Oakwood Int.   | LOM (final) | Direct | 2500                |                         |           |                                 |  |                    |

Radar available.

Procedure turn E side 8 of crs, 186° Outbd, 096° Inbd, 2500' within 10 miles.

Minimum altitude at glide slope interception Inbd, 2500'.

Altitude of glide slope and distance to approach end of runway at OM, 2370'—5.5 miles; at MM, 919'—0.6 miles.

Distance HAT 150' to runway threshold 2192'. Distance IM to runway threshold 1039'. Distance from runway threshold to GPI 1020'.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2700' on 096° bearing from LOM and proceed direct to the North Park RBN, or when directed by ATIS, climb to 2500' and intercept R 110° MKE VOR and proceed to MKE VOR.

Category II missed approach: climb to 2700' on 096° bearing from LOM and proceed direct to the North Park RBN if contact with visual guidance system not established at DH.

NOTE: Runway 1 LOM named METRO.

\* RVR 2000', 4-engine turbojet; RVR 1800', other aircraft, descent below 922' not authorized unless approach lights visible.

\*\* RVR 1800' authorized Runway 1, RVR 2400' authorized Runway 7R, RVR 4000' authorized Runway 19 Category 2 engines or less, RVR 2400' authorized Runway 19 Category more than 2 engines more than 65 KTS.

§ 400-½ required when glide slope not utilized and 400-¼ authorized with operative ALS except for 4-engine turbojets.

MSA within 25 miles of LOM: 090°-270°—2200'; 270°-090°—2800'.

City, Milwaukee; State, Wis.; Airport name, General Mitchell Field; Elev., 722'; Fac. Class., ILS; Ident., I-MKE; Procedure No. ILS Runway 1, Amdt. 26; Eff. date, 7 May 76; Sup. Amdt. No. 25; Dated, 29 Nov. 69



5. 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: 4.4 miles after passing BYI VOR.   |  |
| 10-mile DME Fix, R 305° BYI | BYI VOR (NOPT) | Direct                              | 5300                     | Left turn climb to 6000' direct BYI VOR and hold.   |  |
| Hazleton Int.               | BYI VOR (NOPT) | Direct                              | 5300                     | Supplementary charting information: Hold W, 1 minute, right turns, 103° Inbnd.  |  |
| BYI, R 290° CW              | Hazleton Int.  | 10-mile Arc BYI R 305° lead radial. | 6000                     | Correct obstruction elevation at 42°32'39"/113°48'12" to 4372'.<br>Chart F85 frequencies.<br>Runway 10, TDZ elevation, 4150'. |  |

Procedure turn S side of crs, 283° outbnd, 103° Inbnd, 6000' within 10 miles of BYI VOR.  
FAF, BYI VOR. Final approach crs, 103°. Distance FAF to MAP, 4.4 miles.  
Minimum altitude over BYI VOR, 5300'.  
MSA: 000°-090°-7600'; 090°-180°-11,400'; 180°-270°-8800'; 270°-360°-6000'.

‡ Air carrier reduction not authorized.  
§ IFR departure procedures—Climb direct to BYI VOR. Continue climb on R 272° BYI VOR within 20 miles so as to cross BYI VOR at or above: V4 eastbound 5500'; V4N northwestbound, 5900'; V101 southeastbound, 8000'.

DAY AND NIGHT MINIMUMS

| Category | A    |     |     | B    |     |     | C    |     |     | D    |     |     |
|----------|------|-----|-----|------|-----|-----|------|-----|-----|------|-----|-----|
|          | MDA  | VIS | HAT | MDA  | VIS | HAT | MDA  | VIS | HAT | MDA  | VIS | HAT |
| 8-10     | 4640 | 1   | 490 | 4610 | 1   | 490 | 4640 | 1   | 490 | 4640 | 1   | 490 |
| C        | 4680 | 1   | 530 | 4680 | 1   | 530 | 4680 | 1½  | 530 | 4700 | 2   | 550 |

Takeoff 300-1.4% Alternate—Standard.

City, Burley; State, Idaho; Airport name, Burley Municipal; Elev., 4150'; Fac. Ident., BYI; Procedure No. VOR Runway 10, Amdt. 9; Eff. date, 7 May 70; Sup. Amdt. No. 8; Dated, 12 Aug. 67

| Terminal routes            |                  |                              |                          | Missed approach  |  |
|----------------------------|------------------|------------------------------|--------------------------|--|--|
| From—                      | To—              | Via                          | Minimum altitudes (feet) | MAP: RIW VOR.  |  |
| Moneta Int.                | RIW VOR          | Direct                       | 7700                     | Climb to 7700' in holding pattern.*  |  |
| Sweetwater Int.            | RIW VOR          | Direct                       | 5200                     | Supplementary charting information: 7700' Hold W, 1 minute, right turns, 095° Inbnd. |  |
| ROY, R 150°/5-mile DME Fix | RIW VOR          | Direct                       | 8300                     | LRCO 122.1, 123.6.   |  |
| Crowhoart Int.             | Morton Int.      | Direct                       | 7400                     | Final approach crs intercepts runway centerline 4860' from threshold.                |  |
| Morton Int.                | Edmo Int.        | DR 150°/2.5-miles and R 275° | 7200                     | Runway 10, TDZ elevation, 5500'.   |  |
| Edmo Int.                  | Pilot Int (NOPT) | RIW Direct                   |                          |  |  |

Procedure turn S side of crs, 275° Outbnd, 095° Inbnd, 7700' within 10 miles of Pilot Int.

Final approach crs, 095'.  
Minimum altitude over Pilot Int, 7200'.  
MSA: 000°-090°-9100'; 090°-180°-10,700'; 180°-270°-12,100'; 270°-360°-9800'.

‡ Alternate minimums not authorized when control zone not effective except operators with approved weather reporting service.  
§ Use Lander altimeter setting when control zone not effective, circling and straight-in MDA's increased 70' except operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

| Category | A    |     |     | B    |     |     | C    |     |     | D    |     |     |
|----------|------|-----|-----|------|-----|-----|------|-----|-----|------|-----|-----|
|          | MDA  | VIS | HAT | MDA  | VIS | HAT | MDA  | VIS | HAT | MDA  | VIS | HAT |
| 8-10**   | 5920 | 1   | 411 | 5920 | 1   | 411 | 5920 | 1   | 411 | 5920 | 1   | 411 |
| C**      | 5960 | 1   | 451 | 5960 | 1   | 451 | 5960 | 1½  | 451 | 6000 | 2   | 551 |

Takeoff Standard. Alternate—Standard.‡

City, Riverton; State, Wyo.; Airport name, Riverton Municipal; Elev., 5500'; Fac. Ident., RIW; Procedure No. VOR Runway 10, Amdt. 4; Eff. date, 7 May 70; Sup. Amdt. No. Ter VOR-10, Amdt. 3; Dated, 12 Nov. 66

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

| Terminal routes             |                  |        | Minimum altitudes (feet) | Missed approach<br>MAP: RIW VOR.  |
|-----------------------------|------------------|--------|--------------------------|---|
| From—                       | To—              | Via    |                          |   |
| Moneta Int.                 | RIW VOR          | Direct | 7700                     | Climb to 7700' in holding pattern.*<br>9200 Supplementary charting information:<br>7700 *Hold E, 1 minute, right turns, 287° inbound.<br>8300 LRCO 122.1, 123.6.<br>7200 Final approach crs intercepts runway centerline 607' from threshold.<br>Runway 28, TDZ elevation, 6455'. |
| Sweetwater Int.             | RIW VOR          | Direct | 7700                     |   |
| BOY, R 180°/5-mile DME Fix. | RIW VOR          | Direct | 8300                     |   |
| Crowheart Int.              | RIW VOR          | Direct | 7200                     |   |
| Hunt Int.                   | Kirby Int (NOPT) | Direct |                          |   |

Procedure turn N side of crs, 107° Outbnd, 287° Inbnd, 7700' within 10 miles of RIW VOR.

Final approach crs, 287°.

Minimum altitude over Kirby Int, 7200'.

MSA: 000°-090°-9100'; 090°-180°-10,700'; 180°-270°-12,100'; 270°-360°-9800'.

\*Alternate minimums not authorized when control zone not effective except operators with approved weather reporting service.

\*\*Use Lander altimeter setting when control zone not effective, circling and straight-in minimums increased 70' except operators with approved weather reporting service.

NOTE: Final approach from holding pattern not authorized; procedure turn required.

## DAY AND NIGHT MINIMUMS

| Category | A    |     |     | B    |     |     | C    |     |     | D    |     |     |
|----------|------|-----|-----|------|-----|-----|------|-----|-----|------|-----|-----|
|          | MDA  | VIS | HAT | MDA  | VIS | HAT | MDA  | VIS | HAT | MDA  | VIS | HAT |
| S-28**   | 5820 | 1   | 365 | 5820 | 1   | 365 | 5820 | 1   | 365 | 5820 | 1   | 365 |
|          | MDA  | VIS | HAA | MDA  | VIS | HAA | MDA  | VIS | HAA | MDA  | VIS | HAA |
| C**      | 5960 | 1   | 451 | 5960 | 1   | 451 | 5960 | 1½  | 451 | 6060 | 2   | 531 |

Takeoff Standard. Alternate—Standard.#

City, Riverton; State, Wyo.; Airport name, Riverton Municipal; Elev., 5509'; Fac. Ident., RIW; Procedure No. VOR Runway 28, Amdt. 4; Eff. date, 7 May 70; Sup. Amdt. No. Ter VOR-28, Amdt. 3; Dated, 12 Nov. 66

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

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         |                         |                                      | Minimum altitudes (feet) | Missed approach<br>MAP: 5-mile DME Fix, R 103°.   |
|-------------------------|-------------------------|--------------------------------------|--------------------------|---|
| From—                   | To—                     | Via                                  |                          |   |
| BYI, R 091° CW          | BYI, R 103°             | 19-mile Arc BYI, R 097° lead radial. | 8400                     | Climb to 6000' direct BYI VORTAC and hold.§<br>Supplementary charting information:<br>§Hold W, right turns, 1 minute, 103° inbound.<br>Chart F55 frequencies.<br>Runway 28, TDZ elevation, 4149'. |
| BYI, R 117° CCW         | BYI, R 103°             | 25-mile Arc BYI, R 108° lead radial. | 10,000                   |   |
| 25-mile DME Fix, R 103° | 19-mile DME Fix, R 103° | Direct                               | 8400                     |   |

Procedure turn not authorized.

Approach crs (profile) starts at 19-mile DME Fix, R 103°.

Final approach crs, 283°.

Minimum altitude over BYI, R 103° 19-mile DME, 8400'; over 17-mile DME, 7800'; over 12-mile DME, 6300'; over 9-mile DME, 5400'.

MSA: 000°-090°-7500'; 090°-180°-11,400'; 180°-270°-8800'; 270°-360°-6000'.

#Air carrier reduction not authorized.

% IFR departure procedures: Climb direct to BYI VOR, continue climb on R 272° BYI VOR within 20 miles so as to cross BYI VOR at or above: V4 eastbound, 5000'; V4N northwestbound, 5900'; V101 southeastbound, 8000'.

## DAY AND NIGHT MINIMUMS

| Category | A   |  |     | B  |   |     | C   |  |     | D                              |                  |     |
|----------|---|--|-----|--|---|-----|---|--|-----|--------------------------------|------------------|-----|
|          | MDA   | VIS  | HAT | MDA  | VIS   | HAT | MDA   | VIS  | HAT | MDA                            | VIS              | HAT |
| S-28     | 4640  | 1  | 491 | 4640   | 1   | 491 | 4640  | 1  | 491 | 4640                           | 1                | 491 |
|          | MDA <td>VIS <td>HAA</td> <td>MDA <td>VIS <td>HAA</td> <td>MDA <td>VIS <td>HAA</td> <td>MDA <td>VIS <td>HAA</td> </td></td></td></td></td></td></td> | VIS <td>HAA</td> <td>MDA <td>VIS <td>HAA</td> <td>MDA <td>VIS <td>HAA</td> <td>MDA <td>VIS <td>HAA</td> </td></td></td></td></td></td> | HAA | MDA <td>VIS <td>HAA</td> <td>MDA <td>VIS <td>HAA</td> <td>MDA <td>VIS <td>HAA</td> </td></td></td></td></td> | VIS <td>HAA</td> <td>MDA <td>VIS <td>HAA</td> <td>MDA <td>VIS <td>HAA</td> </td></td></td></td> | HAA | MDA <td>VIS <td>HAA</td> <td>MDA <td>VIS <td>HAA</td> </td></td></td> | VIS <td>HAA</td> <td>MDA <td>VIS <td>HAA</td> </td></td> | HAA | MDA <td>VIS <td>HAA</td> </td> | VIS <td>HAA</td> | HAA |
| C        | 4680  | 1  | 530 | 4680   | 1   | 530 | 4680  | 1½   | 530 | 4700                           | 2                | 550 |

Takeoff 2-eng. or less, 300-1; over 2-eng. 200-1½.%# Alternate—Standard.

City, Burley; State, Idaho; Airport name, Burley Municipal; Elev., 4159'; Fac. Ident., BYI; Procedure No. VOR/DME Runway 28, Amdt. 1; Eff. date, 7 May 70; Sup. Amdt. No. Orig.; Dated, 12 Aug. 67



6. 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: 6 miles after passing 6-mile radar fix.  |
|                 |      |     |                          | Climb to 2000', right turn, to LIT VORTAC R 249° direct to Benton Int and hold.<br>Supplementary charting information: Hold W of Benton Int on R 249°, 009° Inbnd, 1 minute, right turns. |

Procedure turn not authorized.  
FAF, 6-mile Radar Fix. Final approach crs, 245°. Distance FAF to MAP, 6 miles.  
Minimum altitude over 6-mile Radar Fix, 2000'.  
NOTE: Radar required.

DAY AND NIGHT MINIMUMS

| Cond.  | A               |     |     | B                          |     |     | C                       | D   |
|--------|-----------------|-----|-----|----------------------------|-----|-----|-------------------------|-----|
|        | MDA             | VIS | HAA | MDA                        | VIS | HAA | VIS                     | VIS |
| C..... | 1000            | 1   | 735 | 1000                       | 1¼  | 735 | NA                      | NA  |
| A..... | Not authorized. |     |     | T 2-eng. or less—Standard. |     |     | T over 2-eng.—Standard. |     |

City, Benton; State, Ark.; Airport name, Saline County; Elev., 325'; Fac. Ident., LIT; Procedure No. VOR-1, Amdt. 1; Eff. date, 7 May 70; Sup. Amdt. No. Orig.; Dated, 13 Nov. 69

| Terminal routes             |                                |                 | Missed approach          |  |
|-----------------------------|--------------------------------|-----------------|--------------------------|--|
| From--                      | To--                           | Via             | Minimum altitudes (feet) | MAP: 7 miles after passing BUM VORTAC.   |
| R 348°, BUM VORTAC CCW..... | R 254°, BUM VORTAC (NOPT)..... | 7-mile arc..... | 2500                     | Climb to 2500', right turn to BUM VORTAC and hold.*<br>Supplementary charting information: *Hold E, 1 minute, right turns, 290° Inbnd. Final approach crs aiming point is the airport reference point. |
| R 171°, BUM VORTAC CW.....  | R 254°, BUM VORTAC (NOPT)..... | 7-mile arc..... | 2500                     |  |

Procedure turn S side of crs, 254° Outbnd, 074° Inbnd, 2500' within 10 miles of BUM VORTAC.  
FAF, BUM VORTAC. Final approach crs, 074°. Distance FAF to MAP, 7 miles.  
Minimum altitude over BUM VORTAC, 2500'; over 4-mile DME Fix, 1480'.  
MSA: 090°-180°-2400'; 180°-270°-2200'; 270°-360°-2600'.  
NOTE: Use Richards-Gebaur AFB, Grandview, Mo., altimeter setting.

DAY AND NIGHT MINIMUMS

| Cond.  | A                 |     |     | B                          |     |     | C                       | D   |
|--------|-------------------|-----|-----|----------------------------|-----|-----|-------------------------|-----|
|        | MDA               | VIS | HAA | MDA                        | VIS | HAA | VIS                     | VIS |
| C..... | 1480              | 1   | 588 | 1480                       | 1   | 588 | NA                      | NA  |
|        | VOR/DME minimums: |     |     |                            |     |     |                         |     |
|        | MDA               | VIS | HAA | MDA                        | VIS | HAA | VIS                     | VIS |
| C..... | 1420              | 1   | 528 | 1420                       | 1   | 528 | NA                      | NA  |
| A..... | Not authorized.   |     |     | T 2-eng. or less—Standard. |     |     | T over 2-eng.—Standard. |     |

City, Butler; State, Mo.; Airport name, Butler Memorial; Elev., 892'; Fac. Ident., BUM; Procedure No. VOR-1, Amdt. 1; Eff. date, 7 May 70; Sup. Amdt. No. Orig.; Dated, 6 Feb. 69



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

| Terminal routes              |                                  |                                      | Minimum altitudes (feet) | Missed approach<br>MAP: 3.7 miles after passing ELD VORTAC.         |
|------------------------------|----------------------------------|--------------------------------------|--------------------------|---|
| From—                        | To—                              | Via                                  |                          |   |
| El Dorado VORTAC, R 340° CW  | El Dorado VORTAC, R 051° (NOPT). | 10-mile arc ELD, R 041° lead radial. | 1800                     | Climb to 1800' on ELD VORTAC, R 230° within 20 miles.               |
| El Dorado VORTAC, R 139° CCW | El Dorado VORTAC, R 051° (NOPT). | 10-mile arc ELD, R 061° lead radial. | 1800                     | Supplementary charting information: Runway 22, TDZ elevation, 250'. |
| Hampton Int.                 | El Dorado VORTAC (NOPT)          | Direct                               | 1800                     |   |

Procedure turn N side of ers, 061° Outbd, 231° Inbd, 1600' within 10 miles of ELD VORTAC, FAF, ELD VORTAC. Final approach ers, 231°. Distance FAF to MAP, 3.7 miles.  
Minimum altitude over ELD VORTAC, 1300'.  
MSA: 000°-090°-1700'; 090°-180°-2500'; 180°-360°-1800'.

## DAY AND NIGHT MINIMUMS

| Cond. | A         |     |     | B                          |     |     | C                       |     |     | D   |     |     |
|-------|-----------|-----|-----|----------------------------|-----|-----|-------------------------|-----|-----|-----|-----|-----|
|       | MDA       | VIS | HAT | MDA                        | VIS | HAT | MDA                     | VIS | HAT | MDA | VIS | HAT |
| S-23  | 600       | 1   | 410 | 600                        | 1   | 410 | 600                     | 1   | 410 | 600 | 1   | 410 |
|       | MDA       | VIS | HAA | MDA                        | VIS | HAA | MDA                     | VIS | HAA | MDA | VIS | HAA |
|       | 700       | 1   | 423 | 740                        | 1   | 463 | 740                     | 1½  | 463 | 840 | 2   | 563 |
| A     | Standard. |     |     | T 2-eng. or less—Standard. |     |     | T over 2-eng.—Standard. |     |     |     |     |     |

City, El Dorado; State, Ark.; Airport name, Goodwin Field; Elev., 277'; Fac. Ident., ELD; Procedure No. VOR Runway 22, Amdt. 6; Eff. date, 7 May 70; Sup. Amdt. No. 8; Dated, 28 Mar. 68

| Terminal routes |     |     | Minimum altitudes (feet) | Missed approach<br>MAP: 10.1 miles after passing HKY VOR.   |
|-----------------|-----|-----|--------------------------|---|
| From—           | To— | Via |                          |   |
|                 |     |     |                          | Climbing right turn to 4000' direct to HKY VOR and hold.<br>Supplementary charting information: Hold NE, 1 minute, right turn, 240° Inbd. REIL, Runway 24. Runway 24, TDZ elevation, 1180'. |

Procedure turn S side of ers, 060° Outbd, 240° Inbd, 3000' within 10 miles of HKY VOR. FAF, HKY VOR. Final approach ers, 224°. Distance FAF to MAP, 10.1 miles.  
Minimum altitude over HKY VOR, 3000'; over Taylorsville FM, 2400'.  
MSA: 000°-090°-4400'; 090°-180°-4000'; 180°-270°-4100'; 270°-360°-5700'.  
\*Categories A and B 1300-2, Category C 1300-24.  
#Runway 11, 600-L.  
%Runway 6, climb on runway heading to 1600' MSL before making right turn.

## DAY AND NIGHT MINIMUMS

| Cond. | A       |     |      | B                             |     |      | C                          |     |      | D   |  |
|-------|---------|-----|------|-------------------------------|-----|------|----------------------------|-----|------|-----|--|
|       | MDA     | VIS | HAT  | MDA                           | VIS | HAT  | MDA                        | VIS | HAT  | VIS |  |
| S-24  | 2400    | 1¼  | 1211 | 2400                          | 2   | 1211 | 2400                       | 2¼  | 1211 | NA  |  |
|       | MDA     | VIS | HAA  | MDA                           | VIS | HAA  | MDA                        | VIS | HAA  |     |  |
| C     | 2400    | 1¼  | 1211 | 2400                          | 2   | 1211 | 2400                       | 2¼  | 1211 | NA  |  |
|       | VOR/FM: |     |      |                               |     |      |                            |     |      |     |  |
|       | MDA     | VIS | HAT  | MDA                           | VIS | HAT  | MDA                        | VIS | HAT  |     |  |
| S-24  | 1560    | 1   | 371  | 1660                          | 1   | 371  | 1560                       | 1   | 371  | NA  |  |
|       | MDA     | VIS | HAA  | MDA                           | VIS | HAA  | MDA                        | VIS | HAA  |     |  |
| C     | 1640    | 1   | 451  | 1640                          | 1   | 451  | 1640                       | 1½  | 451  | NA  |  |
| A     | (*)     |     |      | T 2-eng. or less—Standard. #% |     |      | T over 2-eng.—Standard. #% |     |      |     |  |

City, Hickory; State, N.C.; Airport name, Hickory Municipal; Elev., 1189'; Fac. Ident., HKY; Procedure No. VOR Runway 24, Amdt. 12; Eff. date, 7 May 70; Sup. Amdt. No. 11; Dated, 2 Oct. 69



STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

| Terminal routes |     |     | Minimum altitudes (feet) | Missed approach  |
|-----------------|-----|-----|--------------------------|--|
| From—           | To— | Via |                          |  |
|                 |     |     |                          | MAP: 5 miles after passing UKIVORTAC.  |
|                 |     |     |                          | Climbing left turn to 6000' via R 030° to UKI VORTAC and hold.*<br>Supplementary charting information:<br>*Hold 8, right turns, 1 minute, 030° Inbnd, FAC intercepts midpoint of Runways 15/33.<br>Chart 5-mile DME at MAP.<br>Chart VFR track MAP to airport. |

Procedure turn E side of crs, 200° Outbnd, 020° Inbnd, 5000' within 10 miles of Ukliah VORTAC.  
FAF, UKI VORTAC. Final approach crs 020°. Distance FAF to MAP, 5 miles.  
Minimum altitude over UKI VORTAC, 5000'.  
MSA: 070°-160°-5800'; 160°-340°-4500'; 340°-070°-7200'.  
%IFR departure procedures: Remain E of extended runway centerline and climb visually to cross the airport at or above 3000'. Continue climb northbound on UKI VORTAC R 020° to 4000', reverse crs to left, climbing to 6000' to UKI VORTAC on R 020°.  
#Circling not authorized W of airport.

DAY AND NIGHT MINIMUMS

| Category | A    |     |      | B    |     |      | C    |     |      | D    |     |      |
|----------|------|-----|------|------|-----|------|------|-----|------|------|-----|------|
|          | MDA  | VIS | HAA  | MDA  | VIS | HAA  | MDA  | VIS | HAA  | MDA  | VIS | HAA  |
| Cf.....  | 3500 | 3   | 2885 | 3500 | 3   | 2885 | 3500 | 3   | 2885 | 3500 | 3   | 2885 |

Takeoff 3 miles.% Alternate-3500-3.

City, Ukliah; State, Calif.; Airport name, Ukliah Municipal; Elev., 615'; Fac. Ident., UKI; Procedure No. VOR-1, Amdt. 5; Eff. date, 7 May 70; Sup. Amdt. No. 4; Dated, 19 Mar. 70

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

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                  |                                 |                                     | Minimum altitudes (feet) | Missed approach   |
|----------------------------------|---------------------------------|-------------------------------------|--------------------------|---|
| From—                            | To—                             | Via                                 |                          |   |
| El Dorado VORTAC.....            | 8-mile DME Fix, R 225°          | Direct.....                         | 2000                     | Climb to 2000' direct ELD VORTAC and ELD VORTAC, R 027° within 15 miles. Supplementary charting information: Runway 4, TDZ elevation, 299'. |
| El Dorado VORTAC, R 130° CW..... | El Dorado VORTAC R 225° (NOPT). | 12-mile arc ELD R 219° lead radial. | 2000                     |   |

Procedure turn S side of crs, 225° Outbnd, 049° Inbnd, 2000' within 10 miles of 8-mile DME Fix.  
Final approach crs, 049°.  
Minimum altitude over 12-mile DME Fix, 2000'; over 8-mile DME Fix, 1300'.  
MSA: 000°-090°-1700'; 090°-180°-2500'; 180°-360°-1800'.

DAY AND NIGHT MINIMUMS

| Cond.    | A         |     |     | B                          |     |     | C                       |     |     | D   |     |     |
|----------|-----------|-----|-----|----------------------------|-----|-----|-------------------------|-----|-----|-----|-----|-----|
|          | MDA       | VIS | HAT | MDA                        | VIS | HAT | MDA                     | VIS | HAT | MDA | VIS | HAT |
| S-4..... | 700       | 1   | 441 | 700                        | 1   | 441 | 700                     | 1   | 441 | 700 | 1   | 441 |
|          | MDA       | VIS | HAA | MDA                        | VIS | HAA | MDA                     | VIS | HAA | MDA | VIS | HAA |
| C.....   | 700       | 1   | 423 | 740                        | 1   | 463 | 740                     | 1½  | 463 | 840 | 2   | 563 |
| A.....   | Standard. |     |     | T 2-eng. or less—Standard. |     |     | T over 2-eng.—Standard. |     |     |     |     |     |

City, El Dorado; State, Ark.; Airport name, Goodwin Field; Elev., 277'; Fac. Ident., ELD; Procedure No. VOR/DME Runway 4, Amdt. 2; Eff. date, 7 May 70; Sup. Amdt. No. 1; Dated, 30 May 68



## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

| Terminal routes        |                    |                 |                          | Missed approach                                  |  |
|------------------------|--------------------|-----------------|--------------------------|--|--|
| From—                  | To—                | Via             | Minimum altitudes (feet) | MAP: 14-mile DME Fix.                            |  |
| R 040°, JAN VORTAC CW  | R 155°, JAN VORTAC | 22-mile DME Arc | 2000                     | Climbing right turn to 2000' on R 129°           |  |
| R 264°, JAN VORTAC CCW | R 200°, JAN VORTAC | 22-mile DME Arc | 3400                     | JAN VORTAC to Rankin DME Int and hold.           |  |
| R 200°, JAN VORTAC CCW | R 155°, JAN VORTAC | 22-mile DME Arc | 2000                     | Supplementary charting information:              |  |
| 22-mile DME Arc        | 19-mile DME (NOPT) | R 155°          | 2000                     | Hold SE within 4 miles, right turns, 300° Inbnd. |  |
|                        |                    |                 |                          | HIRLS all runways.                               |  |
|                        |                    |                 |                          | Runway 33L, TDZ elevation, 327'.                 |  |

Procedure turn E side of crs, 155° Outbnd, 335° Inbnd, 2000' within 10 miles of 19-mile DME Fix, R 155°.  
 Final approach crs, 335°.  
 Minimum altitude over 19-mile DME Fix, 2000'.  
 MSA: 000°-090°-1700'; 090°-180°-2000'; 180°-270°-3400'; 270°-360°-1700'.  
 NOTE: ASR.

## DAY AND NIGHT MINIMUMS

| Cond. | A         |     |     | B   |     |     | C  |       |     | D   |     |     |
|-------|-----------|-----|-----|---|-----|-----|--|-------|-----|-----|-----|-----|
|       | MDA       | VIS | HAT | MDA   | VIS | HAT | MDA  | VIS   | HAT | MDA | VIS | HAT |
| S-33L | 740       | 3/4 | 413 | 740   | 3/4 | 413 | 740  | 3/4   | 413 | 740 | 1   | 413 |
|       | MDA       | VIS | HAA | MDA   | VIS | HAA | MDA  | VIS   | HAA | MDA | VIS | HAA |
| C     | 780       | 1   | 435 | 800   | 1   | 455 | 800  | 1 1/2 | 455 | 900 | 2   | 555 |
| A     | Standard. |     |     | T 2-eng. or less—RVR 24', Runway 15L; Standard all other Runways. |     |     | T over 2-eng.—RVR 24', Runway 15L; Standard all other Runways. |       |     |     |     |     |

City, Jackson; State, Miss.; Airport name, Allen C. Thompson Field; Elev., 345'; Fac. Ident., JAN; Procedure No. VOR/DME Runway 33L, Amdt. 5; Eff. date, 7 May 70; Sup. Amdt. No. 4; Dated, 8 Jan. 70

| Terminal routes        |                    |                 |                          | Missed approach                                  |  |
|------------------------|--------------------|-----------------|--------------------------|--|--|
| From—                  | To—                | Via             | Minimum altitudes (feet) | MAP: 13.5-mile DME Fix.                          |  |
| R 040°, JAN VORTAC CW  | R 152°, JAN VORTAC | 22-mile DME Arc | 2000                     | Climbing right turn to 2000' on R 129° JAN       |  |
| R 264°, JAN VORTAC CCW | R 200°, JAN VORTAC | 22-mile DME Arc | 3400                     | VORTAC to Rankin DME Int and hold.               |  |
| R 200°, JAN VORTAC CCW | R 152°, JAN VORTAC | 22-mile DME Arc | 2000                     | Supplementary charting information:              |  |
| 22-mile DME Arc        | 19-mile DME (NOPT) | R 152°          | 2000                     | Hold SE within 4 miles, right turns, 300° Inbnd. |  |
|                        |                    |                 |                          | HIRLS all runways.                               |  |
|                        |                    |                 |                          | Runway 33R, TDZ elevation, 345'.                 |  |

Procedure turn E side of crs, 152° Outbnd, 332° Inbnd, 2000' within 10 miles of 19-mile DME Fix, R 152°.  
 Final approach crs, 332°.  
 Minimum altitude over 19-mile DME Fix, 2000'.  
 MSA: 000°-090°-1700'; 090°-180°-2000'; 180°-270°-3400'; 270°-360°-1700'.  
 NOTE: ASR.

## DAY AND NIGHT MINIMUMS

| Cond. | A         |     |     | B   |     |     | C  |       |     | D   |     |     |
|-------|-----------|-----|-----|---|-----|-----|--|-------|-----|-----|-----|-----|
|       | MDA       | VIS | HAT | MDA   | VIS | HAT | MDA  | VIS   | HAT | MDA | VIS | HAT |
| S-33R | 740       | 3/4 | 395 | 740   | 3/4 | 395 | 740  | 3/4   | 395 | 740 | 1   | 395 |
|       | MDA       | VIS | HAA | MDA   | VIS | HAA | MDA  | VIS   | HAA | MDA | VIS | HAA |
| C     | 780       | 1   | 435 | 800   | 1   | 455 | 800  | 1 1/2 | 455 | 900 | 2   | 555 |
| A     | Standard. |     |     | T 2-eng. or less—RVR 24', Runway 15L; Standard all other runways. |     |     | T over 2-eng.—RVR 24', Runway 15L; Standard all other runways. |       |     |     |     |     |

City, Jackson; State, Miss.; Airport name, Allen C. Thompson Field; Elev., 345'; Fac. Ident., JAN; Procedure No. VOR/DME Runway 33R, Amdt. 7; Eff. date, 7 May 70; Sup. Amdt. No. 6; Dated, 8 Jan. 70



STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

| Terminal routes             |                                     |                  | Missed approach          |  |
|-----------------------------|-------------------------------------|------------------|--------------------------|--|
| From—                       | To—                                 | Via              | Minimum altitudes (feet) | MAP: 20.7-mile DME Fix.  |
| R 047°, CAP VORTAC CW.....  | R 036°, CAP VORTAC (NOPT)....       | 10-mile Arc..... | 2300                     | Climbing left turn to 3300' to intercept CAP VORTAC, R 032°, proceed to Gilbert Int. |
| R 100°, CAP VORTAC CCW..... | R 036°, CAP VORTAC (NOPT)....       | 10-mile Arc..... | 2300                     |  |
| CAP VORTAC.....             | Broadwell Int (15-mile DME) (NOPT). | CAP R 036°.....  | 2300                     |  |

Procedure turn not authorized. Four-mile holding pattern, SW of Broadwell Int (15-mile DME), 030° Inbnd, right turns, 2300'.  
 Final approach crs, 036°.  
 Minimum altitude over Broadwell Int (15-mile DME), 2300'.  
 MSA: 000°-000°-2300'; 060°-180°-2000'; 180°-270°-2100'; 270°-360°-2000'.  
 NOTE: Use Capital, Ill., airport altimeter setting.

DAY AND NIGHT MINIMUMS

| Cond.    | A               |     |     | B                          |     |     | C                       |     |     | D   |
|----------|-----------------|-----|-----|----------------------------|-----|-----|-------------------------|-----|-----|-----|
|          | MDA             | VIS | HAT | MDA                        | VIS | HAT | MDA                     | VIS | HAT | VIS |
| S-3..... | 1200            | 1   | 605 | 1200                       | 1½  | 605 | 1200                    | 1½  | 605 | NA  |
| C.....   | 1200            | 1   | 605 | 1200                       | 1½  | 605 | 1200                    | 1½  | 605 | NA  |
| A.....   | Not authorized. |     |     | T 2-eng. or less—Standard. |     |     | T over 2-eng.—Standard. |     |     |     |

City, Lincoln; State, Ill.; Airport name, Logan County; Elev., 560'; Fac. Ident., CAP; Procedure No. VOR/DME Runway 3, Amdt. 1; Eff. date, 7 May 70; Sup. Amdt. No. Orig.; Dated, 13 Nov. 69

| Terminal routes          |                      |                                      | Missed approach          |  |
|--------------------------|----------------------|--------------------------------------|--------------------------|--|
| From—                    | To—                  | Via                                  | Minimum altitudes (feet) | MAP: 26.7-mile DME TBD VOR, R 270°.                      |
| TBD VORTAC.....          | 16-mile DME.....     | R 270°.....                          | 1500                     | Climb to 1500', left turn, direct to TBD VOR via R 263°. |
| R 290°, TBD VOR CCW..... | R 270°, TBD VOR..... | 16-mile Arc TBD, R 277° lead radial. | 1500                     |  |
| R 263°, TBD VOR CW.....  | R 270°, TBD VOR..... | 16-mile Arc TBD, R 263° lead radial. | 1500                     |  |

Procedure turn not authorized. Approach crs (profile) starts at 16-mile DME TBD R 270°.  
 Final approach crs, 270°.  
 Minimum altitude over 16-mile DME R 270°, 1500'; over 21-mile DME R 270°, 1800'.  
 MSA: 000°-300°-1500'.  
 NOTE: Use Lafayette altimeter setting when Patterson altimeter not available.  
 CAUTION: Seaplane slip 5/23, 4000' x 100' located 1000' SE of runway with green edge lighting and white threshold lights.

DAY AND NIGHT MINIMUMS

| Cond.  | A               |     |     | B                          |     |     | C                       |     |     | D   |
|--------|-----------------|-----|-----|----------------------------|-----|-----|-------------------------|-----|-----|-----|
|        | MDA             | VIS | HAA | MDA                        | VIS | HAA | MDA                     | VIS | HAA | VIS |
| C..... | 700             | 1   | 691 | 700                        | 1   | 691 | 700                     | 1½  | 691 | NA  |
| A..... | Not authorized. |     |     | T 2-eng. or less—Standard. |     |     | T over 2-eng.—Standard. |     |     |     |

City, Patterson; State, La.; Airport name, Williams Memorial; Elev., 9'; Fac. Ident., TBD; Procedure No. VOR/DME-1, Amdt. 1; Eff. date, 7 May 70; Sup. Amdt. No. Orig.; Dated, 8 Jan. 70

| Terminal routes            |                                |                                      | Missed approach          |   |
|----------------------------|--------------------------------|--------------------------------------|--------------------------|---|
| From—                      | To—                            | Via                                  | Minimum altitudes (feet) | MAP: 23.8-mile DME CRP, R 054°.   |
| CRP VORTAC.....            | Wendell DME Fix (NOPT).....    | R 054° CRP.....                      | 1600                     | Climb to 1600' left turn to R 045°, CRP VORTAC to Copano Int. Supplementary charting information: MIRL on Runways 14-32 only. |
| R 030°, CRP VORTAC CW..... | R 054°, CRP VORTAC (NOPT)..... | 10-mile arc CRP, R 043° lead radial. | 1600                     |   |

Procedure turn not authorized.  
 FAF, Wendell 18-mile DME Fix. Final approach crs, 054°. Distance FAF to MAP, 5.8 miles.  
 Minimum altitude over Wendell 18-mile DME Fix, R 054°, 1600'.  
 MSA: 000°-360°-2100'.  
 NOTES: (1) Radar vectoring. (2) Use Corpus Christi altimeter setting when Aransas County altimeter setting not available.  
 \*Circling MDA increased 140' when Aransas County altimeter setting not received.

DAY AND NIGHT MINIMUMS

| Cond.  | A               |     |     | B   |     |     | C  |     |     | D   |
|--------|-----------------|-----|-----|---|-----|-----|--|-----|-----|-----|
|        | MDA             | VIS | HAA | MDA   | VIS | HAA | MDA  | VIS | HAA | VIS |
| C..... | 420             | 1   | 395 | 480   | 1   | 455 | 480  | 1½  | 455 | NA  |
| A..... | Not authorized. |     |     | T 2-eng. or less—Standard MIRL, Runways 14-32 only. |     |     | T over 2-eng.—Standard MIRL, Runways 14-32 only. |     |     |     |

City Rockport; State, Tex.; Airport name, Aransas County; Elev., 20'; Fac. Ident., CRP; Procedure No. VOR/DME-1, Amdt. 1; Eff. date, 7 May 70; Sup. Amdt. No. Orig.; Dated, 4 Apr. 68



## RULES AND REGULATIONS

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

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

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: 13.5-mile DME Fix.  |
| R 049°, JAN VORTAC CW  | 153° crs I-JAN LOC     | 22-mile DME Arc JAN<br>R 147° lead radial.  | 2000                     | Climbing right turn to 2000' on R 129° JAN VORTAC within 15 miles. |
| R 264°, JAN VORTAC CCW | R 200°, JAN VORTAC     | 22-mile DME Arc                             | 3400                     | Supplementary charting information:                                |
| R 200°, JAN VORTAC CCW | 153° crs I-JAN LOC     | 22-mile DME Arc JAN R.<br>157° lead radial. | 2000                     | HIRLs all runways.   |
| 22-mile DME Arc        | 19-mile DME Fix (NOPT) | LOC crs                                     | 1900                     | Runway 33R, TDZ elevation, 349'                                    |

Procedure turn E side of crs, 153° Outbd, 333° Inbd, 2000' within 10 miles of 19-mile DME.

Final approach crs, 333°.

Minimum altitude over 19-mile DME, 1900'.

Notes: (1) ASR. (2) DME or Radar required. (3) Localizer front crs and back crs unusable beyond 35° each side of centerline.

## DAY AND NIGHT MINIMUMS

| Cond. | A         |     |     | B   |     |     | C  |     |     | D   |     |     |
|-------|-----------|-----|-----|---|-----|-----|--|-----|-----|-----|-----|-----|
|       | MDA       | VIS | HAT | MDA   | VIS | HAT | MDA  | VIS | HAT | MDA | VIS | HAT |
| S-33R | 700       | ¾   | 355 | 700   | ¾   | 355 | 700  | ¾   | 356 | 700 | 1   | 355 |
| C     | 780       | 1   | 435 | 800   | 1   | 455 | 800  | 1½  | 455 | 900 | 2   | 555 |
| A     | Standard. |     |     | T 2-eng. or less—RVR 24', Runway 15L; Standard all other runways. |     |     | T over 2-eng.—RVR 24', Runway 15L; Standard all other runways. |     |     |     |     |     |

City, Jackson; State, Miss.; Airport name, Allen C. Thompson Field; Elev., 345'; Fac. Ident., I-JAN; Procedure No. LOC (BC) Runway 33R, Amdt. 3; Eff. date, 7 May 70; Sup. Amdt. No. 2; Dated, 6 Mar. 69

| Terminal routes |                 |        | Missed approach          |  |
|-----------------|-----------------|--------|--------------------------|--|
| From—           | To—             | Via    | Minimum altitudes (feet) | MAP: 4.9 miles after passing Surf Int.     |
| Westlake Int.   | Snapper Int.    | Direct | 3000                     | Climb to 4000' via LOC crs and LAX         |
| LAX VOR         | Surf Int.       | Direct | 2000                     | R 046° to Stadium Int and hold.*           |
| Snapper Int.    | Surf Int (NOPT) | Direct | 1600                     | Supplementary charting information:        |
|                 |                 |        |                          | *Hold SW, 1 minute, right turn, 046° Inbd. |
|                 |                 |        |                          | Chart I-OSS 1.3-mile DME at MAP.           |
|                 |                 |        |                          | Runway 6 L/R, TDZ elevation, 115'.         |

Procedure turn S side of crs, 248° Outbd, 068° Inbd, 2000' within 10 miles of Surf Int.

FAF, Surf Int. Final approach crs, 068°. Distance FAF to MAP, 4.9 miles.

Minimum altitude over Surf Int, 1600'.

MSA: Not Authorized.

Notes: (1) ASR/PAR. (2) DME should not be used to determine aircraft position over runway threshold or runway touchdown point. (3) Inoperative table does not apply to HIRL Runway 6 L/R and REIL Runway 6R.

% IFR departure procedures: Northbound (280° CW through 060°) published SID's must be used or be radar vectored.

# Runways 6 L/R, 7R, RVR 50'; Runways 24 L/R, RVR 40'; Runways 25 L/R, 7L, RVR 24'.

## DAY AND NIGHT MINIMUMS

| Cond. | A         |        |     | B   |        |     | C   |        |     | D   |        |     |
|-------|-----------|--------|-----|---|--------|-----|---|--------|-----|-----|--------|-----|
|       | MDA       | VIS    | HAT | MDA   | VIS    | HAT | MDA   | VIS    | HAT | MDA | VIS    | HAT |
| S-6L  | 440       | RVR 50 | 325 | 440   | RVR 50 | 325 | 440   | RVR 50 | 325 | 440 | RVR 50 | 325 |
| S-6R  | 640       | RVR 50 | 525 | 640   | RVR 50 | 525 | 640   | RVR 50 | 525 | 680 | RVR 60 | 553 |
| C     | 640       | 1      | 514 | 640   | 1      | 514 | 640   | 1½     | 514 | 680 | 2      | 554 |
| A     | Standard. |        |     | T 2-eng. or less—Runway 8/26, Standard. % # |        |     | T over 2-eng.—Runway 8/26, Standard; all other runways RVR 24'. % |        |     |     |        |     |

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 126'; Fac. Ident., I-OSS; Procedure No. LOC (BC) Runway 6L, Amdt. 2; Eff. date, 7 May 70; Sup. Amdt. No. 1; Dated, 22 Jan. 70



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

Islip, N.Y.—Long Island-MacArthur, LOC (BC) Runway 24, Amdt. 4, effective 15 Aug. 1968, canceled, effective 16 Apr. 1970.

9. 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: Patterson NDB.  |  |
| TBD VOR.....    | PTN NDB..... | Direct..... | 1500                     | Climb to 1500', right turn, direct to TBD VOR via R 263°.  |  |
| Efeh Int.....   | PTN NDB..... | Direct..... | 1500                     | Supplementary charting information:<br>Lighted seaplane slip 4000' by 100' approximately 1000' SE of, and parallel to, runway. |  |
| Helen Int.....  | PTN NDB..... | Direct..... | 1500                     | Slip edge lighting, green lights with white threshold lights.  |  |

Procedure turn E side of crs, 227° Outbd, 047° Inbd, 1500' within 10 miles of PTN NDB.

Final approach crs 047°.

MSA: 000°-360°-1500'.

NOTE: Use Lafayette altimeter setting when Patterson altimeter not available. MDA increased 200' when Patterson altimeter setting not available.

CAUTION: Seaplane slip 523, 4000' by 100' located 1000' SE of runway with green edge lighting and white threshold lights.

DAY AND NIGHT MINIMUMS

| Category | A   |     |     | B   |     |     | C   |     |     | D   |     |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
|          | MDA | VIS | HAT | MDA | VIS | HAT | MDA | VIS | HAT | MDA | VIS |
| B-5..... | 560 | 1   | 551 | 560 | 1   | 551 | 550 | 1   | 551 |     | NA  |
| C.....   | 560 | 1   | 551 | 560 | 1   | 551 | 620 | 1½  | 611 |     | NA  |

Takeoff Standard. Alternate—Not authorized.

City, Patterson; State, La.; Airport name, Williams Memorial; Elev., 9'; Fac. Ident., PTN; Procedure No. NDB (ADF) Runway 5, Amdt. Orig.; Eff. date, 7 May 70

10. 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: 3.1 miles after passing BAK NDB.  |  |
| Hepe Int.....   | BAK NDB..... | Direct..... | 2300                     | Climbing right turn to 2300' direct to BAK NDB.<br>Supplementary charting information:<br>Secondary area of procedure turn penetrates R-3401. Depict penetrated area on chart. |  |

Procedure turn N side of crs, 043° Outbd, 223° Inbd, 2300' within 10 miles of BAK NDB.

FAF, BAK NDB. Final approach crs, 223°. Distance FAF to MAP, 3.1 miles.

Minimum altitude over BAK NDB, 1500'.

MSA: 000°-270°-2300'; 270°-360°-3100'.

Notes: (1) Radar vectoring. (2) Use Indianapolis (Weir Cook) altimeter setting.

DAY AND NIGHT MINIMUMS

| Cond.     | A               |     |     | B                          |     |     | C                       |     |     | D    |     |     |
|-----------|-----------------|-----|-----|----------------------------|-----|-----|-------------------------|-----|-----|------|-----|-----|
|           | MDA             | VIS | HAT | MDA                        | VIS | HAT | MDA                     | VIS | HAT | MDA  | VIS | HAT |
| B-27..... | 1260            | 1   | 604 | 1260                       | 1   | 604 | 1260                    | 1   | 604 | 1260 | 1½  | 604 |
| C.....    | 1260            | 1   | 604 | 1260                       | 1   | 604 | 1260                    | 1½  | 604 | 1260 | 2   | 604 |
| A.....    | Not authorized. |     |     | T 2-eng. or less—Standard. |     |     | T over 2-eng.—Standard. |     |     |      |     |     |

City, Columbus; State, Ind.; Airport name, Bakalar AFB/Bakalar Municipal; Elev., 656'; Fac. Ident., BAK; Procedure No. NDB (ADF) Runway 22, Amdt. 1; Eff. date, 7 May 70; Sup. Amdt. No. Orig.; Dated, 24 July 69



## 11. By amending § 97.29 of Subpart C to amend instrument landing system (ILS) procedures as follows:

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

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—            | Vis    | Minimum altitudes (feet) | MAP: ILS DH 220'; LOC 4 miles after passing OM.   |
| Cougar Int.     | SVY NDB        | Direct | 4000                     | Climb to 3400' direct to Lake (IA) LOM and hold. When directed by ATC, climb  |
| Oswego Int.     | SVY NDB        | Direct | 4000                     | straight ahead to 400', turn left, continue   |
| PDX VORTAC      | SVY NDB        | Direct | 3400                     | climb to 4000', direct to PDX VORTAC  |
| URG VORTAC      | SVY NDB        | Direct | 3700                     | and hold. 5   |
| Scappoose Int.  | SVY NDB (NOPT) | Direct | 3300                     | Supplementary charting information:<br>\$Hold E, 1 minute, left turn, 278° Inbd.<br>Runway 10R, TDZ elevation, 30'. |

Procedure turn-S side of crs, 278° Outbd, 098° Inbd, 3400' within 10 miles of SVY NDB.

FAF, OM, Final approach crs, 098°. Distance FAF to MAP, 4 miles.

Minimum altitude over OM, 1371'.

Minimum glide slope interception altitude, 3200'. Glide slope altitude at SVY NDB, 3111'; at OM, 1371'; at MM, 289'.

Distance to runway threshold at SVY NDB, 9.5 miles; at OM, 4 miles; at MM, 0.6 mile.

MSA: 000°-090°-5400'; 090°-180°-3300'; 180°-270°-4700'; 270°-360°-4000'

Note: ASR/PAR.

%IFR departure procedures: Climb direct to PDX VORTAC. Continue climb on R 329° PDX VORTAC within 10 miles to cross PDX VORTAC at or above: north-eastbound V448, 5300'; northeastbound V488, 2600'; eastbound V112, 2900'.

\*Categories A, B, C, 700-2; Category D, 1000-2; Category E, 1100-2/4.

## DAY AND NIGHT MINIMUMS

| Cond. | A                    |   |      | B   |  |     | C   |        |     | D   |        |     |
|-------|----------------------|---|------|-----|--|-----|-----|--------|-----|-----|--------|-----|
|       | DH                   | VIS   | HAT  | DH  | VIS  | HAT | DH  | VIS    | HAT | DH  | VIS    | HAT |
| S-10R | 220                  | RVR 24  | 200  | 220 | RVR 24   | 200 | 220 | RVR 24 | 200 | 220 | RVR 24 | 200 |
| LOC:  | MDA                  | VIS   | HAT  | MDA | VIS  | HAT | MDA | VIS    | HAT | MDA | VIS    | HAT |
| S-10R | 500                  | RVR 24  | 480  | 500 | RVR 24   | 480 | 500 | RVR 24 | 480 | 500 | RVR 24 | 480 |
|       | MDA                  | VIS   | HAA  | MDA | VIS  | HAA | MDA | VIS    | HAA | MDA | VIS    | HAA |
| C     | 700                  | 1   | 674  | 720 | 1  | 694 | 720 | 1 1/4  | 694 | 980 | 2      | 664 |
|       | Category E Aircraft: |   |      |     |  |     |     |        |     |     |        |     |
|       | DH                   | VIS   | HAT  |     |  |     |     |        |     |     |        |     |
| S-10R | 220                  | RVR 24  | 200  |     |  |     |     |        |     |     |        |     |
| LOC:  | MDA                  | VIS   | HAT  |     |  |     |     |        |     |     |        |     |
| S-10R | 500                  | RVR 40  | 480  |     |  |     |     |        |     |     |        |     |
|       | MDA                  | VIS   | HAA  |     |  |     |     |        |     |     |        |     |
| C     | 1040                 | 2 1/4   | 1014 |     |  |     |     |        |     |     |        |     |
| A     | (*)                  | T 2-eng. or less—Runway 2/20, 700-1; Runways 10L/28L, |      |     | T over 2-eng.—Runway 2/20, 700-1; Runways 10L/28L, |     |     |        |     |     |        |     |
|       |                      | Standard; Runways 10R/28R, RVR 24.%                   |      |     | Standard; Runways 10R/28R, RVR 24.%                |     |     |        |     |     |        |     |

City, Portland; State, Oreg.; Airport name, Portland International; Elev., 28'; Fac. Ident., I-PDX; Procedure No. ILS Runway 10R, Amdt. 19; Eff. date, 7 May 70.  
Sup. Amdt. No. 18; Dated, 5 Mar. 70

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

| Terminal routes              |                             |   |                          | Missed approach  |  |
|------------------------------|-----------------------------|---|--------------------------|--|--|
| From—                        | To—                         | Via   | Minimum altitudes (feet) | MAP: ILS DH, 574'; LOC 5.7 miles after passing NZJ OM.   |  |
| OCN VOR 301/15-mile DME..... | I-NZJ OM.....               | OCN R-301 and I-NZJ LOC<br>8 crs 9.3 miles. | 2200                     | Climb straight ahead to 750', then climbing left turn to 2500' heading 180° and NZJ VOR R 200° within 10 miles.<br>Supplementary charting information: Correct 1194' obstruction to 1183'.<br>Chart Category E minimums on JAL procedures.<br>Runway 34R, TDZ elevation, 324'. |  |
| SLI VOR.....                 | SLI R 150°/24-mile DME..... | Direct.....                                 | 2500                     |  |  |
| R 180°, SLI VOR CCW.....     | R 122° SLI VOR.....         | 24-mile DME Arc.....                        | 2500                     |  |  |
| 24-mile Arc.....             | I-NZJ OM.....               | Direct.....                                 | 2200                     |  |  |

Procedure turn not authorized. Approach crs (profile) starts at NZJ OM.  
 FAF, OM, Final approach crs, 345°. Distance FAF to MAP, 5.7 miles.  
 Minimum altitude over NZJ OM, 2200'; over SNA R 103°, 1140'.  
 Minimum glide slope interception altitude, 2200'. Glide slope altitude at OM, 2200'; at MM, 515'.  
 Distance to runway threshold at OM, 5.7 miles; at MM, 0.5 miles.  
 NOTES: (1) ASR/PAR. (2) Inoperative table does not apply to HIRL and ALS Runway 34R. (3) Prior permission required. (4) Glide slope unusable below 435' MSL. (5) Auto-pilot coupled approaches not authorized below 485' MSL.  
 % West IFR departures: 800-1 takeoff all runways except 25L/R. Climb heading 200° to V-23 then direct SLI VOR.  
 % South IFR departures: 800-1 takeoff all runways except 16L/R. Climb southbound on LOC crs to V-23.  
 CAUTION: High terrain N clockwise through SW of airport.  
 \*Categories A, B, 800-2; Category C, 900-2; Category D, 1100-2; Category E, 1700-2.

DAY AND NIGHT MINIMUMS

| Cond.                   | A    |     |      | B                   |     |     | C    |                  |     | D    |     |      |
|-------------------------|------|-----|------|---------------------|-----|-----|------|------------------|-----|------|-----|------|
|                         | DH   | VIS | HAT  | DH                  | VIS | HAT | DH   | VIS              | HAT | DH   | VIS | HAT  |
| 8-34R.....              | 574  | 3/4 | 250  | 574                 | 3/4 | 250 | 574  | 3/4              | 250 | 574  | 3/4 | 250  |
| Localizer:              |      |     |      |                     |     |     |      |                  |     |      |     |      |
|                         | MDA  | VIS | HAT  | MDA                 | VIS | HAT | MDA  | VIS              | HAT | MDA  | VIS | HAT  |
| 8-34R.....              | 1140 | 1/4 | 816  | 1140                | 1/4 | 816 | 1140 | 1/4              | 816 | 1140 | 1/4 | 816  |
|                         | MDA  | VIS | HAA  | MDA                 | VIS | HAA | MDA  | VIS              | HAA | MDA  | VIS | HAA  |
| C.....                  | 1140 | 1/4 | 757  | 1140                | 1/4 | 757 | 1200 | 1/4              | 877 | 1480 | 2   | 1097 |
| Localizer/VOR minimums: |      |     |      |                     |     |     |      |                  |     |      |     |      |
| 8-34R.....              | 600  | 1   | 336  | 600                 | 1   | 336 | 600  | 1                | 336 | 600  | 1   | 336  |
| Category E:             |      |     |      |                     |     |     |      |                  |     |      |     |      |
|                         | DH   | VIS | HAT  |                     |     |     |      |                  |     |      |     |      |
| 8-34R.....              | 574  | 5/8 | 250  |                     |     |     |      |                  |     |      |     |      |
| Localizer:              |      |     |      |                     |     |     |      |                  |     |      |     |      |
|                         | MDA  | VIS | HAT  |                     |     |     |      |                  |     |      |     |      |
| 8-34R.....              | 1140 | 1/4 | 816  |                     |     |     |      |                  |     |      |     |      |
|                         | MDA  | VIS | HAA  |                     |     |     |      |                  |     |      |     |      |
| C.....                  | 2080 | 2   | 1097 |                     |     |     |      |                  |     |      |     |      |
| Localizer/VOR minimums: |      |     |      |                     |     |     |      |                  |     |      |     |      |
|                         | MDA  | VIS | HAT  |                     |     |     |      |                  |     |      |     |      |
| 8-34R.....              | 600  | 1   | 336  |                     |     |     |      |                  |     |      |     |      |
| A.....                  | (*)  |     |      | T 2-eng. or less—%. |     |     |      | T over 2-eng.—%. |     |      |     |      |

City, Santa Ana; State, Calif.; Airport name, El Toro MCAS; Elev., 383'; Fac. Ident., I-NZJ; Procedure No. ILS Runway 34R, Amdt. 1; Eff. date, 7 May 70; Sup. Amdt. No. Orig.; Dated, 6 Nov. 69



## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS/DME

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                    |   |                                     | Minimum altitudes (feet) | Missed approach<br>MAP: ILS DH 294', LOC 4.9 miles after passing FAF.            |
|------------------------------------|---|-------------------------------------|--------------------------|--|
| From—                              | To—                                       | Via                                 |                          |  |
| AWK VORTAC.....                    | 3.6 DME AWK VORTAC and W crs AWK LOC..... | AWK R 265°.....                     | 1500                     | Climb to 1500' on R 100° AWK VORTAC to 20-mile DME Fix and hold.                 |
| R 180°, AWK VORTAC CW.....         | W crs LOC (NOPT).....                     | 12-mile Arc R 268° lead radial..... | 1500                     | Supplementary charting information:  |
| R 360°, AWK VORTAC CCW.....        | W crs LOC (NOPT).....                     | 12-mile Arc R 287° lead radial..... | 1500                     | 3.6-mile DME Fix/AWK VORTAC R 265° intercepts the W crs of LOC.                  |
| 12-mile DME Arc and W crs LOC..... | 3.6-mile DME Fix.....                     | W crs LOC.....                      | 1500                     | Runway 10, TDZ elevation, 14'. Hold W between 16-20 DME, right turn, 100° Inbnd. |

Procedure turn 8 side of crs, 276° Outbnd, 096° Inbnd, 1500' within 10 miles of 3.6 DME AWK VORTAC and W crs AWK LOC.

FAF, 3.6 DME AWK VORTAC and W crs AWK LOC. Final approach crs, 096°. Distance FAF to MAP, 4.9 miles.

Minimum altitude over 3.6 DME AWK VORTAC and W crs AWK LOC, 1500'.

Minimum glide slope interception altitude, 1500'. Glide slope altitude at FAF, 1500'.

Distance to runway threshold at FAF, 4.9 miles.

MSA within 25 miles of AWK VORTAC: 000°-360°—1500'.

NOTE: No marker beacons; no approach lights.

\*LOC only minimums when ocean vessel at mooring buoy.

\*Also applies to Category E.

## DAY AND NIGHT MINIMUMS

| Cond.      | A         |     |                            | B   |     |     | C   |       |                         | D   |     |      |
|------------|-----------|-----|----------------------------|-----|-----|-----|-----|-------|-------------------------|-----|-----|------|
|            | DH        | VIS | HAT                        | DH  | VIS | HAT | DH  | VIS   | HAT                     | DH* | VIS | HAT* |
| S-10.....  | 264       | 1   | 250                        | 264 | 1   | 250 | 264 | 1     | 250                     | 264 | 1   | 250  |
| LOC:       | MDA       | VIS | HAT                        | MDA | VIS | HAT | MDA | VIS   | HAT                     | MDA | VIS | HAT  |
| S-10.....  | 340       | 1   | 320                        | 340 | 1   | 320 | 340 | 1     | 320                     | 340 | 1   | 320  |
| S-10#..... | 380       | 1   | 360                        | 380 | 1   | 360 | 380 | 1     | 360                     | 380 | 1   | 360  |
| C.....     | MDA       | VIS | HAA                        | MDA | VIS | HAA | MDA | VIS   | HAA                     | MDA | VIS | HAA  |
| A.....     | 420       | 1   | 400                        | 480 | 1   | 460 | 480 | 1 1/2 | 460                     | 580 | 2   | 560  |
|            | Standard. |     | T 2-eng. or less—Standard. |     |     |     |     |       | T over 2-eng.—Standard. |     |     |      |

Island, Wake Island; Airport name, Wake Island; Elev., 14'; Fac. Ident., I-AWK; Procedure No. ILS/DME Runway 10, Amdt. 8; Eff. date, 7 May 70; Sup. Amdt. No. 7 Dated, 19 Feb. 70

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 April 1, 1970.

R. S. SLIFF,

Acting Director, Flight Standards Service.

[F.R. Doc. 70-4372; Filed, Apr. 13, 1970; 8:45 a.m.]

## Title 7—AGRICULTURE

## Chapter III—Agricultural Research Service, Department of Agriculture

## PART 301—DOMESTIC QUARANTINE NOTICES

## Subpart—Cereal Leaf Beetle

## REGULATED AREAS

Under the authority of § 301.84-2 of the Cereal Leaf Beetle Quarantine regulations (7 CFR 301.84-2, as amended, 34 F.R. 12373), a supplemental regulation designating regulated areas is hereby issued to appear in 7 CFR 301.84-2a as follows:

## § 301.84-2a Regulated areas.

The civil divisions and parts of civil divisions described below are designated as cereal leaf beetle regulated areas within the meaning of the provisions in this subpart:

## ILLINOIS

*Champaign County.* The entire county.  
*Clark County.* Secs. 19, T. 12 N., R. 12 W.; and secs. 22, 23, and 24, T. 12 N., R. 13 W.

*Cook County.* Secs. 34, 35, and 36, T. 37 N., R. 11 E.; secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 36 N., R. 12 E.; secs. 31 and 32, T. 37 N., R. 12 E.; T. 35 N., R. 13 E.; T. 35 N., R. 14 E.; and secs. 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32, T. 35 N., R. 15 E.

*Douglas County.* Secs. 28 and 33, T. 16 N., R. 14 W.

*Edgar County.* The entire county.  
*Ford County.* Secs. 34, 35, and 36, T. 23 N., R. 8 E.; sec. 31, T. 23 N., R. 9 E.; secs. 6, 7, 18, and 19, T. 27 N., R. 9 E.; and secs. 28 and 33, T. 23 N., R. 14 W.

*Grundy County.* Secs. 22, 23, 24, 25, 26, 34, 35, and 36, T. 34 N., R. 7 E.; and secs. 19, 30, and 31, T. 34 N., R. 8 E.

*Iroquois County.* The entire county.  
*Kankakee County.* The entire county.

*Livingston County.* Secs. 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 24, T. 27 N., R. 8 E.; and secs. 8, 9, 10, 11, 14, 15, 16, 17, 20, 21, 22, and 23, T. 28 N., R. 8 E.

*McLean County.* Secs. 1 and 2, T. 21 N., R. 1 E.; secs. 23, 24, 25, 26, 35, and 36, T. 22 N.,

R. 1 E.; secs. 5 and 6, T. 21 N., R. 2 E.; and secs. 19, 20, 29, 30, 31, and 32, T. 22 N., R. 2 E.

*Moultrie County.* Secs. 2, 3, and 4, T. 13 N., R. 4 E.; secs. 21, 22, 23, 26, 27, 28, 33, 34, and 35, T. 14 N., R. 4 E.; sec. 11, T. 12 N., R. 5 E.; secs. 1, 2, 3, 10, 11, 12, 13, 14, and 15, T. 15 N., R. 5 E.; and secs. 6, 7, and 18, T. 15 N., R. 6 E.

*Piatt County.* Secs. 25, 26, 27, 34, 35, and 36, T. 16 N., R. 5 E.; secs. 12 and 13, T. 18 N., R. 5 E.; secs. 30 and 31, T. 16 N., R. 6 E.; T. 18 N., R. 6 E.; and T. 19 N., R. 6 E.

*Shelby County.* Secs. 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, T. 11 N., R. 4 E.; secs. 1, 2, 3, 10, 11, 12, 13, 14, and 15, T. 10 N., R. 5 E.; secs. 7, 8, 17, 18, 19, and 29, 30, 31, 32, 34, 35, and 36, T. 11 N., R. 5 E.; secs. 9, 10, 14, 15, 16, 21, 22, 23, 26, 27, and 28, T. 12 N., R. 5 E.; secs. 6, 7, and 18, T. 10 N., R. 6 E.; and secs. 31, T. 11 N., R. 6 E.

*Vermilion County.* The entire county.

*Will County.* Secs. 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 24, T. 36 N., R. 11 E.; T. 33 N., R. 12 E.; T. 34 N., R. 12 E.; T. 35 N., R. 12 E.; T. 33 N., R. 13 E.; T. 34 N., R. 13 E.; T. 33 N., R. 14 E.; T. 34 N., R. 14 E.; and secs. 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32, T. 33 N., R. 15 E.; and secs. 5, 6, 7, 8, 17,



18, 19, 20, 29, 30, 31, and 32, T. 34 N., R. 15 E.

INDIANA

The entire State.

KENTUCKY

Anderson County. The entire county.  
 Bath County. The entire county.  
 Boone County. The entire county.  
 Bourbon County. The entire county.  
 Boyd County. The entire county.  
 Boyle County. The entire county.  
 Bracken County. The entire county.  
 Breathitt County. The entire county.  
 Bullitt County. The entire county.  
 Campbell County. The entire county.  
 Carroll County. The entire county.  
 Carter County. The entire county.  
 Casey County. The entire county.  
 Clark County. The entire county.  
 Clay County. The entire county.  
 Elliott County. The entire county.  
 Estill County. The entire county.  
 Fayette County. The entire county.  
 Fleming County. The entire county.  
 Floyd County. The entire county.  
 Franklin County. The entire county.  
 Gallatin County. The entire county.  
 Garrard County. The entire county.  
 Grant County. The entire county.  
 Green County. The entire county.  
 Greenup County. The entire county.  
 Hardin County. The entire county.  
 Harrison County. The entire county.  
 Hart County. The entire county.  
 Henry County. The entire county.  
 Jackson County. The entire county.  
 Jefferson County. The entire county.  
 Jessamine County. The entire county.  
 Johnson County. The entire county.  
 Kenton County. The entire county.  
 Laclede County. The entire county.  
 Lawrence County. The entire county.  
 Lee County. The entire county.  
 Lewis County. The entire county.  
 Lincoln County. The entire county.  
 Madison County. The entire county.  
 Magoffin County. The entire county.  
 Marion County. The entire county.  
 Martin County. The entire county.  
 Mason County. The entire county.  
 Meade County. The entire county.  
 Menifee County. The entire county.  
 Mercer County. The entire county.  
 Montgomery County. The entire county.  
 Morgan County. The entire county.  
 Nelson County. The entire county.  
 Nicholas County. The entire county.  
 Oldham County. The entire county.  
 Owen County. The entire county.  
 Owsley County. The entire county.  
 Pendleton County. The entire county.  
 Powell County. The entire county.  
 Robertson County. The entire county.  
 Rockcastle County. The entire county.  
 Rowan County. The entire county.  
 Scott County. The entire county.  
 Shelby County. The entire county.  
 Spencer County. The entire county.  
 Taylor County. The entire county.  
 Trimble County. The entire county.  
 Washington County. The entire county.  
 Wolfe County. The entire county.  
 Woodford County. The entire county.

MARYLAND

Allegheny County. The entire county.  
 Garrett County. The entire county.

MICHIGAN

Alcona County. The entire county.  
 Allegan County. The entire county.  
 Alpena County. The entire county.  
 Antrim County. The entire county.  
 Arenac County. The entire county.  
 Barry County. The entire county.  
 Bay County. The entire county.  
 Benzie County. The entire county.

Berrien County. That portion of the county lying outside of the Benton Harbor Wholesale Fruit Market in Benton Harbor. The market is bounded by Territorial Road, Red Arrow Highway, and Crystal Avenue.

Branch County. The entire county.  
 Calhoun County. The entire county.  
 Cass County. The entire county.  
 Charlevoix County. The entire county.  
 Cheboygan County. The entire county.  
 Clare County. The entire county.  
 Clinton County. The entire county.  
 Crawford County. The entire county.  
 Eaton County. The entire county.  
 Emmet County. The entire county.  
 Genesee County. The entire county.  
 Gladwin County. The entire county.  
 Grand Traverse County. The entire county.  
 Gratiot County. The entire county.  
 Hillsdale County. The entire county.  
 Huron County. The entire county.  
 Ingham County. The entire county.  
 Ionia County. The entire county.  
 Isabella County. The entire county.  
 Jackson County. The entire county.  
 Kalamazoo County. The entire county.  
 Kalkaska County. The entire county.  
 Kent County. The entire county.  
 Lake County. The entire county.  
 Lapeer County. The entire county.  
 Leelanau County. The entire county.  
 Lenawee County. The entire county.  
 Livingston County. The entire county.  
 Macomb County. The entire county.  
 Manistee County. The entire county.  
 Mason County. The entire county.  
 Mecosta County. The entire county.  
 Midland County. The entire county.  
 Missaukee County. The entire county.  
 Monroe County. The entire county.  
 Montcalm County. The entire county.  
 Montmorency County. The entire county.  
 Muskegon County. The entire county.  
 Newaygo County. The entire county.  
 Oakland County. The entire county.  
 Oceana County. The entire county.  
 Ogemaw County. The entire county.  
 Osceola County. The entire county.  
 Oshtemo County. The entire county.  
 Otsego County. The entire county.  
 Ottawa County. The entire county.  
 Presque Isle County. The entire county.  
 Roscommon County. The entire county.  
 Saginaw County. The entire county.  
 Sanilac County. The entire county.  
 Shiawassee County. The entire county.  
 St. Clair County. The entire county.  
 St. Joseph County. The entire county.  
 Tuscola County. The entire county.  
 Van Buren County. The entire county.  
 Washtenaw County. The entire county.  
 Wayne County. The entire county.  
 Wexford County. The entire county.

NEW YORK

The entire State.

OHIO

The entire State.

PENNSYLVANIA

The entire State.

VIRGINIA

Allegheny County. The entire county.  
 Highland County. The entire county.

WEST VIRGINIA

The entire State.

(Secs. 8 and 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended, 7 CFR 301.84-2)

This supplemental regulation shall become effective upon publication in the FEDERAL REGISTER when it shall supersede 7 CFR 301.84-2a, effective July 29, 1969.

The purpose of this revision is to add to the regulated areas for the first time the county of McLean in Illinois. It also extends the regulated areas in the quarantined State of Illinois by including the entire counties of Champaign and Iroquois and a portion of Piatt, all of which previously were partially regulated. No change has been made in the regulated areas in the other quarantined States.

The Director of the Plant Protection Division has determined that infestations of the cereal leaf beetle exist or are likely to exist in the civil divisions and parts of civil divisions listed above, or that it is necessary to regulate such localities because of their proximity to infestations or their inseparability for quarantine enforcement purposes from infested localities.

The Director has further determined that each of the quarantined States, wherein only portions of the State have been designated as regulated areas, is enforcing a quarantine or regulation with restrictions on intrastate movement of the regulated articles substantially the same as the restrictions on interstate movement of such articles imposed by the quarantine and regulations in this subpart, and that designation of less than the entire State as a regulated area will otherwise be adequate to prevent the interstate spread of the cereal leaf beetle. Therefore, such civil divisions and parts of civil divisions listed above are designated as cereal leaf beetle regulated areas.

This document imposes restrictions that are necessary in order to prevent the dissemination of the cereal leaf beetle and should be made effective promptly to accomplish its purposes in the public interest. Accordingly, it is found upon good cause under the administrative procedure provisions of 5 U.S.C. 553, that notice and other public procedure with respect to the foregoing regulation are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 8th day of April 1970.

D. R. SHEPHERD,  
 Director,

Plant Protection Division.

[F.R. Doc. 70-4534; Filed, Apr. 13, 1970; 8:48 a.m.]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Cereal Leaf Beetle

EXEMPTIONS

Under the authority of § 301.84-2 of the Cereal Leaf Beetle Quarantine regulations (7 CFR 301.84-2, as amended, 34 F.R. 12373), a supplemental regulation exempting certain articles from specified requirements of the regulations is hereby issued to appear in 7 CFR 301.84-2b as set forth below. The Director of the Plant Protection Division has found that facts exist as to the pest risk involved in the movement of such articles which make it



safe to relieve the requirements as provided therein.

§ 301.84-2b Exempted articles.<sup>1</sup>

(a) The following articles are exempt from the certification and permit requirements of this subpart if they meet the applicable conditions prescribed in subparagraphs (1) through (3) of this paragraph and have not been exposed to infestation after cleaning or other handling as prescribed in said subparagraphs:

(1) Small grains, except oats and barley, if cleaned to meet State seed sales requirements of the State of origin.

(2) Grass and forage seed, if cleaned to meet State seed sales requirements of the State of origin.

(3) Soybeans, if transported in covered vehicles and moved to designated plants;<sup>2</sup> or, if cleaned to meet State seed sales requirements of the State of origin.

(b) The following articles are exempt from the certification, permit, and other requirements of this subpart under the applicable conditions prescribed in subparagraphs (1) through (5) of this paragraph:

(1) Small grains such as barley, oats, and wheat from December 1 of any year through the following May 31.

(2) Soybeans from March 16 of any year through the following August 31.

(3) Ear corn, other than sweet or fresh market corn, from April 1 of any year through the following July 31.

(4) Hay, except marsh hay, from January 16 of any year through the following April 30.

(5) Straw and marsh hay from March 1 of any year through the following June 30.

(Secs. 8 and 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended; 7 CFR 301.84-2)

This list of exempted articles shall become effective upon publication in the FEDERAL REGISTER when it shall supersede the list of exempted articles in 7 CFR 301.84-2b, which became effective July 29, 1969.

The principal purpose of this document is to exempt hay, except marsh hay, from January 16 of any year through April 30 rather than through May 31 due to earlier harvesting dates in portions of the regulated area.

Inasmuch as this document imposes certain restrictions which are deemed necessary to prevent the interstate spread of the cereal leaf beetle, it should be made effective promptly to accomplish its purpose in the public interest. Therefore, under the administrative procedure provisions of 5 U.S.C. 553, it is found

upon good cause that notice and other public procedure with respect to this document are impracticable and unnecessary, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 8th day of April 1970.

D. R. SHEPHERD,

Director,

Plant Protection Division.

[F.R. Doc. 70-4533; Filed, Apr. 13, 1970; 8:48 a.m.]

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

[Valencia Orange Reg. 306, Amdt. 1]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908, 33 F.R. 19829) regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

*Order, as amended.* The provision in paragraph (b) (1) (i), (ii), and (iii) of § 908.606 (Valencia Orange Reg. 306, 35 F.R. 5461) are hereby amended to read as follows:

§ 908.606 Valencia Orange Regulation 306.

- (b) Order. (1) \* \* \*
- (i) District 1: 11,600 cartons;
  - (ii) District 2: 1,500 cartons;
  - (iii) District 3: 150,000 cartons.

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

Dated: April 9, 1970.

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

[F.R. Doc. 70-4502; Filed, Apr. 13, 1970; 8:48 a.m.]

[Grapefruit Reg. 36, Amdt. 4]

PART 909—GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIF.; AND IN THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF WHITE WATER, CALIF.

Limitation of Shipments

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 909, as amended (7 CFR Part 909), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, Calif.; and in that part of Riverside County, Calif., situated south and east of White Water, Calif., 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 recommendation of the Administrative Committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date. The Administrative Committee held an assembled meeting on March 26, 1970, to consider recommendation for regulation; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such assembled meeting; necessary supplemental economic and statistical information upon which this recommended amendment is based were received April 6, 1970; information regarding the provisions of the regulation recommended by the committee, including the effective time thereof, has been disseminated to shippers of grapefruit, grown as aforesaid; this amendment is identical with the recommendation of the committee; it is necessary, in order to effectuate the declared policy of the act, to make this

<sup>1</sup> The articles hereby exempted remain subject to applicable restrictions under other quarantines.

<sup>2</sup> Any plant is eligible for designation under this subpart if the operator thereof applies approved pesticides as outlined by an inspector and enters a compliance agreement (as defined in § 301.84-1(c)). Information as to designated plants may be obtained from the inspector.



amendment effective on the date herein-after set forth; compliance with this amendment will not require any special preparation on the part of the persons subject thereto which cannot be completed on or before the effective date hereof; and this amendment relieves restrictions on the handling of grapefruit.

*Order.* In § 909.336 (Grapefruit Reg. 36; 34 F.R. 15747; 34 F.R. 18294; 34 F.R. 18813; 35 F.R. 4041) the provisions of paragraph (a) are amended to read as follows:

§ 909.336 Grapefruit Regulation 36.

(a) *Order.* (1) Except as otherwise provided in subparagraph (2) of this paragraph, during the period April 12, 1970, through August 31, 1970, no handler shall handle from the State of California or the State of Arizona to any point outside thereof:

(1) Any grapefruit which do not meet the requirements of the U.S. No. 2 grade which for purposes of this regulation shall include as a part of the fairly well formed requirement the requirement that the fruit be free from peel that is more than 1 inch in thickness at the stem end (measured from the flesh to the highest point of the peel): *Provided*, That in lieu of the 10 percent tolerances provided for the U.S. No. 2 grade, the following tolerances, by count, shall be allowed for the defects listed:

(a) 40 percent for grapefruit which fail to meet the requirements of the grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for the defects listed:

(1) 10 percent for grapefruit which are not at least slightly colored;

(2) 10 percent for defects other than not being at least slightly colored or fairly well formed or free from serious damage caused by dryness or mushy condition, including therein not more than one-half of one percent for decay, and not more than 5 percent for any other defect other than stems not properly clipped or for serious damage caused by sprayburn, fumigation, sprouting, insect or mechanical means;

(3) 15 percent in addition to the tolerance provided in (2) of this subdivision (1) (a) for scars which are light colored, fairly smooth, with no depth and aggregate more than 25 percent of the fruit surface;

(4) 15 percent for grapefruit failing to meet the requirement of fairly well formed except that not more than one-third of this amount or 5 percent shall be allowed for fruit having peel that is more than one inch in thickness at the stem end: *Provided*, That the 10 percent tolerance provided in (2) of this subdivision (1) (a) shall be diminished by an amount equal to the percentage of grapefruit having peel more than one inch in thickness at the stem end; and

(5) 15 percent for serious damage caused by dryness or mushy condition, including therein not more than 5 percent for grapefruit having 40 percent or more of the pulp affected by dryness or mushy condition: *Provided*, That for any lot of grapefruit affected by dryness or

mushy condition the total tolerance for defects permitted by this subdivision (1) (a) (5) and for defects for which a tolerance is provided under (2) of this subdivision (1) (a) shall not exceed 15 percent.

(ii) Any grapefruit which measure less than 3<sup>1</sup>/<sub>16</sub> inches in diameter, except that a tolerance of 5 percent, by count, for grapefruit smaller than 3<sup>1</sup>/<sub>16</sub> inches shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the revised U.S. Standards for Grapefruit (California and Arizona), §§ 51.925-51.955 of this title: *Provided*, That in determining the percentage of grapefruit in any lot which are smaller than 3<sup>1</sup>/<sub>16</sub> inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 3<sup>13</sup>/<sub>16</sub> inches in diameter and smaller.

(2) Subject to the requirements of subparagraph (1) (i) of this paragraph, any handler may, but only as the initial handler thereof, handle grapefruit smaller than 3<sup>1</sup>/<sub>16</sub> inches in diameter directly to a destination in Zone 4, Zone 3, or Zone 2; and if the grapefruit is so handled directly to Zone 2 the grapefruit does not measure less than 3<sup>1</sup>/<sub>16</sub> inches in diameter: *Provided*, That a tolerance of 5 percent, by count, of grapefruit smaller than 3<sup>1</sup>/<sub>16</sub> inches in diameter shall be permitted, which tolerance shall be applied in accordance with the aforesaid provisions for the application of tolerances and, in determining the percentage of grapefruit in any lot which are smaller than 3<sup>1</sup>/<sub>16</sub> inches in diameter, such percentage shall be based only on the grapefruit in such lot which are 3<sup>13</sup>/<sub>16</sub> inches in diameter and smaller.

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

Dated, April 9, 1970, to become effective April 12, 1970.

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

[F.R. Doc. 70-4503; Filed, Apr. 13, 1970; 8:46 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1430—DAIRY PRODUCTS

Subpart—Milk and Butterfat Price Support Program

The U.S. Department of Agriculture has announced a price support program for milk and butterfat for the marketing year April 1, 1970, through March 31, 1971, through purchases by Commodity Credit Corporation (CCC) of dairy products as provided herein:

§ 1430.282 Price support program for milk and butterfat.

(a) (1) The general levels of prices to producers for milk and butterfat will

be supported from April 1, 1970, through March 31, 1971, at \$4.66 per hundred-weight for manufacturing milk and 71.5 cents per pound for butterfat.

(2) Price support for milk and butterfat will be through purchases by CCC of butter, nonfat dry milk, and cheddar cheese, offered subject to the terms and conditions of purchase announcements issued by the Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

(3) Commodity Credit Corporation may, by special announcements, offer to purchase other dairy products to support the price of milk and butterfat.

(4) Purchase announcements setting forth terms and conditions of purchase may be obtained upon request from:

U.S. Department of Agriculture, Agricultural Stabilization and Conservation Service, Livestock and Dairy Division, Washington, D.C. 20250.

or

U.S. Department of Agriculture, Agricultural Stabilization and Conservation Service, ASCS Commodity Office, 6400 France Avenue South, Minneapolis, Minn. 55435.

(b) (1) CCC will consider offers of butter, cheddar cheese, and nonfat dry milk in bulk containers meeting specifications in the announcements at the following prices:

| Commodity and location   | Price per pound              |                                    |
|--|------------------------------|------------------------------------|
|  | Produced before Apr. 1, 1970 | Produced on and after Apr. 1, 1970 |
| Butter—  |                              |                                    |
| U.S. Grade A or higher:  |                              |                                    |
| New York, N.Y., Jersey City, and Newark, N.J....   | \$0.6850                     | \$0.7075                           |
| Seattle, Wash., and San Francisco, Calif., Alaska, Hawaii, California.....                         | .6775                        | .7000                              |
| Arizona, New Mexico, Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina..... | .6750                        | .6975                              |
| U.S. Grade B 2 cents less than U.S. Grade A.   |                              |                                    |
| Cheddar cheese (standard moisture basis, 37.5-39.0%) <sup>1</sup> ..                               | .4800                        | .5200                              |
| Nonfat dry milk, spray process 50-pound bags with sealed closures <sup>2</sup> .....               | .2335                        | .2720                              |

<sup>1</sup> For cheese which is offered on a "dry" basis (less than 37.5 percent moisture) the price per pound shall be as indicated in Form ASCS-150. Copies are available in offices listed in (a) (4).

<sup>2</sup> If upon inspection the bags do not fully comply with specifications for sealed closures, the price paid will be subject to a discount of 0.25 (¼) cent per pound of nonfat dry milk.

(2) Offers to sell butter at any location not specifically provided for in this section will be considered at the price set forth in this section for the designated market (New York, San Francisco, or Seattle) named by the Seller, less 80 percent of the lowest published domestic railroad carlot freight rate per pound, applicable to carlots of 60,000 pounds, gross weight, in effect when the offer is accepted from such location to such designated market. In the area consisting of Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine, CCC will purchase only



butter produced in that area; butter produced in other areas is ineligible for offering to CCC in these States.

(c) The butter shall be U.S. Grade B or higher. The nonfat dry milk shall be U.S. Extra Grade, except moisture content shall not exceed 3.5 percent. The cheddar cheese shall be U.S. Grade A or higher.

(d) The products shall be manufactured in the United States from milk produced in the United States, and shall not have been previously owned by CCC. Purchases will be made in carlot weights specified in the announcements. Grades and weights shall be evidenced by inspection certificates issued by the U.S. Department of Agriculture.

(Sec. 4(d), 62 Stat. 1070, as amended; 15 U.S.C. 714b(d))

Signed at Washington, D.C., on April 8, 1970.

KENNETH E. FRICK,  
Executive Vice President,  
Commodity Credit Corporation.

[F.R. Doc. 70-4537; Filed, Apr. 13, 1970;  
8:49 a.m.]

## Title 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Agricultural Research Service, Department of Agriculture

#### SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

#### PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

##### Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, paragraph (e)(7) relating to the State of Massachusetts is amended to read:

(7) *Massachusetts.* (i) Bristol County, (ii) That portion of Middlesex County comprised of Lincoln, Concord, and Waltham Townships.

2. In § 76.2, in paragraph (e)(14) relating to the State of Oklahoma, subdivision (ii) relating to Mayes and Rogers Counties; subdivision (iii) relating to Seminole and Potawatomie Counties; and subdivision (iv) relating to Stephens County are deleted.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1294, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 78 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended)

*Effective date.* The foregoing amendments shall become effective upon issuance.

The amendments exclude portions of Middlesex County in Massachusetts; a portion of Stephens County and portions of Mayes, Rogers, Seminole, and Potawatomie Counties in Oklahoma from the areas heretofore quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded areas, but will continue to apply to the quarantined areas described in § 76.2. Further, the restrictions pertaining to the interstate movement from nonquarantined areas contained in said Part 76 will apply to the excluded areas.

The amendments relieve certain restrictions presently imposed and must be made effective immediately to be of maximum benefit to affected persons. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and unnecessary, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 8th day of April 1970.

GEORGE W. IRVING, JR.,  
Administrator,  
Agricultural Research Service.

[F.R. Doc. 70-4535; Filed, Apr. 13, 1970;  
8:48 a.m.]

#### PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

##### Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, the State of Kansas is deleted from the introductory portion of paragraph (e), and paragraph (e)(5) relating to the State of Kansas is deleted.

2. In § 76.2, the introductory portion in paragraph (e) is amended by adding the name of the State of West Virginia; paragraph (g) is amended by deleting the name of the State of West Virginia; and a new paragraph (e)(24) relating to the State of West Virginia is added to read:

(24) *West Virginia.* That portion of Pendleton County bounded by a line beginning at the junction of Secondary Road 24 and Secondary Road 25; thence, following Secondary Road 24 in a gener-

ally northerly direction to Secondary Road 21; thence, following Secondary Road 21 in a northeasterly direction to Secondary Road 21, 2; thence, following Secondary Road 21, 2 in a generally northwesterly direction to Secondary Road 220, 7; thence, following Secondary Road 220, 7 in a generally northwesterly direction to U.S. Highway 220; thence, following U.S. Highway 220 in a southwesterly direction to Secondary Road 23; thence, following Secondary Road 23 in a generally southerly direction to Secondary Road 25; thence, following Secondary Road 25 in a generally southeasterly direction to its junction with Secondary Road 24.

3. In § 76.2, paragraph (e)(11) relating to the State of New Jersey is amended to read:

(11) *New Jersey.* That portion of Gloucester County bounded by a line beginning at the junction of Bark Bridge Road and Tanyard Road; thence, following Tanyard Road in a northerly direction to State Highway 47; thence, following State Highway 47 in a northerly direction to the New Jersey Turnpike; thence, following the New Jersey Turnpike in a southwesterly direction to Egg Harbor Road; thence, following Egg Harbor Road in a southeasterly direction to Boundry Lane Road; thence, following Boundry Lane Road in a southerly direction to Mall Avenue; thence, following Mall Avenue in a southwesterly direction to Glassboro-Woodbury Road; thence, following Glassboro-Woodbury Road in a southeasterly direction to Bark Bridge Road; thence, following Bark Bridge Road in a northeasterly direction to its junction with Tanyard Road.

4. In § 76.2, in subparagraph (e)(19) relating to the State of Virginia, subdivision (vii) relating to Isle of Wight and Surry Counties is deleted, and subdivision (xi) relating to Surry and Sussex Counties is amended to read:

(19) *Virginia.* \* \* \*  
(xi) The adjacent portions of Surry, Isle of Wight, Southampton, and Sussex Counties bounded by a line beginning at the junction of Secondary Highways 612 and 611; thence, following Secondary Highway 611 in a southeasterly direction to Secondary Highway 616; thence, following Secondary Highway 616 in a southwesterly direction to Secondary Highway 615; thence, following Secondary Highway 615 in a generally southeasterly direction to Primary State Highway 31; thence, following Primary State Highway 31 in a northeasterly direction to Secondary Highway 616; thence, following Secondary Highway 616 in a generally northeasterly direction to Secondary Highway 626; thence following Secondary Highway 626 in a generally southeasterly direction to Secondary Highway 621; thence, following Secondary Highway 621 in a southwesterly direction to Secondary Highway 680; thence, following Secondary Highway 680 in a southeasterly direction to Secondary Highway 683; thence, following Secondary Highway 683 in a southerly direction to Secondary Highway 623; thence, following Secondary Highway 623 in a westerly direction



to Secondary Highway 621; thence, following Secondary Highway 621 in a generally southwesterly direction to Secondary Highway 618; thence, following Secondary Highway 618 in a southwesterly direction to Secondary Highway 604; thence, following Secondary Highway 604 in a generally northwesterly direction to Secondary Highway 603; thence, following Secondary Highway 603 in a generally northerly direction to Secondary Highway 614; thence, following Secondary Highway 614 in a generally southwesterly direction to U.S. Highway 460; thence, following U.S. Highway 460 in a northwesterly direction to Primary State Highway 40; thence, following Primary State Highway 40 in a southwesterly direction to Secondary Highway 651; thence, following Secondary Highway 651 in a generally northwesterly direction to Secondary Highway 626; thence, following Secondary Highway 626 in a generally northwesterly direction to Secondary Highway 602; thence, following Secondary Highway 602 in a generally northeasterly direction to Secondary Highway 601; thence, following Secondary Highway 601 in a generally southeasterly direction to Primary State Highway 40; thence, following Primary State Highway 40 in a northeasterly direction to Secondary Highway 615; thence, following Secondary Highway 615 in a southeasterly direction to Secondary Highway 612; thence, following Secondary Highway 612 in a generally northeasterly direction to its junction with Secondary Highway 611.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended)

**Effective date.** The foregoing amendments shall become effective upon issuance.

The amendments quarantine a portion of Pendleton County in West Virginia and portions of Surry, Southampton, and Isle of Wight Counties in Virginia because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to such counties.

The amendments also exclude portions of Harvey and Sedgwick Counties in Kansas and a portion of Gloucester County in New Jersey from the areas heretofore quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded areas, but will continue to apply to the quarantined areas described in § 76.2. Further, the restrictions pertaining to the interstate movement from nonquarantined areas contained in said Part 76 will apply to the areas excluded from quarantine.

The foregoing amendments also delete the State of West Virginia from the list of hog cholera free States in § 76.2(g).

Insofar as the amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera they must be made effective immediately to accomplish their purpose in the public interest. Insofar as they relieve restrictions, they should be made effective promptly in order to be of maximum benefit to affected persons.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 8th day of April 1970.

GEORGE W. IRVING, Jr.,  
Administrator,  
Agricultural Research Service.

[F.R. Doc. 70-4536; Filed, Apr. 13, 1970; 8:48 a.m.]

## Title 24—HOUSING AND HOUSING CREDIT

### Chapter V—Office of Interstate Land Sales Registration, Department of Housing and Urban Development

#### PART 1710—LAND REGISTRATION

##### Miscellaneous Amendments

On January 21, 1970, the Office of Interstate Land Sales Registration published in the FEDERAL REGISTER (35 F.R. 812) proposed amendments to Part 1710, to implement the amendment, by section 411 of the Housing and Urban Development Act of 1969, to section 1403(a) (10) of the Interstate Land Sales Full Disclosure Act, 15 U.S.C. 1702(a) (10).

Interested persons were invited to submit written comments and suggestions for consideration within 30 days after publication of the proposed regulations in the FEDERAL REGISTER. After consideration of the comments received and other factors involved, it has been decided to adopt the proposed regulations with certain modifications.

Accordingly, pursuant to the authority contained in section 1419 of the Interstate Land Sales Full Disclosure Act, 15 U.S.C. 1718, and section 7(d) of the Housing and Urban Development Act, 42 U.S.C. 3535(d), such regulations are amended as set forth below.

In Chapter V, Part 1710 is amended to read as follows:

##### Subpart A—General Requirements

In § 1710.10 paragraph (j) is amended to read as follows:

§ 1710.10 Exemptions.

\* \* \* \* \*

(j) The sale or lease of real estate which, at the time of sale or lease, is free and clear of all liens, encumbrances and adverse claims. For the purpose of exemption under this paragraph the definitions of terms in subparagraphs (1) and (2) of this paragraph shall be applicable and the conditions of subparagraphs (3), (4), (5), and (6) of this paragraph shall be met.

(1) The meaning of "liens, encumbrances and adverse claims" shall not include:

(i) Property reservations which land developers commonly convey or dedicate to local bodies or public utilities for the purpose of bringing public services to the land being developed.

(ii) Taxes and assessments imposed by a State, by any other public body having authority to assess and tax property or by a property owners' association, which under applicable State or local law constitute liens before they are due and payable.

(iii) Beneficial property restrictions which would be enforceable by other lot owners or lessees in the subdivision.

(2) The time of sale or lease shall be deemed to be the date the sales contract or lease is signed by the purchaser except that the time of sale shall be deemed to be the effective date of the conveyance if both of the following conditions are met:

(i) The contract of sale requires delivery of a deed to the purchaser within 120 days following the signing of the sales contract.

(ii) Any earnest money deposit or other payment on account of the purchase price, made by the purchaser prior to the effective date of the conveyance, is placed in an escrow account, fully protecting the interests of the purchaser, in an institution or organization which has trust powers or in an established bank, title insurance or abstract company, or escrow company doing business in the jurisdiction in which the property is located.

(3) Each and every purchaser or his or her spouse has personally made an on-the-lot inspection of the real estate which he has purchased or leased prior to the signing of a contract to purchase or lease.

(4) The developer has filed with the Secretary a claim of exemption in the form of an affirmation set forth in § 1710.101.

(5) The developer has obtained the Secretary's approval of a statement, prepared in accordance with the instructions in § 1710.102, which shall be furnished to each purchaser prior to the time of sale or lease, and the receipt thereof acknowledged in writing prior to the time of sale or lease by the purchaser.

(6) The developer shall file a copy of each acknowledged statement, with the Secretary within 31 days after the expiration of the calendar year in which the sale or lease is made. Such copies shall be bound in alphabetical order and indexed by purchaser surname. Each bound volume shall contain only such



copies as are applicable to a single subdivision and shall be identified on the outer cover by the name and location of the subdivision and the number assigned by OILSR to such subdivision. Upon demand by the Secretary made at any time during the calendar year, the developer shall, without delay, file such copies of such acknowledged statements as shall be requested by the Secretary.

### Subpart B—Reporting Requirements

In Part 1710, Subpart B in the Table of Contents, the heading of § 1710.101 is amended and a new § 1710.102 is added as follows:

Sec.

1710.101 Claim of exemption—form of affirmation:

1710.102 Statement of Reservations, Restrictions, Taxes, and Assessments—format and instructions.

Section 1710.101 is amended to read as follows:

#### § 1710.101 Claim of exemption—form of affirmation.

A claim of exemption pursuant to § 1710.10(j) shall be made to the Office of Interstate Land Sales Registration, Department of Housing and Urban Development, and shall be supported by an affirmation as follows:

##### CLAIM OF EXEMPTION

I hereby affirm on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, as follows:

(1) I am the developer, or the duly authorized agent of the developer, of the subdivision known as \_\_\_\_\_ located at \_\_\_\_\_, in the State of \_\_\_\_\_, County of \_\_\_\_\_.

(2) Each and every purchaser or lessee of a lot to be covered by this exemption, or his or her spouse, will have made a personal on-the-lot inspection of the real estate which he purchases or leases prior to the time of sale or lease of the lot and will have acknowledged in writing, prior to such time of sale or lease, receipt of a statement furnished by the developer setting forth all reservations, taxes, assessments and restrictions applicable to the lot to be purchased or leased, whether or not such reservations, taxes, assessments and restrictions are included within the term "liens, encumbrances and adverse claims" as used in paragraph (8) below.

(3) This affirmation is accompanied by a Statement of Reservations, Restrictions, Taxes and Assessments prepared in accordance with the provisions of 24 CFR 1710.102 and that the Secretary's approval of such statement will be obtained prior to the distribution and use of such statement.

(4) The Statement of Reservations, Restrictions, Taxes, and Assessments is complete and correct.

(5) A copy of such statement will be furnished to each purchaser or lessee prior to signing the contract.

(6) The receipt of such statement will be acknowledged in writing, in duplicate, by the purchaser or lessee prior to the time of the signing of the contract.

(7) A copy of the acknowledged statement will be filed with the Secretary within 31 days after the expiration of the calendar year in which the sale or lease is made. Upon demand by the Secretary made at any time during the calendar year, the developer shall file such copies of such acknowledged statements as shall be specified by the Secretary.

(8) At the time of sale or lease, the lot will be free and clear of all liens, encumbrances, and adverse claims. The term "liens, encumbrances and adverse claims" (as used in this paragraph (8)) is not intended to include property reservations which land developers commonly convey or dedicate to local bodies or public utilities for the purpose of bringing public services to the land being developed, nor to taxes and assessments imposed by a State, by any other public body having authority to assess and tax property or by a property owners' association, which, under applicable State or local law, constitute liens on the property before they are due and payable, nor to beneficial property restrictions which would be enforceable by other lot owners or lessees in the subdivision.

(9) For the purpose of this claim of exemption, the undersigned agrees that the "time of sale or lease" shall be deemed to be the date the sales contract or lease is signed by the purchaser or lessee except that the "time of sale" shall be deemed to be the effective date of the conveyance or lease if both of the following requirements are met:

(a) The contract of sale requires delivery of a deed to the purchaser within 120 days following the signing of the sales contract.

(b) Any earnest money deposit or other payment on account of the purchase price made by the purchaser prior to the effective date of the conveyance will be placed in an escrow account, fully protecting the interests of the purchaser, in an institution or organization which has trust powers, or in an established bank, title insurance or abstract company, or escrow company doing business in the jurisdiction in which the property is located.

(Title)

(If the affirmation is made by an agent of the developer of the subdivision, submit written authorization to act as agent.)

In Part 1710, Subpart B, a new § 1710.102 is added to read as follows:

#### § 1710.102 Statement of Reservations, Restrictions, Taxes, and Assessments—format and instructions.

A Statement of Reservations, Restrictions, Taxes, and Assessments shall be prepared by the developer in accordance with the following format and instructions:

##### STATEMENT OF RESERVATIONS, RESTRICTIONS, TAXES, AND ASSESSMENTS

Employer's IRS No.: \_\_\_\_\_

Developer: \_\_\_\_\_

Owner: \_\_\_\_\_

Name of Developer: \_\_\_\_\_

Address: \_\_\_\_\_

Owner (if Developer is other than owner): \_\_\_\_\_

Address: \_\_\_\_\_

Name of Subdivision: \_\_\_\_\_

Location: \_\_\_\_\_

Number of lots in Subdivision: \_\_\_\_\_

Number of acres in Subdivision: \_\_\_\_\_

##### 1. Reservations and restrictions.

(The developer shall set forth, in descriptive and concise terms, a complete statement of all reservations and restrictions affecting the property within the above-named subdivision. Where reservations or restrictions are not applicable to all lots within a subdivision the statement shall identify the lots affected. State whether such reservations and restrictions are enforceable by other lot owners or lessees of lots in the subdivision.)

##### 2. Taxes.

(The developer shall set forth, in descriptive and concise terms, a complete statement

listing all taxes and liens presently due and payable and those which constitute liens on the property before they become due and payable, together with the date such taxes will become due and payable. Itemize taxes, amounts and rates by lots. Where taxes, amounts or rates shown are not yet available for the current calendar year, those for the previous year should be shown with a statement that they are not for the current year and that the new taxes, amounts or rates may vary; and, if property has been rezoned or subdivided since the last taxing period, the estimated amount of changes for the current year should also be shown. Where the previous year's taxes were based other than on lots as presently subdivided, estimates should be shown and so identified.)

##### 3. Assessments.

(The developer shall set forth in descriptive and concise terms a statement of all assessments which are made or may be made by state or local authorities or by a property owners' association or similar organization. The statement shall include any dues or fees paid in the last year or payable to a property owner's association. Itemize assessments, dues, fees, amounts and rates. State the authority under which the assessments, dues and fees are imposed.)

WARNING: This subdivision is not registered with the Office of Interstate Land Sales Registration nor has that Office passed upon the accuracy or adequacy of this statement, nor does this statement serve as an endorsement or recommendation by that Office of the above offering.

The undersigned by his signature hereby acknowledges that he has received a Statement of Reservations, Restrictions, Taxes, and Assessments, on (identify subdivision and location) from (name of developer) located at (address) and that he has made a personal on-the-lot inspection of (at the time of delivery to the purchaser or lessee insert a legal description of the particular lot) which is the lot upon which the undersigned plans to execute a contract of sale or lease.

(Date)

(Signature of purchaser or lessee)

Effective date. The regulations in this part are effective when published in the FEDERAL REGISTER.

Issued at Washington, D.C., April 8, 1970.

EUGENE A. GULLEDGE,  
Assistant Secretary for Housing  
Production and Mortgage  
Credit and Federal Housing  
Commissioner.

[F.R. Doc. 70-4516; Filed, Apr. 13, 1970;  
8:47 a.m.]

## Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans Administration PART 3—ADJUDICATION

#### Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

##### CONCURRENT BENEFITS

In § 3.708, paragraph (b) is amended as follows:



§ 3.708 Bureau of Employees' Compensation.

(b) *Civilian employment.* Where a person is entitled to compensation from the Bureau of Employees' Compensation based upon civilian employment and is also entitled to compensation or dependency and indemnity compensation under laws administered by the Veterans Administration for the same disability or death, he will elect which benefit he will receive. On or after September 13, 1960, an award cannot be approved for payment of compensation or dependency and indemnity compensation concurrently with compensation from the Bureau of Employees' Compensation in such instances and an election to receive benefits from either agency is final. See § 3.958. There is no right of reelection. (5 U.S.C. 8116) A child who is eligible for dependency and indemnity compensation or other benefits independent of the widow's entitlement may receive such benefits concurrently with payment of Bureau of Employees' Compensation benefits to the widow.

(72 Stat. 1114; 38 U.S.C. 210)

This VA regulation is effective the date of approval.

Approved: April 7, 1970.

By direction of the Administrator.

[SEAL] FRED B. RHODES,  
Deputy Administrator.

[F.R. Doc. 70-4515; Filed, Apr. 13, 1970; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter XVII—Office of Emergency Preparedness

PART 1715—FEDERAL DISASTER ASSISTANCE UNDER THE DISASTER RELIEF ACT OF 1969

Assistance for Permanent Repair or Reconstruction of Street, Road, and Highway Facilities

In § 1715.4 paragraph (e) is amended to read as follows:

§ 1715.4 Permanent repair or reconstruction of street, road, and highway facilities.

(e) An applicant may obtain assistance under Part 1710 of this chapter for emergency repairs or temporary replacements of street, road, or highway facilities damaged or destroyed as a result of a major disaster or a grant in lieu of such assistance. Assistance for emergency repairs or temporary replacements or a grant in lieu thereof under Part 1710 of this chapter does not bar a Federal contribution toward permanent repair or reconstruction of such facilities under this part, but the Federal contribution under this part shall be reduced by an amount equal to any such grant in lieu.

(Sec. 2, Public Law 91-79, 80 Stat. 120; E.O. 11495, 34 P.R. 18447)

Dated: April 7, 1970.

G. A. LINCOLN,  
Director,

Office of Emergency Preparedness.

[F.R. Doc. 70-4487; Filed, Apr. 13, 1970; 8:45 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 6—MISCELLANEOUS FEES

Admission and User Fees for Areas of the National Park System

The Act of July 15, 1968 (82 Stat. 354), repeals as of March 31, 1970, the existing Golden Eagle program of fees established under section 2 of the Land and Water Conservation Fund Act of 1965, thus leaving the Federal agencies free to rely on other existing authorities to make reasonable charges for the entry into and use by the public of Federal park and recreation facilities and services. Any charges so imposed and collected shall be covered into a special account in the Land and Water Conservation Fund and will be available, upon appropriation, to the collecting agency for any of its authorized outdoor recreation functions.

There is authority in the Act of August 31, 1951 (65 Stat. 290; 31 U.S.C. 483a), for the National Park Service to prescribe fees or charges for benefits, privileges, services, or uses furnished and provided to or for any person. Accordingly, notice is given that certain fees or charges are prescribed for the benefits, privileges, services, or uses herein described which are available to visitors in areas of the National Park System. These fees will continue in effect pending action by the Congress on the Golden Eagle program of fees. If that program is adopted, other fees consistent with the Congressional enactment will be prescribed.

The fee system hereby adopted includes:

(1) A daily permit which applies to one or more parks would be required and would cover the entrance and day use of services and facilities provided by the Federal Government.

(2) Permits would be required for the use of those National Park Service campgrounds designated as fee-charge areas or facilities.

(3) Miscellaneous special user permits may be required from time to time which are applicable to one park only for other-than-usual visitor use services or facilities and charges for these permits will cover facilities and uses such as group cabin camps, boat trips, vehicle parking in certain situations, boat docking, elevators, bath houses, and similar activities.

While it is the policy of the Department of the Interior, whenever practicable, to afford the public an opportu-

nity to participate in the rulemaking process it is deemed unnecessary in this instance to do so because no changes are being prescribed which are in excess of those authorized under the Golden Eagle program of fees. Moreover, we believe it would be contrary to the public interest to delay the imposition of these fees due to the imminence of the current visitor season. Accordingly, the permits, charges and procedures herein prescribed will become effective upon publication of this notice in the FEDERAL REGISTER.

Part 6, Chapter I, Title 36 of the Code of Federal Regulations, is amended through the addition of a new § 6.7, prescribing fees and charges for areas of the National Park System, which reads as follows:

§ 6.7 Visitor use charges.

(a) *Wrongful entry.* No person shall enter or use park areas, use park camping grounds or other facilities, or otherwise participate in Park Service programs or activities for which fees have been designated without first paying the required fees. Any violation of this provision is punishable as provided in § 1.3 of this chapter.

(b) *Types of fees.* There are prescribed for all park areas and facilities which are designated as fee areas and facilities daily admission and user fees, campground user fees and certain special miscellaneous user fees, as hereinafter set forth. The campground and special user fees may be charged, where so designated, in addition to or in lieu of other user fees.

(c) *Daily permits.* (1) A one-day single area permit and in some instances a one-day multiarea permit (where certain areas are in proximity and offer similar services and facilities) is available at designated fee areas normally entered by automobile at a rate of \$1 per private noncommercial vehicle. A permit is available at a rate of \$0.50 per person, per day, for those who enter such areas on foot, by bicycle, commercial bus, or by any other means than private noncommercial vehicle. These permits are valid for the particular park area or areas for which issued. They will enable a visitor to a designated fee area to enter and use services and/or facilities available to visitors which are provided by the Federal Government.

(2) For certain historical sites, caves and other special fee areas of a similar nature, where the area or primary feature is customarily entered on foot, special daily admission permits are available at rates ranging from \$0.50 to \$2 per person, depending on the value of the services and facilities provided. These permits are valid for the particular area for which they are issued and will enable a visitor to such area to enter and use services and/or facilities available to visitors which are provided by the Federal Government. The permits prescribed under subparagraph (1) of this paragraph will not be available at these special daily fee areas.

(3) All of the daily permits referred to in this paragraph (c) are valid for a single visit or series of visits during the



calendar day for which they are purchased. In addition, at areas in which overnight use is provided, permits issued under subparagraph (1) of this paragraph are valid until noon of the day following purchase unless the areas are posted for an earlier departure time, in which case the permits are valid only until such departure time.

(d) *Campground permits.* Permits are available for the use of certain designated fee campgrounds as follows:

(1) Type "A" campgrounds (those with well-defined roads, parking space, campsites, drinking and sanitary facilities, including flush toilets and refuse cans which are furnished on a community basis)—minimum fee is \$2 per site, per night. This fee will conform to rates for comparable facilities and services prevailing in the private sector, in the general recreation district where the park is situated.

(2) Type "B" campgrounds (an area other than described under subparagraph (1) of this paragraph which is designated and used for camping, and has only minimal basic sanitary and other facilities)—fee is \$1 per site, per night. This fee will conform to rates for comparable facilities and services prevailing in the private sector, in the general recreation district where the park is situated.

(3) Type "C" campgrounds (group camp areas without cabins designated for use by organizations such as the Boy Scouts, church and school groups, or other large parties)—ranging upward from \$5, depending on size of group.

(e) *Miscellaneous special use permits.* Fees may be established for such specialized facilities, operations, or uses, as group cabin camps, boat trips, vehicle parking, boat docking, elevators, bath

houses, and similar activities and operations, which generate heavy operating expenses, personal services or investments of funds beyond those required for normal visitor use.

(f) *Permit display.* All permits issued pursuant to this section shall be visibly displayed or exhibited at designated fee areas or facilities, as requested through signs or by authorized National Park Service employees.

(g) *Designation of fee areas.* Admission and use permits, including campground and special use permits, all as established pursuant to this section, will be required only at those areas or for those facilities which have been designated as fee areas and facilities by the Director of the National Park Service. Notification to the public of such designations shall be accomplished by posting such information conspicuously at each area and by local public announcements, press releases and other suitable means, and no fee established pursuant to this section shall be effective until the area or facility for which it is assessed has been posted as a designated fee area or facility. Signs used for this purpose at park areas may be used in combination with, or incorporated into, entrance signs.

(h) *Waiver of fees.* (1) Admission and day-use fees will not be charged under this subsection for persons who have not reached their 16th birthday, except when operating a private non-commercial vehicle, but such persons will not be exempt from payment of required camping fees and miscellaneous special use fees.

(2) Admission and day-use fees will be waived for organized elementary and

high school age groups and for accompanying adults who assume responsibility for their safety and orderly conduct. This provision applies to school groups, national, regional, or local youth organizations and privately operated youth camps. Such groups and their adult leaders will not, however, be exempt from payment of required camping fees and miscellaneous special use fees.

(3) Upon proper identification, the admission and day-use fees and/or camping fees will be waived for: Educational and scientific groups from bona fide institutions, groups conducting seasonal church services, hospital inmates involved in medical therapy and groups of disadvantaged youths sponsored by Government agencies, charitable organizations, churches, or other community service groups.

(4) Admission and day-use fees will be waived for specialized uses such as commercial and other nonrecreational activities, ingress to and egress from private residences on roads traversing designated fee areas; and authorized governmental and employee activities.

(5) Persons and groups desiring a waiver of fees under subparagraphs (2) and (3) of this paragraph should advise the Superintendent, in advance.

(6) Nothing in the regulations in this part shall authorize the establishment or issuance of Federal hunting or fishing licenses or fees.

Dated: April 7, 1970.

HARTHON L. BILL,  
Acting Director,  
National Park Service.

[P.R. Doc. 70-4496; Filed, Apr. 13, 1970;  
8:45 a.m.]



# Proposed Rule Making

## DEPARTMENT OF THE TREASURY

Internal Revenue Service

[ 26 CFR Part 1 ]

INCOME TAX

Foster Children

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, preferably in quintuplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

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

Approved: April 9, 1970.

JOHN S. NOLAN,  
Acting Assistant Secretary.

In order to conform the Income Tax Regulations (26 CFR Part 1) under sections 151 and 152 of the Internal Revenue Code of 1954 to section 912 of the Tax Reform Act of 1969 (83 Stat. 722), such regulations are amended as follows:

PARAGRAPH 1. Section 1.152 is amended by revising section 152(b)(2) and by revising the historical note. These amended provisions read as follows:

§ 1.152 Statutory provisions; dependent defined.

Sec. 152. *Dependent defined.* \* \* \*  
(b) *Rules relating to general definition.* \* \* \*

(2) In determining whether any of the relationships specified in subsection (a) or paragraph (1) of this subsection exists, a legally adopted child of an individual (and a child who is a member of an individual's household, if placed with such individual by an authorized placement agency for legal adoption by such individual), or a foster child of an individual (if such child satisfies the requirements of subsection (a)(9) with respect to such individual), shall be treated as a child of such individual by blood.

[Sec. 152 as amended by sec. 2, Act of Aug. 9, 1955 (Public Law 333, 84th Cong., 69 Stat. 626); sec. 4 Technical Amendment Act 1958 (72 Stat. 1607); sec. 1, Act of Sept. 23, 1959 (Public Law 86-376, 73 Stat. 699); sec. 912, Tax Reform Act 1969 (83 Stat. 722)]

PAR. 2. Paragraph (a) of § 1.151-3 is amended to read as follows:

§ 1.151-3 Definitions.

(a) *Child.* For purposes of sections 151(e), 152, and the regulations thereunder, the term "child" means a son, stepson, daughter, stepdaughter, adopted son, adopted daughter, or for taxable years beginning after December 31, 1958, a child who is a member of an individual's household if the child was placed with the individual by an authorized placement agency for legal adoption pursuant to a formal application filed by the individual with the agency (see paragraph (c)(2) of § 1.152-2), or, for taxable years beginning after December 31, 1969, a foster child (if such foster child satisfies the requirements set forth in paragraph (b) of § 1.152-1 with respect to the taxpayer) of the taxpayer.

PAR. 3. Paragraph (c) of § 1.152-2 is amended by adding at the end thereof a new subparagraph (4):

§ 1.152-2 Rules relating to general definition of dependent.

(c) \* \* \*

(4) For purposes of determining the existence of any of the relationships specified in section 152 (a) or (b)(1), a foster child of an individual (if such foster child satisfies the requirements set forth in paragraph (b) of § 1.152-1 with respect to such individual) shall, for taxable years beginning after December 31, 1969, be treated as a child of such individual by blood. For purposes of this subparagraph, a foster child is a child who is in the care of a person or persons (other than the parents or adopted parents of the child) who care for the child as their own child. Status as a foster child is not dependent upon or affected by the circumstances under which the child became a member of the household.

[F.R. Doc. 70-4511; Filed, Apr. 13, 1970; 8:47 a.m.]

## DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[ 50 CFR Part 17 ]

ENDANGERED SPECIES  
CONSERVATION

Notice of Proposed Rule Making

Chapter I, Subchapter B, of Title 50 of the Code of Federal Regulations is

proposed to be amended by adding a new Part 17 reading as follows:

### PART 17—ENDANGERED SPECIES CONSERVATION REGULATIONS

Sec.  
17.1 Purpose.  
17.2 Definitions.  
17.3 Importation at designated ports.  
17.4 Importation of fish or wildlife—documentation.  
17.5 Importation of fish or wildlife—marking.  
17.6 State markings.  
17.7 Export permits.  
17.8 Marking of packages or containers.  
17.9 Importation of endangered species—general restrictions.  
17.10 Endangered Species List.  
17.11 Importation of endangered species—exceptions.  
17.12 Hearings.  
17.13 Forfeiture.  
17.14 Holding, return, and disposal of seized property.  
17.15 Other laws applicable.  
Appendix A—Endangered Species List.  
Appendix B—Designated Ports and Exceptions Thereto.  
Appendix C—Regional Directors.

AUTHORITY: The provisions of this Part 17 issued under Public Law 91-135; 83 Stat. 275.

§ 17.1 Purpose.

The regulations in this part implement the Endangered Species Conservation Act of 1969, contained in part of Public Law 91-135 (83 Stat. 275), and 16 U.S.C. 852 et seq., and 18 U.S.C. 43 and 44 as they are amended by Public Law 91-135, insofar as they apply to the importation or transportation of fish and wildlife.

§ 17.2 Definitions.

The following definitions shall apply in this part, unless otherwise specified:

(a) "The Act" shall mean Public Law 91-135, 83 Stat. 275;

(b) "The Secretary" shall mean the Secretary of the Interior;

(c) "The Director" shall mean the Director of the Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior;

(d) "Person" shall mean any individual, firm, corporation, association, or partnership;

(e) "Fish" shall mean any finfish or any part, products, egg, or offspring thereof, or the dead body or parts thereof whether or not included in a manufactured product;

(f) "Wildlife" shall mean any wild mammal, wild bird, amphibian, reptile, mollusk, or crustacean, or any part, products, egg, or offspring thereof, or the dead body or parts thereof whether or not included in a manufactured product;

(g) "Endangered Species List" shall mean the list of species or subspecies of fish or wildlife threatened with worldwide extinction which is contained in Appendix A to this Part 17;



(h) "Taken" shall mean captured, killed, collected, or otherwise possessed;

(i) Except insofar as such items include any species or subspecies which appears on the Endangered Species List, "shellfish or fishery products imported for commercial purposes" shall mean the following items as further defined in the "Tariff Schedules of the United States Annotated," United States Tariff Commission TC Publication 304, under the TSUS numbers shown in parentheses below:

- (1) Frogs (TSUS No. 106.60).
- (2) Frog meat (TSUS No. 107.65).
- (3) Fish, fresh, chilled, or frozen (TSUS Nos. 110.10-110.70).
- (4) Fish, dried, salted, pickled, smoked or kippered (TSUS Nos. 111.10-111.92).
- (5) Fish in airtight containers (TSUS Nos. 112.01-112.94).
- (6) Other fish products (TSUS Nos. 113.01-113.60).
- (7) Shellfish (TSUS Nos. 114.01-114.55).
- (8) Marine-animal oils (TSUS Nos. 177.02-177.40).
- (9) Sod oil (TSUS No. 178.05).
- (10) Products of American fisheries (TSUS Nos. 180.00-180.20).
- (11) Edible preparations (TSUS Nos. 182.05, 182.11, 182.48, 182.50).
- (12) Animal feeds (TSUS Nos. 184.54, 184.55).

(j) "Seized property" shall mean anything seized pursuant to sections 4 or 7 of the Act or 16 U.S.C. 851 et. seq.;

(k) "Permit" shall include any letter from the Department of the Interior so designated and signed by a properly authorized officer;

(l) "Wild" shall refer to all creatures living in the wild state, not captive or restricted, or to all creatures that, whether raised in captivity or not, normally are found in a wild state;

(m) "Country of origin" shall mean the country where the fish or wildlife was taken, or the country of natal origin of the fish or wildlife;

(n) "State" shall mean the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, and Guam;

(o) "The United States" shall include the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, and Guam;

#### § 17.3 Importation at designated ports.

(a) All fish and wildlife, except shellfish or fishery products imported for commercial purposes, must enter the United States at designated receiving stations at the customs ports set forth in Appendix B to this Part 17, where it will be inspected and cleared for importation.

(b) Any fish or wildlife, except shellfish or fishery products imported for commercial purposes, which enters the United States at a place other than a designated port may not be imported at that place, but must be moved under customs bond, to a designated port, unless the exceptions set forth in Appendix B to this part apply.

(c) Nothing in this part shall be construed to allow the entry or importation of any animal coming within the meaning of the regulations of the Department of Agriculture regarding the importation of certain animals and poultry and certain animal and poultry products, appearing at 9 CFR 92.1 et. seq., except in accordance with such regulations, including the designation by the Department of Agriculture of the ports through which such animals may enter the United States.

#### § 17.4 Importation of fish or wildlife—documentation.

(a) No species or subspecies of fish or wildlife which appears on the Endangered Species List, or the taking, transportation, or sale of which is regulated in the country of origin may enter the United States from any foreign country, except shellfish and fishery products imported for commercial purposes and preserved scientific specimens, unless accompanied by the following documentation:

(1) (i) An export permit or other document from an appropriate official, in English, or the original document and a certified translation thereof, from the country where the fish or wildlife was taken which shows that such fish or wildlife was lawfully taken and is being lawfully exported, or

(ii) In the case of an export of fish or wildlife from a country other than that in which such fish or wildlife was taken, an export permit or other document from an appropriate official, in English, or the original document and a certified translation thereof, from the country where the fish or wildlife is being exported which shows that to the best of the knowledge of the certifying official such fish or wildlife was lawfully taken and was lawfully exported from the country in which it was taken, along with appropriate documentation from the country in which the fish or wildlife was taken to support such statement, and that the fish or wildlife is being lawfully exported from the country issuing the document, or

(iii) A consular certificate from an American consul which shows that an appropriate official of the exporting country has certified to the consul the information required in subdivision (i) or (ii) of this subparagraph; or

(iv) In the case of game or a game trophy taken in Mexico or Canada, Customs Form 3315, Declaration for Free Entry of Game Animals or Birds Killed by U.S. Residents.

(2) A properly executed Declaration for the Importation of Fish or Wildlife (Form 3-177), except where a Customs Form 3315 has been filed;

(3) A copy of the invoice, if any.

(b) These documents are in addition to any documents which may be required by the Bureau of Customs, or any statement required in Appendix B to this part for the entry of fish or wildlife at non-designated ports.

(c) These documents must be filed with the Bureau of Sport Fisheries and

Wildlife Game Management Agent at the port of entry, or if there is no such agent, with the customs officer, in order to obtain clearance for importation.

(d) In any instance where a Bureau of Sport Fisheries and Wildlife Game Management Agent is not available within a reasonable time to clear the fish or wildlife for importation, the Supervisory Customs Inspector of the Bureau of the Customs may clear such fish or wildlife.

#### § 17.5 Importation of fish or wildlife—marking.

(a) All fish or wildlife which is on the Endangered Species List and is imported into the United States under permit must have suitable identification from the Department of the Interior. Such identification may be obtained at any designated port of entry or from the Regional Director of the Bureau of Sport Fisheries and Wildlife.

(b) Any offspring, or product manufactured from such fish or wildlife which are identified pursuant to paragraph (a) of this section must also have suitable identification from the Department of the Interior.

(c) Any fish or wildlife on the Endangered Species List which originates outside the United States is subject to seizure and forfeiture if found in the possession of any person within the United States without the proper marking or other identification, unless such person can show by appropriate documentation that the fish or wildlife came into his possession prior to the effective date of the regulations in this part.

#### § 17.6 State markings.

If any fish or wildlife which originates in the United States and which is required to be marked or otherwise identified by the laws or regulations of the State in which it originated is found without such marking or other identification, it is subject to seizure and forfeiture.

#### § 17.7 Export permits.

(a) No fish or wildlife which appears on the list of Endangered Species of Native Fish and Wildlife, as published from time to time in the FEDERAL REGISTER, may be exported from the United States unless accompanied by an export permit issued by the Department of the Interior.

(b) Requests for such permits must be dated and in writing, and sent to the Regional Director (see Appendix C to this part) at least 15 days prior to the date of exportation. The request shall contain the following information:

(1) Name and address of the applicant;

(2) Designation of the items to be exported, including species or subspecies, number, weight, method of shipment, and a description, such as "tanned hides";

(3) Evidence, in the form of certificates, tags, or other documents from the State in which the fish or wildlife originated showing that such fish or wildlife was lawfully taken, transported, or sold;



(4) In those cases where no certificate, tag, or other document is available from the State in which the fish or wildlife originated, the exporter may include the following certification:

I hereby certify that the State from which the fish or wildlife named hereon originated does not, to the best of my knowledge, issue certificates, tags, or other documents showing that such fish or wildlife was lawfully taken, transported, or sold. I also certify that such fish or wildlife was lawfully taken, transported, or sold in the State from which it originated. I am aware that a false statement hereon may be subject to the penalties of 18 U.S.C. 1001.

(c) The provisions of this section do not apply to the export of migratory birds for which export permits may be obtained pursuant to § 16.9 of this chapter.

#### § 17.8 Marking of packages or containers.

(a) Any package or other container holding fish or wildlife which is shipped, transported, carried, brought, or conveyed in interstate or foreign commerce must be marked, labeled, or tagged so as to plainly indicate the name and address of the shipper and the consignee, and, except for interstate shipments of furs, hides, and skins, the number and kind of the contents.

(b) (1) In any case where the marking or other identification of the package or other container under this section indicating in any way the contents thereof would create a significant possibility of theft of the package or its contents, the Director may, upon request of the owner thereof or his agent provide some other reasonable means of notifying appropriate authorities of the contents of such packages.

(2) Applications for such exceptions must be dated and in writing, and should be submitted to the Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, Washington, D.C. 20240. The application must contain the following:

(i) Name and address of the applicant;

(ii) Designation of the item or items to be imported, transported, etc., including species or subspecies, number, weight, method of shipment, and description, such as "tanned hides";

(iii) Estimated time and place of the importation;

(iv) A statement of the reasons why marking, labeling, or tagging of a package to be imported, transported, etc., would create a significant possibility of theft of the package or its contents, including appropriate statistics, affidavits, or other documents;

(v) A certification in the following language:

I hereby certify that the foregoing information is complete and accurate, to the best of my knowledge and belief. I understand that this information is submitted for the purpose of obtaining an exemption from the marking and labeling requirements of 18 U.S.C. 44 and regulations promulgated thereunder, and that any false statement hereon may be subject to the penalties of 18 U.S.C. 1001.

(vi) The signature of the applicant.

(3) A request for an exception from the marking requirement for any subsequent shipment, transportation, carriage, bringing, or conveyance of the same or similar species or subspecies of fish or wildlife in interstate or foreign commerce may be made simply by submitting the information requested in subdivisions (i) and (ii) of subparagraph (2) of this paragraph, and the following signed certification:

I hereby certify that the statements and reasons submitted in my application of \_\_\_\_\_, 19\_\_\_\_, are completely applicable, except as modified herein, to the importation described above.

#### § 17.9 Importation of endangered species—general restrictions.

Except as provided elsewhere in this part, no person may import from any foreign country into the United States any species or subspecies of fish or wildlife which appears on the Endangered Species List.

#### § 17.10 Endangered Species List.

(a) The species or subspecies of fish or wildlife shown on the Endangered Species List are deemed to be threatened with worldwide extinction. The list may be revised from time to time as additional data becomes available which shows, to the Secretary's satisfaction, that a species or subspecies should be added to or removed from the list.

(b) The Office of Endangered Species in the Bureau of Sport Fisheries and Wildlife shall receive and maintain data regarding endangered species and subspecies of fish and wildlife. At least once every 5 years, said Office shall conduct a thorough review of the Endangered Species List. Any proposed revisions to the list shall be published in the FEDERAL REGISTER, with an opportunity for interested persons to submit written comments and suggestions.

(c) (1) Any interested person may at any time submit a request for a review of any particular listed species or subspecies. Such requests must be dated and in writing, and should be submitted to the Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, Washington, D.C. 20240. In order to be considered, requests must show in full the following information:

(i) Name and address of the person making the request;

(ii) Association, organization, or business, if any, represented by the person making the request;

(iii) Reasons why the person making the request, or the persons he represents, should be considered to be an "interested person";

(iv) Designation of the particular species or subspecies in question;

(v) Narrative explanation of the request for review and justification for a change in the status of the species or subspecies in question;

(vi) Complete supporting data for the request;

(vii) Signature of the person making the request.

(2) If it is determined that the request has presented substantial evidence warranting a review, a finding to that effect shall be published in the FEDERAL REGISTER. Such finding shall give notice and opportunity to all other interested persons to participate in the review of the particular species or subspecies, by submission of written data.

#### § 17.11 Importation of endangered species—exceptions.

(a) Commercial permit:

(1) In order to avoid undue economic hardship, any person importing any species or subspecies shown on the Endangered Species List, for commercial purposes, under any contract entered into prior to the effective date of the FEDERAL REGISTER notice placing such species or subspecies on the Endangered Species List, may apply for a permit allowing the importation of such fish or wildlife. The application shall be dated and in writing and submitted to the Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, Washington, D.C. 20240, and must contain the following:

(i) Name and address of the applicant;

(ii) Designation of the item or items to be imported including species or subspecies, number, weight, method of shipment, and description, such as "tanned hides";

(iii) Purpose of the importation;

(iv) Copy of the contract under which such fish or wildlife is to be imported, showing the name and address of the seller or consignor, date of the contract, contract price, number and weight, and description of the item;

(v) Copies of contracts for the importation of fish or wildlife of the same or similar species or subspecies for the calendar year immediately preceding the date of the contract in question;

(vi) A statement of the reasons why failure to fulfill the contract in question would lead to economic hardship, with all supporting documents;

(vii) A certification in the following language:

I hereby certify that the foregoing information is complete and accurate, to the best of my knowledge and belief. I understand that this information is submitted for the purpose of obtaining an exemption from the requirements of the Endangered Species Conservation Act of 1969 (83 Stat. 275) and regulations promulgated thereunder, and that any false statement hereon may be subject to the penalties of 18 U.S.C. 1001.

(viii) The signature of the applicant.

(2) Any permits granted pursuant hereto will be strictly limited to allow importation only as necessary to avoid undue economic hardship, and in any case shall not be valid for more than one year from the effective date of the FEDERAL REGISTER notice placing such species or subspecies on the Endangered Species List.

(3) If a permit is denied, the applicant shall have 20 days after the date of the letter containing notice of such denial in which to request a full hearing



regarding the application for such permit.

(b) Zoological, educational, scientific, or preservation permit:

(1) Any person importing any species or subspecies on the Endangered Species List for zoological, educational, and scientific purposes, or for the propagation of such fish or wildlife in captivity for preservation purposes, may apply for a permit allowing the importation of such fish or wildlife. The application shall be dated and in writing, and submitted to the Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, Washington, D.C. 20240. It shall contain the following information:

(i) The name and address of the applicant;

(ii) The number of specimens and the common and scientific names (genus and species) of each species or subspecies of fish or wildlife proposed to be imported;

(iii) Complete statement of the purpose of such importation;

(iv) The address and a description of the facilities where such fish or wildlife will be kept;

(v) A statement, if applicable, of the applicant's qualifications and previous experience in caring for and handling captive live wildlife;

(vi) A copy of the contract under which such fish or wildlife is to be imported, showing the name and address of the seller or consignor, date of the contract, contract price, number, and weight (if available), and description of the items;

(vii) A certification in the following language:

I hereby certify that the foregoing information is complete and accurate, to the best of my knowledge and belief. I understand that this information is submitted for the purpose of obtaining an exemption from the requirements of the Endangered Species Conservation Act of 1969 (83 Stat. 275), and that any false statement hereon may be subject to the penalties of 18 U.S.C. 1001.

(viii) The signature of the applicant.

(2) Permittees shall comply with all terms, conditions, or restrictions prescribed in the permit.

(c) Permits issued pursuant to this part shall not be construed to authorize the importation or other acquisition, possession, transportation, or disposal of any fish or wildlife contrary to any applicable Federal or State laws or regulations and does not relieve or eliminate responsibility for complying with any applicable health, quarantine, agriculture, customs permit, or other requirements imposed by the laws or regulations of other duly authorized Federal and State agencies.

#### § 17.12 Hearings.

(a) Whenever opportunity for a hearing is required by § 17.11 or sections 4 or 7 of the Act, reasonable notice shall be given by registered or certified mail, return receipt requested, to the affected

person. This notice shall advise such person of the action proposed to be taken, the specific provision under which the proposed action is to be taken, and the matters of fact or law asserted as the basis for this action. The notice will either (1) fix a date not less than 20 days after the date of such notice within which the person receiving the notice may request that the matter be scheduled for a hearing, or (2) advise the person receiving the notice that the matter has been set down for hearing at a stated time and place.

(b) The time and place fixed shall be reasonable and shall be subject to change for cause. The recipient of a notice of hearing may waive a hearing and submit written information and argument for the record. The failure of the recipient to request a hearing under this paragraph or to appear at a hearing for which a date has been set shall be deemed to be a waiver of the right to a hearing and consent to the making of a decision on the basis of such information as is available.

(c) All hearings shall be presided over by a hearing examiner appointed under 5 U.S.C. 3105. Immediately upon the initiation of any proceeding, an examiner will be assigned to the case. Thereafter, all motions, applications, and other papers shall be filed with the examiner.

(d) In all proceedings under this section, the recipient and the Department shall have the right to be represented by counsel.

(e) (1) The hearing and decision shall be conducted in conformity with subchapter II, chapter 5, of title 5, United States Code (Administrative Procedure) and in accordance with such rules of procedure as are proper (and not inconsistent with this section) relating to the conduct of the hearing, giving of notices subsequent to those provided for in paragraph (a) of this section, taking of testimony, exhibits, arguments, and briefs, requests for findings, and other related matters. Both the Department and the recipient shall be entitled to introduce all relevant evidence on the issues as stated in the notice for hearing or as determined by the officer conducting the hearing at the outset of or during the hearing.

(2) Technical rules of evidence shall not apply to hearings conducted pursuant to this part, but rules or principles designed to assure production of the most credible evidence available and to subject testimony to test by cross-examination shall be applied where reasonably necessary by the examiner conducting the hearing. The hearing examiner may exclude irrelevant, immaterial, or unduly repetitious evidence. All documents and other evidence offered or taken for the record shall be open to examination by the parties and opportunity shall be given to refute facts and arguments advanced on either side of the issues.

(3) Hearings shall be recorded stenographically by an official reporter. The

transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, shall constitute the exclusive record for decision. Copies of the transcript may be obtained by any party from the official reporter upon payment of the fees fixed therefor.

(f) Promptly after conclusion of the hearing, the examiner shall render a decision. The decision shall be in writing and shall include a statement of (1) findings and conclusions and the reasons or basis therefor, on the material issues of fact, law, or discretion presented on the record and (2) the appropriate ruling, order, or denial thereof with the effective date. The examiner's decision shall be final and binding. A copy of the decision shall be given to each party.

(g) Whenever a hearing is waived pursuant to paragraph (a) of this section, a decision shall be made by the hearing examiner on the record and a copy of such decision shall be given in writing to the affected persons.

#### § 17.13 Forfeiture.

(a) Any fish or wildlife, product, property, or item which has been seized pursuant to the Act may be proceeded against in any court of competent jurisdiction for forfeiture to the Secretary for disposition by him.

(b) If such proceeding is not instituted within 30 days following the disposition of proceedings involving the assessment of a civil penalty, the seized wildlife, product, property, or item shall be returned to the owner or consignee.

(c) Upon conviction for a criminal penalty pursuant to the Act, any seized wildlife, or product thereof, shall be forfeited to the Secretary for disposition by him. If no conviction results from any such alleged violation, the Secretary may commence civil penalty proceedings. If a civil penalty proceeding is not instituted within 30 days following the final disposition of the criminal case involving such violation, the seized property shall be returned to the owner or consignee.

#### § 17.14 Holding, return, and disposal of seized property.

(a) Any authorized employee or officer of the Customs who has seized any property shall deliver such seized property to the Regional Director (see Appendix C to this part) or his designee, who shall either hold such seized property, or arrange for the proper handling and care of such seized property.

(b) Any arrangement for the handling and care of seized property shall be in writing and shall state the compensation, if any, to be paid to the bailee. The Regional Director, or his designee, shall attempt to notify the owner or consignee immediately by telephone, but in any case shall, within 48 hours of the receipt of the seized property, mail notice thereof by registered or certified mail, return receipt requested, to the owner or consignee. Such notice shall describe the seized property, including its declared



APPENDIX A

SECRETARY OF THE INTERIOR'S LIST OF SPECIES AND SUBSPECIES THREATENED WITH EXTINCTION IN OTHER COUNTRIES

value, and shall state the time, place, and reason for the seizure. Such notice shall also give the name and telephone number of a person within the Regional Director's Office who may be contacted regarding such seized property.

(c) The Regional Director may, upon written request of the owner or consignee, accept a bond or other satisfactory surety in place of the seized property. Such bond shall be in the full penal amount of \$5,000 or equal to the value of the seized property, whichever is greater, and shall only be allowed where the Regional Director reasonably believes that the owner or consignee intends to maintain possession or control of the seized property until all proceedings regarding the seized property are completed, or where the seized property is of such a nature that its release will not hamper the aims of the Act.

(d) If, at the conclusion of the appropriate proceedings, the seized property is to be returned to the owner or consignee, the Regional Director shall issue a letter authorizing the return of seized property to the owner or consignee. This letter shall be sent by registered mail, return receipt requested, and shall identify the owner or consignee, the seized property, and the bailee of the seized property. It shall also provide that upon presentation of the letter and proper identification, the bailee is authorized to release the seized property provided it is properly marked in accordance with applicable State or Federal requirements. All charges regarding the storage, care, or handling of the seized property accruing after the date of the return receipt shall be for the account of the owner or consignee.

(e) Disposal of seized property. If, at the conclusion of the appropriate proceedings, the seized property is to be forfeited to the United States, the Regional Director shall arrange for its disposal: *Provided*, That any forfeited property shall be held by the Regional Director until the conclusion of all court proceedings connected therewith. All charges which have accrued regarding the storage, care, or handling of the seized property shall be for the account of the owner or consignee.

§ 17.15 Other laws applicable.

Nothing in this part, nor any permit, exception, or permission issued hereunder, shall be construed to relieve any person from any provision of any other laws, rules, or regulations of the States or the United States.

Interested persons may submit written comments, suggestions, or objections with respect to this proposed amendment to the Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, Washington, D.C. 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

LESLIE L. GLASGOW,

Assistant Secretary of the Interior.

APRIL 9, 1970.

| Common name                        | Scientific name                               | Where found                       |
|------------------------------------|---|-----------------------------------|
| <b>Birds:</b>                      |   |                                   |
| Arabian ostrich                    | <i>Struthio camelus syriacus</i>              | Jordan or Saudi Arabia.           |
| Atitlan grebe                      | <i>Podilymbus podiceps</i>                    | Guatemala.                        |
| Short-tailed albatross             | <i>Diomedea nigripes</i>                      | Japan.                            |
| Chinese egret                      | <i>Egretta eulophotes</i>                     | China, Korea.                     |
| Japanese crested ibis              | <i>Nipponia nippon</i>                        | Japan, Korea.                     |
| Mexican duck                       | <i>Anas diazi</i>                             | Mexico, United States.            |
| White-winged wood duck             | <i>Cairina aurantia</i>                       | India, Thailand, Sumatra, Burma.  |
| American peregrine falcon          | <i>Falco peregrinus anatum</i>                | Canada, United States, Mexico.    |
| Christmas Island goshawk           | <i>Accipiter fasciatus natalis</i>            | Christmas Island.                 |
| Anjouan Island sparrow hawk        | <i>Accipiter francesii pusillus</i>           | Comoro Islands.                   |
| Galapagos hawk                     | <i>Buteo galapagoensis</i>                    | Galapagos.                        |
| Grenada hook-billed kite           | <i>Chondrohierax uncinatus mirus</i>          | West Indies.                      |
| Monkey-eating eagle                | <i>Pithecopoga jafferyi</i>                   | Philippine Islands.               |
| Seychelles kestrel                 | <i>Falco araea</i>                            | Seychelles Island.                |
| Mauritius kestrel                  | <i>Falco punctatus</i>                        | Mauritius.                        |
| Horned guan                        | <i>Oreophaps derbianus</i>                    | Guatemala, Mexico.                |
| White-headed curassow              | <i>Pipile pipile pipile</i>                   | Trinidad.                         |
| Masked bobwhite                    | <i>Colinus virginianus ridgwayi</i>           | United States, Mexico.            |
| Brown-eared pheasant               | <i>Crossoptilon mantchuricum</i>              | China.                            |
| Chinese monal                      | <i>Lophophorus luykii</i>                     | China.                            |
| Selater's monal                    | <i>Lophophorus selateri</i>                   | China, Burma.                     |
| Edward's pheasant                  | <i>Lophura edwardsi</i>                       | South Viet Nam.                   |
| Imperial pheasant                  | <i>Lophura imperialis</i>                     | South Viet Nam.                   |
| Swinhoe's pheasant                 | <i>Lophura swinhoii</i>                       | Formosa.                          |
| Palawan peacock pheasant           | <i>Polyplectron emphanum</i>                  | Philippine Islands.               |
| Elliott's pheasant                 | <i>Syrniscus elliotti</i>                     | China.                            |
| Hume's bar-tailed pheasant         | <i>Syrniscus humiae humiae</i>                | Burma.                            |
| Blyth's tragopan                   | <i>Tragopan blythii blythii</i>               | Burma, China.                     |
| Cabot's tragopan                   | <i>Tragopan caboti</i>                        | China.                            |
| Western tragopan                   | <i>Tragopan melanocephalus</i>                | India (probably extinct).         |
| Whooping crane                     | <i>Grus americana</i>                         | Canada, United States.            |
| Auckland Island rail               | <i>Rallus pectoralis mulleri</i>              | New Zealand.                      |
| Kagu                               | <i>Rhynchoceros jubatus</i>                   | New Caledonia.                    |
| Great Indian bustard               | <i>Chloris nigripes</i>                       | India, Pakistan.                  |
| Eskimo curlew                      | <i>Numenius borealis</i>                      | United States, Canada, Argentina. |
| Andoulin's gull                    | <i>Larus andouinii</i>                        | Morocco, Cyprus.                  |
| Azores wood pigeon                 | <i>Columba palumbus azorica</i>               | Azores.                           |
| Bahamas parrot                     | <i>Amazona leucoccephala bahamensis</i>       | Bahamas.                          |
| Australian night parrot            | <i>Geopelia occidentalis</i>                  | Australia.                        |
| Orange-billed parakeet             | <i>Neopeltus chrysogastrus saub.</i>          | Australia.                        |
| Thick-billed parrot                | <i>Rhynchopsitta pachyrhynchos</i>            | Mexico, United States.            |
| Red-faced malkoha                  | <i>Phegopeltus pyrrocephalus</i>              | Ceylon.                           |
| Seychelles owl                     | <i>Otus insularis</i>                         | Seychelles.                       |
| Mrs. Morden's owl                  | <i>Otus tristis</i>                           | Kenya.                            |
| Anjouan scops owl                  | <i>Otus viridis capnodes</i>                  | Anjouan Islands.                  |
| New Zealand laughing owl           | <i>Scolopax albifacies albifacies</i>         | New Zealand.                      |
| Southern owl                       | <i>Tyto soumangsi</i>                         | Madagascar.                       |
| Imperial woodpecker                | <i>Campoplex imperialis</i>                   | Mexico.                           |
| Cuban ivory-billed woodpecker      | <i>Campoplex principalis bairdii</i>          | Cuba.                             |
| Tristram's woodpecker              | <i>Dryocopus javensis richardi</i>            | Korea.                            |
| Euler's flycatcher                 | <i>Empidonax euleri johnstoni</i>             | Grenada, West Indies.             |
| New Zealand bush wren              | <i>Xenicus longipes</i>                       | New Zealand.                      |
| Noisy scrub-bird                   | <i>Atrichornis clamorosa</i>                  | Australia.                        |
| Rufous scrub-bird                  | <i>Atrichornis rufescens</i>                  | Australia.                        |
| South Island kokako                | <i>Callaeus cinereus cinereus</i>             | New Zealand.                      |
| Piopio                             | <i>Turnagra capensis</i>                      | New Zealand.                      |
| Reunion cuckoo shrike              | <i>Coguna newtoni</i>                         | Reunion Island.                   |
| Mauritius cuckoo shrike            | <i>Coguna typicus</i>                         | Mauritius.                        |
| Guadeloupe house wren              | <i>Troglodytes aedon guadeloupensis</i>       | Guadeloupe Island.                |
| St. Lucia wren                     | <i>Troglodytes aedon mesoleucus</i>           | St. Lucia, West Indies.           |
| Martinique brown tanager           | <i>Cincloerthis ruficauda gutturalis</i>      | Martinique.                       |
| Martinique white-breasted thrasher | <i>Ramphocinclus brachyurus brachyurus</i>    | Martinique.                       |
| St. Lucia white-breasted thrasher  | <i>Ramphocinclus brachyurus sanctueluciae</i> | St. Lucia Island.                 |
| Mauritius oliveaceous bulbul       | <i>Hypsipetes borbonicus olivaceus</i>        | Mauritius Island.                 |
| Cebu black shama                   | <i>Copsychus niger cebuensis</i>              | Philippine Islands.               |
| Seychelles magpie-robin            | <i>Copsychus seychellarum</i>                 | Seychelles Island.                |
| Grand Cayman thrush                | <i>Turdus rufinus</i>                         | Grand Cayman Island.              |
| White-necked rock-fowl             | <i>Picathartes gymnocephalus</i>              | Togo, Sierra Leone.               |
| Grey-necked rock-fowl              | <i>Picathartes oreus</i>                      | Cameroon.                         |
| Nauru nightingale warbler          | <i>Aeroccephalus luscinius rehaei</i>         | Nauru Island.                     |
| Rodriguez warbler                  | <i>Behornia rodericannus</i>                  | Rodriguez Island.                 |
| Seychelles warbler                 | <i>Behornia sechellensis</i>                  | Seychelles.                       |
| Scarlet-breasted robin             | <i>Petroica multicolor multicolor</i>         | Norfolk Island.                   |
| Tahiti flycatcher                  | <i>Pomarea nigra nigra</i>                    | Tahiti.                           |
| Semper's warbler                   | <i>Leucophaea semperi</i>                     | St. Lucia Island.                 |
| Seychelles fody                    | <i>Foudia sechellarum</i>                     | Seychelles.                       |
| Sao Miguel bullfinch               | <i>Pyrrhula pyrrhula murina</i>               | Azores.                           |
| Slender-billed grackle             | <i>Cassidix palustris</i>                     | Mexico.                           |
| African lammergyer                 | <i>Gypaetus barbatus meridionalis</i>         | Eastern Africa.                   |
| Cape parrot                        | <i>Polocephalus robustus robustus</i>         | South Africa.                     |
| Kayana lorie                       | <i>Turacus corythaix corythaix</i>            | South Africa.                     |
| <b>Fish:</b>                       |   |                                   |
| Ala halibut                        | <i>Salmo platycephalus</i>                    | Turkey.                           |
| Cleek                              | <i>Acanthorhynchus handlirchi</i>             | Turkey.                           |
| Miyako tanago                      | <i>Tanaka tanago</i>                          | Japan.                            |
| Ayurmodoki                         | <i>Hymenophysa curta</i>                      | Japan.                            |
| Mexican blindcat                   | <i>Prietella phreatophila</i>                 | Mexico.                           |
| Nekogigi                           | <i>Coreobagrus ichikawai</i>                  | Japan.                            |
| Giant catfish                      | <i>Pangasianodon gigas</i>                    | Thailand.                         |
| Catfish                            | <i>Pangasius sanitwongaei</i>                 | Thailand.                         |
| <b>Mammals:</b>                    |   |                                   |
| Thylacine                          | <i>Thylacinus cynocephalus</i>                | Tasmania.                         |
| Variegated lemur                   | <i>Lemur variegatus</i>                       | Madagascar.                       |
| Coquerel's mouse lemur             | <i>Microcebus coquereli</i>                   | Madagascar.                       |
| Indri                              | <i>Indri indri</i>                            | Madagascar.                       |
| Aye-aye                            | <i>Daubentonia madagascariensis</i>           | Madagascar.                       |
| Spider monkey                      | <i>Ateles geoffroyi frontatus</i>             | Guatemala.                        |



## APPENDIX A—Continued

## SECRETARY OF THE INTERIOR'S LIST OF SPECIES AND SUBSPECIES THREATENED WITH EXTINCTION IN OTHER COUNTRIES—Continued

| Common name                         | Scientific name  | Where found  |
|-------------------------------------|--|--|
| <b>Mammals—Continued</b>            |  |  |
| Spider monkey                       | <i>Ateles geoffroyi geoffroyi</i>                                      | Guatemala.   |
| Spider monkey                       | <i>Ateles geoffroyi ornatus</i>  | Costa Rica.  |
| Spider monkey                       | <i>Ateles geoffroyi panamensis</i>                                     | Costa Rica.  |
| Squirrel monkey                     | <i>Saimiri orstedii (Saimiri sciurus orstedii)</i>                     | Costa Rica.  |
| Uakari, all species                 | <i>Cacajao spp.</i>  | Peru, Colombia, Venezuela, Brazil, Ecuador.                            |
| Mountain gorilla                    | <i>Gorilla G. berengei</i>   | Uganda, Congo.   |
| Golden-rumped golden-headed tamarin | <i>Leontideus spp.</i>   | Brazil.  |
| Golden lion marmoset                | <i>Cercocebus galerita galerita</i>                                    | Kenya.   |
| Tana River mangabey                 | <i>Presbytis gell.</i>   | India.   |
| Golden langur                       | <i>Colobus verus.</i>  | Gold Coast, French Guinea, Sierra Leone.                               |
| Green colobus                       | <i>Colobus verus.</i>  | Gold Coast, French Guinea, Sierra Leone.                               |
| Lion-tailed macaque                 | <i>Macaca silienus</i>   | India.   |
| Orangutan                           | <i>Pongo pygmaeus</i>  | Southeast Asia, Indonesia, Malaysia.                                   |
| Pink fairy armadillo                | <i>Chlamyphorus truncatus</i>  | Argentina.   |
| Three-banded armadillo              | <i>Tolypeutes tricinctus</i>   | Brazil.  |
| Thin-spined porcupine               | <i>Chaetomys subopimus</i>   | Brazil.  |
| Northern kit fox                    | <i>Vulpes velox hebes</i>  | Canada.  |
| Mexican grizzly bear                | <i>Ursus horribilis nelsoni</i>  | Mexico.  |
| Black-footed ferret                 | <i>Mustela nigripes</i>  | United States, Canada.   |
| Giant otter                         | <i>Pteronura brasiliensis</i>  | Amazon Basin.  |
| Asiatic cheetah                     | <i>Acinonyx jubatus venaticus</i>                                      | Russia, Afghanistan, Iran, Saudi Arabia (formerly Pakistan and India). |
| Spanish lynx                        | <i>Felis lynx pardina</i>  | Spain.   |
| Asiatic lion                        | <i>Panthera leo persica</i>  | India.   |
| Sinai leopard                       | <i>Panthera pardus jarvisi</i>   | Sinai, Saudi Arabia.   |
| Amur leopard                        | <i>Panthera pardus orientalis</i>                                      | Korea, Russia.   |
| Barbary leopard                     | <i>Panthera pardus panthera</i>  | Morocco, Algeria, Tunisia.   |
| Bali tiger                          | <i>Panthera tigris balica</i>  | Indonesia.   |
| Javan tiger                         | <i>Panthera tigris sondaica</i>  | Indonesia.   |
| Caspian tiger                       | <i>Panthera tigris virgata</i>   | Russia, Afghanistan, Iran.   |
| Sumatran tiger                      | <i>Panthera tigris sumatrae</i>  | Indonesia.   |
| Southern fur seal                   | <i>Arctocephalus australis</i>   | Peru, Argentina, Ecuador, Mediterranean.                               |
| Mediterranean monk seal             | <i>Monachus monachus</i>   | United States, Costa Rica, Guatemala, Panama, Venezuela, Brazil.       |
| Manatee                             | <i>Trichechus manatus</i>  | Peru, Amazon Basin, Pakistan.  |
| Amazonian manatee                   | <i>Trichechus inunguis</i>   | Peru, Amazon Basin, Pakistan.  |
| Indian wild ass                     | <i>Equus hemionus khur</i>   | Pakistan.  |
| Persian wild ass                    | <i>Equus hemionus onager</i>   | Iran, Pakistan.  |
| Somali wild ass                     | <i>Equus asinus somalicus</i>  | Ethiopia, Somalia.   |
| Nubian wild ass                     | <i>Equus asinus africanus</i>  | Ethiopia.  |
| Sumatran rhinoceros                 | <i>Dicerorhinus sumatrensis</i>  | Southeast Asia—East Pakistan to Vietnam to Indonesia.                  |
| Javan rhinoceros                    | <i>Rhinoceros sondaicus</i>  | Indonesia, Burma, Thailand.  |
| Vienna                              | <i>Viengna ricognia</i>  | Peru, Bolivia.   |
| Persian fallow deer                 | <i>Dama dama mesopotamica</i>  | Iraq, Iran.  |
| Barbary stag                        | <i>Cervus elaphus barbarus</i>   | Tunisia.   |
| Kashmir stag, hangul                | <i>Cervus elaphus hangul</i>   | Kashmir.   |
| Bawean deer                         | <i>Elaphopus kuhlii</i>  | Indonesia.   |
| Huemul, Andean deer                 | <i>Hippocamelus antisensis</i>   | Argentina, Peru.   |
| Sonoran pronghorn                   | <i>Antilocapra americana sonoriensis</i>                               | Mexico, United States.   |
| Atia                                | <i>Acua depressicornis</i>   | Indonesia.   |
| Wood bison                          | <i>Bison bison athabascus</i>  | Canada.  |
| Kouprey                             | <i>Bos sauveli</i>   | Cambodia.  |
| Pyrenean ibex                       | <i>Capra pyrenaica pyrenaica</i>                                       | Spain.   |
| Walia ibex                          | <i>Capra walia</i>   | Ethiopia.  |
| Giant sable antelope                | <i>Hippotragus niger varians</i>                                       | Angola.  |
| Arabian oryx                        | <i>Oryx leucorox</i>   | Arabian Peninsula.   |
| Clark's gazelle, dibatag            | <i>Ammodorcas caudatus</i>   | Somalia, Ethiopia.   |
| Mohawk                              | <i>Papustyla pulcherrima</i>   | Manus Island (Admiralty Island).                                       |
| <b>Reptiles and amphibians:</b>     |  |  |
| Galapagos tortoise                  | <i>Testudo elephantopus</i>  | Galapagos (Ecuador).   |
| Green turtle                        | <i>Chelonia mydas mydas, Chelonia mydas japonica.</i>                  | Warm seas.   |
| Hawksbill turtle                    | <i>Eretmochelys imbricata imbricata, Eretmochelys imbricata bisca.</i> | Costa Rica, Caribbean, Gulf of Guinea, Seychelles.                     |
| Leathery turtle                     | <i>Dermochelys coriacea</i>  | Malaya, Guiana, tropical regions, French Guiana.                       |
| South America river turtle, arrau   | <i>Podocnemis expanza</i>  | Orinoco and Amazon Rivers, Colombia, Venezuela.                        |
| Black caiman                        | <i>Melanochelys nigra</i>  | Bolivia, Peru, Ecuador, Brazil, Colombia.                              |
| Yacare                              | <i>Caïman yacare</i>   | Brazil, Peru, Argentina, Bolivia.                                      |
| Morelet's crocodile                 | <i>Crocodylus moreletii</i>  | Mexico, British Honduras, Guatemala.                                   |
| Komodo dragon                       | <i>Varanus komodoensis</i>   | Indonesia.   |
| Anegada ground iguana               | <i>Cyclura pinguis</i>   | Anegada Island.  |

The list of endangered foreign species has been compiled from data supplied by international conservation organizations, foreign fish and wildlife agencies, individual scientists, and trade sources. If a species is not listed it may be because (1) it is not endangered throughout its range or (2) there is insufficient evidence to warrant its inclusion on the list.

## APPENDIX B

## DESIGNATED PORTS AND EXCEPTIONS THERETO

1. *Designated ports.* The following ports are designated as ports of entry for all fish and wildlife, except shellfish and fishery products imported for commercial purposes: [The designated ports will be inserted after notice and hearing pursuant to the Act.]

2. *Specific exceptions.* (a) In any case of emergency diversion of a shipment of live fish or live wildlife to a place in the United

States other than a designated port, the Regional Director (see Appendix C) or his designee may make appropriate arrangements for the immediate clearance for importation of such fish or wildlife, where it appears that delay in clearance would endanger or impair the health of such fish or wildlife. In any instance where the Regional Director or his designee cannot be reached, the Supervisory Customs Inspector of the Bureau of the Customs is authorized to make such arrangements.

(b) (1) Except for any species or subspecies which appear on the Endangered Species List, any fish or wildlife originating in Canada or exported from the United States into Canada may enter the United States through any of the ports designated in section 1 of Appendix B or through any of the following customs ports of entry:

(1) State of Alaska—Tok Junction.  
(ii) State of Washington—Blaine, Sumas, Oroville.

(iii) State of Idaho—Eastport.  
(iv) State of Montana—Sweetgrass, Raymond.

(v) State of North Dakota—Portal, Pembina, Dunseith.

(vi) State of Minnesota—Noyes, International Falls, Grand Portage.

(vii) State of Michigan—Sault Sainte Marie, Detroit, Port Huron.

(viii) State of Ohio—Cleveland.

(ix) State of New York—Buffalo-Niagara Falls, Ogdensburg, Rouses Point.

(x) State of Vermont—St. Albans, Derby Line.

(xi) State of Maine—Houlton, Calais.

(2) Except for any species or subspecies which appears on the Endangered Species List, any fish or wildlife originating in Mexico or exported from the United States into Mexico may enter the United States through any of the ports designated in section 1 of Appendix B or through any of the following customs ports of entry:

(i) State of California—Calexico, San Diego-San Ysidro.

(ii) State of Arizona—Nogales, San Luis.

(iii) State of Texas—El Paso, Laredo, Brownsville.

(3) Prior to any entry pursuant to (1) or (2) above, the importer or his agent must submit a signed and dated statement to the customs officer at the port of entry showing his name and address, the number and a description of the items being imported, and containing the following certification: "I hereby certify that the fish or wildlife named hereon does not appear on the Endangered Species List and originated in (Canada) (Mexico) or were exported from the United States into (Canada) (Mexico)."

(c) (1) Except for any species or subspecies which appears on the Endangered Species List, fish or wildlife which are entered into Alaska or Puerto Rico and which are not to be forwarded or transhipped within the United States may be imported through any of the ports designated in section 1 of Appendix B or at the following customs ports:

(1) Alaska—Juneau, Anchorage, Fairbanks.  
(ii) Puerto Rico—San Juan.

(2) Prior to any such entry, the importer or his agent must submit a signed and dated statement to the customs officer at the port of entry showing his name and address, the numbers and descriptions of the items being imported, and containing the following certification: "I hereby certify that the fish or wildlife named hereon do not appear on the Endangered Species List and are not to be forwarded or transhipped within the United States."

(d) (1) Except for any species or subspecies which appears on the Endangered Species List, fish or wildlife imported from Mexico or Canada by an individual as game or a game trophy lawfully taken in Mexico or Canada, may enter the United States at any port of entry.

(2) Such entry must be accompanied by Customs Form 3315, Declaration for Free Entry of Game Animals or Birds Killed by U.S. Residents.

(e) Except for any species or subspecies which appears on the Endangered Species List, fish or wildlife products which are transported accompanied or unaccompanied as personal effects or as part of household



effects, including game trophies transported as part of household effects but excluding any other game or game trophies, may enter the United States at any customs port of entry.

(f) Except for any species or subspecies which appears on the Endangered Species List, preserved scientific specimens may enter the United States at any customs port of entry under the following conditions:

(1) A copy of the invoice is attached to the outside of the package or container;

(2) The package or container is clearly labeled "Preserved Scientific Specimens—No Commercial Value."

The Regional Director or his designee may, at his discretion, require a package or container labeled as above to be transported under bond to the consignee or addressee, or to some other place, for inspection.

(g) Nothing in this subsection shall be construed as allowing the transportation of migratory birds and game mammals or fish to and from Canada or Mexico in any way contrary to the provisions of Parts 10, 13, and 15 of this chapter.

3. *Exception by permit.* (a) (1) Any person may apply for a permit to enter and import fish or wildlife at any nondesignated port. The application must be dated and in writing, and should be submitted to the Regional Director (see Appendix C) at least 10 days prior to entry. It shall contain the following:

(i) The name and address of the applicant;

(ii) Designation of the item or items to be entered, including species or subspecies,

number, weight, method of shipment, name of the carrier and description, such as "tanned hides;"

(iii) Purpose of the importation;

(iv) Intended point of entry and name of the carrier;

(v) A statement of the reasons why entry and importation should be allowed at the requested point of entry rather than at a designated port, including appropriate documentation;

(vi) A certification in the following language: "I hereby certify that the foregoing information is complete and accurate, to the best of my knowledge and belief, I understand that this information is submitted for the purpose of obtaining an exemption from the requirements of the Endangered Species Conservation Act of 1969 (83 Stat. 275) and regulations promulgated thereunder, and that any false statement hereon may be subject to civil or criminal penalties in accordance with 18 U.S.C. 1001."

(vii) Signature of the applicant.

(2) The issuance of permits under this section will be limited to those applicants who can show, to the satisfaction of the Regional Director, sufficient economic hardship or other reasonable justification for entry at a nondesignated port.

(3) Any permit issued under this section will specify any conditions deemed necessary by the Regional Director, including the requirement that the applicant pay any reasonable costs incurred by the Department in inspecting the shipment at a nondesignated port.

APPENDIX C

REGIONAL DIRECTORS

Following are the addresses of the various Regional Directors of the Bureau of Sport Fisheries and Wildlife, Department of the Interior:

Region 1: Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, 730 Northeast Pacific Street, Post Office Box 3737, Portland, Oreg. 97208. Telephone: 503 234-3250.

Includes: Alaska, California, Hawaii, Idaho, Montana, Nevada, Oregon, Washington.

Region 2: Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, Federal Building, Post Office Box 1306, 517 Gold Avenue SW., Albuquerque, N. Mex. 87103. Telephone: 505 843-2321.

Includes: Arizona, Colorado, Kansas, New Mexico, Oklahoma, Texas, Utah, Wyoming.

Region 3: Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Telephone: 612 725-3500.

Includes: Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, North and South Dakota, Wisconsin.

Region 4: Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, Peachtree-Seventh Building, Atlanta, Ga. 30323. Telephone: 404 526-5100.

Includes: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North and South Carolina, Tennessee, Virginia, District of Columbia.

Region 5: Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, U.S. Post Office and Courthouse, Boston, Mass. 02109. Telephone: 617 223-2961.

Includes: Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia.

[F.R. Doc. 70-4513; Filed, Apr. 13, 1970; 8:45 a.m.]

National Park Service

[ 36 CFR Part 7 ]

YELLOWSTONE NATIONAL PARK,  
WYO.

Boating

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535, as amended, 16 U.S.C. 3), and the Act of May 7, 1894 (28 Stat. 73, as amended,

16 U.S.C. 26), 245 DM1 (27 F.R. 6395), National Park Service Order No. 34 (31 F.R. 4255) as amended, Regional Director, Midwest Region Order No. 4 (31 F.R. 5769), as amended, it is proposed to amend § 7.13 of Title 36 of the Code of Federal Regulations, by the revision of paragraph (d) (11) and (12), as set forth below.

The purpose of this amendment is to clarify existing regulations governing boats and to stipulate specific areas in, or adjacent to, marina developments

wherein the beaching of vessels is prohibited. In addition, the purpose is to eliminate vessels from that portion of the Yellowstone Lake to a point 300 yards downstream from Fishing Bridge, as the boat dock at that vicinity has been removed, and consequently the need for boat access no longer exists. The outlet of Yellowstone Lake is presently marked very adequately with buoys to define this point.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections to the Superintendent, Yellowstone National Park, Post Office Box 168, Yellowstone National Park, Wyo. 83190, within 30 days of the publication of this notice in the FEDERAL REGISTER.

Section 7.13 is amended to read as follows:

§ 7.13 Yellowstone National Park.

(d) Boats. \* \* \*

(11) *Restricted landing areas.* (i) Prior to July 1 of each year, the landing of any vessel on the shore of Yellowstone Lake between Trail Creek and Beaverdam Creek is prohibited, except upon written permission of the Superintendent.

(ii) The landing or beaching of any vessel on the shores of Yellowstone Lake (a) within the confines of Bridge Bay Marina and the connecting channel with Yellowstone Lake, and (b) within the confines of Grant Village Marina and the connecting channel with Yellowstone Lake is prohibited except at the piers or docks provided for the purpose.

(12) *Restricted waters.* (i) Vessels are prohibited on the following lakes and lagoons:

- (a) Sylvan Lake.
- (b) Eleanor Lake.
- (c) Twin Lakes.

(d) Beach Springs Lagoon.

(ii) Vessels are prohibited on park streams (as differentiated from lakes and lagoons), except on the channel between Lewis Lake and Shoshone Lake, which is open only to hand-propelled vessels.

(iii) The following lake waters shall be open only to hand-propelled vessels:

- (a) Shoshone Lake.
- (b) The following portion of Flat Mountain Arm of Yellowstone Lake:

West of a line beginning at a point marked by a monument located on the south shore of the Flat Mountain Arm and approximately 10,200 feet easterly from the southwest tip of the said arm, said point being approximately 44°22' 13.2" N. latitude and 110°25'07.2" W. longitude, then running approximately 2,800 feet due north to a point marked by a monument located on the north shore of the Flat Mountain Arm, said point being approximately 44°22'40" N. latitude and 110°25'07.2" W. longitude.

(c) The southernmost 2 miles of the south and southeast arms of Yellowstone Lake, as more fully described in subdivision (vi) of this subparagraph.



(iv) Motorboats are permitted on Lewis Lake and on Yellowstone Lake except as restricted by subdivision (vi) of this subparagraph.

(v) Motorboats are prohibited on all waters of the park other than those named in subdivision (iv) of this subparagraph.

(vi) The operation of motorboats on Yellowstone Lake within the south arm and the southeast arm shall be confined to areas known as "Five Mile Per Hour Zones," being generally waters between the following described lines in the south arm and southeast arm, but specifically excluding the southernmost 2 miles of both arms which are open only to hand-propelled vessels.

(a) In the south arm: That portion between the following two lines:

(1) A line beginning at Plover Point, and running generally east to a point marked by a monument on the northwest tip of the peninsula common to the south and southeast arms; and

(2) A line beginning at a point marked by a monument located on the west shore of the south arm, approximately two (2) miles north of the cairn which marks the extreme southern extremity of Yellowstone Lake in accordance with the Act of Congress establishing Yellowstone National Park; said point being approximately in latitude 44°18'22.8" N., at longitude 110°20'04.8" W., Greenwich Meridian, from which the line runs due east to a point on the east shore of the south arm marked by a monument. Operation of motorboats south of the latter line is prohibited.

(b) In the southeast arm: That portion between the following two lines:

(1) A line beginning at a point marked by a monument on the northwest tip of the peninsula common to the south and southeast arms and running generally east to a point marked by a monument at the mouth of Columbine Creek; and

(2) A line beginning at a point marked by a cairn which marks the extreme eastern extremity of Yellowstone Lake, in accordance with the Act of Congress establishing Yellowstone National Park; said point being approximately in latitude 44°19'42.0" N., at longitude 110°12'06.0" W., Greenwich Meridian, from the line runs westerly to a point on the west shore of the southeast arm, marked by a monument, said point of arrival being approximately in latitude 44°20'03.6" N., at longitude 110°16'19.2" W., Greenwich Meridian. Operation of motorboats south of the latter line is prohibited.

(vii) The operation of vessels within the "Five Mile Per Hour Zones" shall be subject to the following limitations:

(a) Motorboats shall satisfy the flame arrester requirements of the Motorboat Act of April 25, 1940, as amended (46 U.S.C. 5261), and the regulation at 46 CFR 25.35-1(a).

(b) A speed of 5 miles per hour shall not be exceeded.

(c) Class 1 and Class 2 motorboats shall proceed no closer than one-quarter mile (¼) from the shoreline except to disembark or embark passengers, or while moored when passengers are ashore.

(viii) Written authority for a motorboat to enter either or both the south arm on the southeast arm "Five Mile Per Hour Zones" shall be granted to an operator thereof on application subject to the following:

(a) Prior to commencing a trip into either "Five Mile Per Hour Zone", the operator will complete and file with the Superintendent a form statement showing:

(1) Length, make and number of motorboat.

(2) Type (inboard, inboard-outboard), turbo-jet make and horsepower rating of motor.

(3) Name and address of head of party.

(4) Number of people in party.

(5) Number of nights planned to spend in each "Five Mile Per Hour Zone."

(6) Whether party will remain overnight on board the motorboat or in campgrounds on shore.

(b) Within 24 hours after having completed a motorboat trip which included a permitted entry into a "Five Mile Per Hour Zone," the operator shall file with the Superintendent a trip report stating:

(1) Which of the "Five Mile Per Hour Zones" were visited.

(2) The number of nights the party camped on shore and the places where this camping took place.

(ix) The disturbance in any manner or by any means of the birds inhabiting or nesting on either of the islands designated as "Molly Islands" in the southeast arm of Yellowstone Lake is prohibited; nor shall any vessel approach the shoreline of said islands within one-quarter mile.

(x) Water skiing, boat racing, towing of aircraft, water pageants, and spectacular or unsafe types of recreational use are prohibited on all park waters.

(xi) These restrictions shall not apply to vessels operated for administrative purposes or in emergencies.

JACK K. ANDERSON,  
Superintendent,  
Yellowstone National Park.

[F.R. Doc. 70-4498; Filed, Apr. 13, 1970;  
8:45 a.m.]

### [ 36 CFR Part 7 ]

## OZARK NATIONAL SCENIC RIVERWAYS, MO.

### Alcoholic Beverages

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. 3), and the Act of August 27, 1964 (78 Stat. 608, as amended; 16 U.S.C. 460m), 245 DM-1 (27 F.R. 6395), National Park Service Order No. 34 (31 F.R. 4255), as amended, Regional Director, Midwest Region Order No. 4 (31 F.R. 5769), as amended, it is proposed to add § 7.83 to Title 36 of the Code of Federal Regulations as set forth below.

The purpose of this amendment is to establish restrictions on the sale and pos-

session of alcoholic beverages in the Riverways. These restrictions have become necessary to regulate the sale and use of alcoholic beverages and to assist in protecting public property and natural features within the area.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed amendment to the Superintendent, Ozark National Scenic Riverways, Van Buren, Mo. 63965, within 30 days of the publication of this notice in the FEDERAL REGISTER.

A new section, § 7.83, is added to this part as follows:

### § 7.83 Ozark National Scenic Riverways.

(a) *Alcoholic beverages.* (1) Sales or gifts of alcoholic beverages to persons under 21 years of age are prohibited.

(2) Possession of alcoholic beverages by persons under 21 years of age is prohibited.

DAVID D. THOMPSON, JR.,  
Superintendent,

Ozark National Scenic Riverways.

[F.R. Doc. 70-4497; Filed, Apr. 13, 1970;  
8:45 a.m.]

## DEPARTMENT OF AGRICULTURE

### Consumer and Marketing Service

[ 7 CFR Part 1124 ]

[Docket No. AO-368-A2]

### MILK IN OREGON-WASHINGTON MARKETING AREA

#### Decision on Proposed Amendments to Marketing Agreement and to Order

A public hearing was held upon proposed amendments to the marketing agreement and the order regulating the handling of milk in the Oregon-Washington marketing area. The hearing was held, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice (7 CFR Part 900), at Klamath Falls, Oregon, on January 29, 1970, pursuant to notices thereof issued on January 21, 1970, and January 22, 1970 (35 F.R. 1018 and 1019).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on March 13, 1970 (35 F.R. 4706; F.R. Doc. 70-3228), filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision are hereby approved and adopted and are set forth in full herein, subject to the following modification:



1. Under Issue No. 2, "Providing a location differential at plants in California", the fifth and ninth paragraphs are revised.

The material issues on the record of the hearing relate to:

1. Deletion of Klamath County, Ore., from the marketing area; or
2. Providing a location differential at plants in California.

#### FINDINGS AND CONCLUSIONS

The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. Klamath County, Ore., should not be deleted from the Oregon-Washington marketing area.

There are two handlers who operate plants which are located in Klamath Falls in Klamath County. These plants furnish most of the fluid milk which is distributed in the county. At least one other regulated handler whose plant is in Oregon is distributing milk in Klamath County at the present time. This handler has a relatively substantial distribution in Klamath County on a regular basis.

There is one plant located at Weed, Calif., which disposes of milk in Klamath County, Ore. The route disposition of this handler in Klamath County, while it is a relatively small percentage of the total sales in the county, represents approximately 30 percent of the total Class I disposition of the Weed plant. This is sufficient to make the Weed plant a pool plant subject to full regulation under the order. The handler who operates the Weed plant is the proponent of the proposal to delete Klamath County from the marketing area or, in the alternative, to establish a location differential applicable at Weed.

It is his contention that being required to pay the full order Class I price on all his sales places him at a serious competitive disadvantage with respect to the 70 percent of his fluid distribution which is made in the State of California. In California he competes with plants located at Redding, Sacramento, and Oakland, Calif. The price the latter plants are required to pay by California law is less than the Federal order price.

If Klamath County were deleted from the marketing area, the Weed plant would cease to be subject to regulation under the Federal order since its sales in the marketing area are confined to that county. The price at such plant would then be the applicable price fixed by the State of California.

At the original promulgation hearing proponents of the inclusion of Klamath County in the marketing area stated that its inclusion was necessary to prevent the Klamath Falls plants from being at a serious competitive disadvantage relative to the Weed plant because the California Class I price was below the Oregon Class I price.

Klamath County is an integral part of the Oregon-Washington marketing area. As noted above, in addition to the two Klamath Falls plants, at least one

other regulated handler whose plant is in Oregon distributes milk in Klamath County. At least one of the two plants in Klamath Falls has regular route distribution in other portions of the Oregon-Washington marketing area. The milk associated with the Klamath Falls plants has always been a part of the overall supply for the area of Western Oregon encompassed by the Oregon-Washington marketing area.

Prior to the promulgation of the Federal milk order, Klamath County was a part of the Oregon State marketing area No. 1 which encompassed all of that part of Oregon which is now included within the Oregon-Washington marketing area. The producers who supply the Klamath Falls plants have held quotas under the Oregon base plan operated by the State Department of Agriculture and their milk has been pooled by the State with that of all other producers holding quotas under such base plan. In anticipation of the issuance of the Federal order some of these producers purchased additional quotas under the Oregon base plan.

Klamath County and the immediately adjacent area produce more milk than is consumed locally. The milk not needed by the two local plants forms a part of the reserve supply for western Oregon. Such milk is regularly moved to plants at Eugene and Medford, Ore., for Class I use. This milk is directed to the Medford and Eugene plants by the State of Oregon under the supply-management provision of the State Milk Act. The milk is sometimes moved by transfer from the local plants and sometimes by diversion from producers' farms at the direction of the cooperative association of which they are members. If Klamath County were deleted from the marketing area, the milk could no longer be received at Medford and Eugene except as other source milk, and the dairy farmers supplying such milk would no longer be producers under the Federal order.

Questions were raised as to whether Klamath County would continue to be subject to State regulation and whether the producers supplying the plants in Klamath County would continue to be pooled by the State if the county were deleted from the Federal marketing area. The chief of the Milk Stabilization Division of the Oregon Department of Agriculture testified that if Klamath County were deleted from the Federal order marketing area, the pricing provisions of the State Milk Act, which are now in abeyance, would automatically become effective with respect to milk received by Klamath County handlers from Oregon producers. He added, however, that the State could not compute a pool for the Klamath County handlers without amendment of the State Milk Act. He further noted that the State would have no authority to enforce its producer prices on milk purchased by Klamath County handlers from those producers who reside in California.

He further testified that the milk of producers supplying Klamath County handlers could not be pooled with the

milk of other Oregon producers under the present regulation which was amended when the Federal marketing order became effective. He expressed considerable doubt that the State regulation could be amended to provide for pooling of such milk with that of the milk of other producers in Oregon.

In view of the relatively low Class I utilization of the Klamath County plants, compared to that of the remaining milk pooled under the order, particularly if the bulk sales of Class I milk to Medford and Eugene were no longer available, the result would be a very substantial lowering of returns to the producers supplying Klamath County plants. This would be true even if the State were able to enforce its minimum price regulations in the absence of a Federal order.

The chief of the Milk Stabilization Division further testified that the elimination of Klamath County from the marketing area would seriously interfere with the State's supply-management program. As noted above, at the present time the excess production in the Klamath County area is moved to the plants at Eugene and Medford for fluid use. If Klamath County were deleted from the marketing area, this milk would no longer be available for this purpose and it would be necessary to move milk "upstream" from the metropolitan area about Portland to furnish the fluid requirements of Eugene and Medford.

Thus, to eliminate Klamath County from the marketing area not only would adversely affect the returns to the producers supplying the plants located therein, but also would have a disruptive effect on the orderly marketing of milk in western Oregon.

2. A location differential should be made applicable at plants located in California.

All the distribution of the Weed plant, other than that in Klamath County, Ore., is made in Siskiyou County, Calif., which is outside the boundaries of the Oregon-Washington marketing area. As noted above the Weed plant competes here with plants located in Redding, Sacramento, and Oakland, Calif. No estimates are available as to the volume of milk disposed of in Siskiyou County by the other California plants.

It is the contention of the Weed handler that, if Klamath County is not deleted from the marketing area, the order must be amended to provide a location adjustment to the Class I price applicable at his plant at Weed. Otherwise his competitive situation in California, where the great majority of his sales are made, is untenable.

The minimum prices which California plants are required to pay are fixed by the State of California. At the present time the applicable price in Siskiyou County, Calif., is \$6.19 per hundred-weight. This is a fixed price which can be changed only by an amendment of the State regulation. It does not fluctuate with the value of manufacturing grade milk as does the Class I price in the Federal order. The latter price is determined by adding \$1.95 to the basic formula



price which is the average price paid during the preceding month by manufacturing plants in Minnesota and Wisconsin. Currently, there is a floor of \$4.33 under the basic formula price. Thus the minimum Class I price which could apply under the Oregon-Washington order is \$6.28. Because of the fluctuation in manufacturing prices the order Class I price can vary from month to month whenever the manufacturing milk price exceeds the floor. In January the order Class I price was \$6.58.

The Weed handler testified that the prices paid by his California competitors were lower than the \$6.19 applicable in Siskiyou County, since these plants were located in lower-priced zones. These prices vary with the location of the plant. At the hearing, the Chief of the Bureau of Milk Stabilization of the State of California testified that any California regulated plant selling milk in Siskiyou County would be required to pay for such milk the price applicable in Siskiyou County rather than the price applicable at the location of the plant or origin. In exceptions filed by this official, however, it was stated that the price applicable at the location of any California plant would apply to its sales anywhere in California. This does not materially affect the competitive situation in Siskiyou County since the California plants which compete there with Medo-Bel Creamery are located from 70 to 300 miles away. The costs incurred by these plants in transporting milk to Siskiyou County will tend to offset such differences in the Class I prices.

One of the purposes of location differentials is to adjust the Class I and uniform prices to reflect the cost of moving milk from distant points to a central market. They also serve to maintain proper intermarket price relationships and to prevent a dislocation of supplies between markets. When the Oregon-Washington marketing order was issued, no location differentials were provided at plant locations in California. The hearing record indicated no need for them. The plant at Weed was, and still is, the only California plant disposing of milk in the marketing area. At the time of the hearing it was expected that the prices paid by the Federal order for Oregon would be in fairly close alignment with the prices fixed by the State of California for Siskiyou County.

Northern California is sparsely populated and has a rugged mountainous terrain. The only milk processing plant in northern California close to the Oregon-Washington marketing area is the plant at Weed in Siskiyou County. Weed is approximately 75 miles from either Klamath Falls or Medford, the principal population centers in southern Oregon.

The proponent stated that a location differential of approximately 27 cents would be necessary to bring him complete competitive equity at the Weed location. This differential, which was predicated on the \$6.58 Class I price prevailing in January, is excessive.

The order provides adjustments for location of plants relative to the price bas-

ing point in the marketing area at the rate of 1.5 cents for each 10 miles or fraction thereof. In view of this rate, applicable at other plants, 15 cents per hundredweight will offset the cost of moving milk from Weed to either Klamath Falls or Medford. On an annual average, it would result in a Class I price at Weed that would be reasonably related to the Class I price fixed for Siskiyou County by the State of California. It also would bring about improved competitive relationships with other California plants distributing milk in Siskiyou County, since, as previously noted, the costs of transporting milk from such plants to Siskiyou County would tend to offset the differences in the Class I prices at the various California plant locations.

Although the plant at Weed is the only California plant disposing of milk in the marketing area at the present time, provision should be made for location differentials at other points in California in anticipation of the possibility that other California plants might begin the disposition of milk in the marketing area. One California plant is believed to be disposing of milk at the present time in Curry County, Oreg., in the southwestern corner of the State. Curry County is not a part of the present marketing area.

Presently, the location differentials in the order are based on the distance that plants are located from the county courthouse in Portland, Oreg., the principal population center in the northern part of the marketing area. At plants located more than 100 miles from such courthouse the applicable differential is 15 cents plus an additional 1.5 cents for each 10 miles or fraction thereof that such distance exceeds 110 miles.

In the case of California plants, however, milk would not be moved to Portland. It would be more likely to move to Medford or Klamath Falls, the principal population centers of southern Oregon. Hence, location differentials applicable at California plants should be based on the distance from these points. The rate per mile should be the same as that provided in the present order.

Accordingly, the order should be amended to provide that at any plant located in California, the Class I price should be reduced 15 cents, plus an additional 1.5 cents for each 10 miles or fraction thereof that the plant is more than 110 miles distant from the county courthouse in Medford or Klamath Falls, Oreg., whichever is the nearer.

As at all other plants at which location differentials apply, the uniform price for base milk should be reduced to reflect the value of the milk at the plant to which delivered. The reasons for adjusting the uniform price to producers at the same rate that is applied to Class I milk are set forth in the findings of the decision of the Assistant Secretary on the original Oregon-Washington order dated October 24, 1969 (34 F.R. 17684). Said findings appearing on page 17699 of the decision are adopted as if set forth in full herein.

Since the order currently provides that the producer location differential shall

be the same as the differential applied to Class I milk, no amendment in that respect is necessary.

#### RULINGS ON PROPOSED FINDINGS AND CONCLUSIONS

A brief and proposed findings and conclusions were filed by the Chief of the Milk Stabilization Division, State Department of Agriculture, State of Oregon. This brief, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed are inconsistent with the findings and conclusions set forth herein, the request to make such findings or reach such conclusions is denied for the reasons previously stated in this decision.

#### GENERAL FINDINGS

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

#### RULINGS ON EXCEPTIONS

In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

#### MARKETING AGREEMENT AND ORDER

Annexed hereto and made a part hereof are two documents, a marketing



agreement regulating the handling of milk, and an order amending the order regulating the handling of milk in the Oregon-Washington marketing area which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That this entire decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of the marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which is published with this decision.

#### DETERMINATION OF PRODUCER APPROVAL AND REPRESENTATIVE PERIOD

January 1970 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order, as hereby proposed to be amended, regulating the handling of milk in the Oregon-Washington marketing area is approved or favored by producers, as defined under the terms of the order, as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on April 9, 1970.

RICHARD E. LYNG,  
Assistant Secretary.

#### Order<sup>1</sup> Amending the Order, Regulating the Handling of Milk in the Oregon-Washington Marketing Area.

##### FINDINGS AND DETERMINATIONS

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings.* A public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Oregon-Washington marketing area. The hearing was held pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure (7 CFR Part 900).

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act,

<sup>1</sup>This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held;

*Order relative to handling.* It is therefore ordered that on and after the effective date hereof the handling of milk in the Oregon-Washington marketing area shall be in conformity to and in compliance with the terms and conditions of the order, as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on March 13, 1970, and published in the FEDERAL REGISTER on March 18, 1970 (35 F.R. 4706; F.R. Doc. 70-3228), shall be and are the terms and provisions of this order, amending the order, and are set forth in full herein:

Amend § 1124.52 as follows:

a. In the introductory text of paragraph (a) the words, "or in the State of California", are deleted.

b. In paragraph (a)(2) the reference to "subparagraph (1)" is changed to "subparagraphs (1) and (3)", and

c. A new subparagraph (3) is added to paragraph (a) to read as follows:

(3) For any plant located in the State of California, such price shall be reduced 15 cents, plus an additional 1½ cents for each 10 miles or fraction thereof that such plant is more than 110 miles from the county courthouse in either Klamath Falls or Medford, Oreg., whichever is nearer, by the shortest hard-surfaced highway distance as determined by the market administrator; and

[F.R. Doc. 70-4506; Filed, Apr. 13, 1970; 8:46 a.m.]

## DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[ 14 CFR Part 39 ]

[Docket No. 7932]

### BRITISH AIRCRAFT CORPORATION MODEL BAC 1-11 200 AND 400 SERIES AIRPLANES

#### Proposed Airworthiness Directive

Amendment 39-397 (32 F.R. 5985), AD 67-14-4, requires inspection of the fin top actuator fittings for cracks, and

replacement where necessary, on British Aircraft Corp. Model BAC 1-11 200 and 400 series airplanes. After issuing Amendment 39-397, the FAA has determined that based on safety considerations the modification required by paragraph (d) of that amendment should be accomplished within a total accumulation of 10,000 landings rather than within 10,000 landings after the effective date of AD 67-14-4. Therefore, the FAA is considering amending Amendment 39-397 to require the accomplishment of paragraph (d) of that amendment within a total accumulation of 10,000 landings on British Aircraft Corp. Model BAC 1-11 200 and 400 series airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before May 14, 1970, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

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

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-397 (32 F.R. 5985), AD 67-14-4, by striking out the phrase, "Within 10,000 landings after the effective date of this AD, \* \* \*" in paragraph (d) and inserting the phrase, "Before the total accumulation of 10,000 landings, unless already accomplished, \* \* \*", in place thereof.

Issued in Washington, D.C., on April 7, 1970.

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

[F.R. Doc. 70-4494; Filed, Apr. 13, 1970; 8:45 a.m.]

[ 14 CFR Part 71 ]

[Airspace Docket No. 70-SW-12]

TRANSITION AREA

Proposed Designation

Correction

In F.R. Doc. 70-3414 appearing on page 4966 in the issue for Saturday, March 21, 1970, the reference to "Baker Field" in the last paragraph in the second column and in the first paragraph in the third column should read "Eaker Field".



# FEDERAL HOME LOAN BANK BOARD

[ 12 CFR Part 563 ]

[23,979]

## FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

### Real Estate Appraisals

APRIL 7, 1970.

Resolved that the Federal Home Loan Bank Board considers it advisable to amend Part 563 of the Rules and Regulations for Insurance of Accounts (12 CFR Part 563) for the purpose of providing that all real estate appraisals shall be based on "market value" and setting forth a definition of that term. Accordingly, it proposes to amend said Part 563 as follows:

1. By deleting the word "fair" preceding the words "market value" each time it appears in § 563.17-1(c) (i) (iii), so that such provision will read as follows:

§ 563.17-1 Examinations and audits; appraisals; establishment and maintenance of records.

(c) Establishment and maintenance of records. \* \* \*

(1) Records with respect to loans on the security of real estate. \* \* \*

(iii) One or more written appraisal reports, prepared and signed, prior to the approval of such application, by a person or persons duly appointed and qualified as appraiser or appraisers by the board of directors of such institution, disclosing the market value of the security offered by the applicant and containing sufficient information and data concerning the appraised property to substantiate the market value of the security described in such report;

2. By adding a new § 563.17-3, immediately after § 563.17-2, to read as follows:

§ 563.17-3 Appraisals to be based on market value.

Each appraisal made by or for any insured institution pursuant to any provision of this part shall be made on the basis of the market value of the property appraised. For that purpose, the term "market value" shall mean the price in terms of cash, or in terms reasonably equivalent to cash, which a property will bring, if exposed for sale on an open market by an informed seller with a reasonable time to find a purchaser buying with

full knowledge of all the uses and purposes to which it is adapted and for which it is capable of being used, with neither the buyer nor seller being under compulsion to buy or sell.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

Resolved further that interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, D.C. 20552 by May 15, 1970, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,  
Assistant Secretary.

[F.R. Doc. 70-4532; Filed, Apr. 13, 1970;  
8:48 a.m.]



# Notices

## DEPARTMENT OF THE TREASURY

Internal Revenue Service

GARL EDWARD DOSS

### Notice of Granting of Relief

Notice is hereby given that Garl Edward Doss, 2305 Grand Avenue, Des Moines, Iowa, 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 January 5, 1954, in the District Court of Warren County, Iowa, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Garl Edward Doss 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. Doss to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Garl Edward Doss' 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 Garl Edward Doss 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 7th day of April 1970.

[SEAL]

WILLIAM H. SMITH,  
Acting Commissioner of  
Internal Revenue.

[P.R. Doc. 70-4510; Filed, Apr. 13, 1970;  
8:46 a.m.]

ANGELO JOSEPH FRANCHI

### Notice of Granting of Relief

Notice is hereby given that Angelo Joseph Franchi, 1717 Godwin SE., Grand Rapids, Mich., 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 15, 1935, in the Circuit Court for the County of Genesee, Mich., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Angelo Joseph Franchi 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 Angelo Joseph Franchi to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Angelo Joseph Franchi's 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 Angelo Joseph Franchi 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 7th day of April 1970.

[SEAL]

WILLIAM H. SMITH,  
Acting Commissioner of  
Internal Revenue.

[P.R. Doc. 70-4509; Filed, Apr. 13, 1970;  
8:46 a.m.]

PATRICK HENRY OWNLEY, JR.

### Notice of Granting of Relief

Notice is hereby given that Patrick Henry Ownley, Jr., Durants Neck, N.C., 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 convictions on September 25, 1939, in the U.S. District Court, Elizabeth City, N.C., of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Patrick Henry Ownley, Jr., because of such convictions, 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 convictions, it would be unlawful for Mr. Ownley to receive, possess, or transport, in commerce, any firearm.

Notice is hereby given that I have considered Patrick Henry Ownley's application and:

(1) I have found that the convictions were 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 convictions 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 Patrick Henry Ownley, Jr., 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 convictions hereinabove described.

Signed at Washington, D.C., this 7th day of April 1970.

[SEAL]

WILLIAM H. SMITH,  
Acting Commissioner of  
Internal Revenue.

[P.R. Doc. 70-4507; Filed, Apr. 13, 1970;  
8:46 a.m.]



## DEPARTMENT OF THE INTERIOR

## Bureau of Land Management

[OR 4732]

## OREGON

## Notice of Proposed Classification of Public Lands for Multiple-Use Management

APRIL 7, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-1418) and to the regulations in 43 CFR Parts 2410 and 2411, it is proposed to classify for multiple-use management the public lands within the area described below. Publication of this notice has the effect of segregating the described lands from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. Sec. 334), and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171). The lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public lands proposed for classification are located within the following described areas in Klamath County and are shown on a map designated "OR 4732, 2411.2: 36-010, April 1969, on file in the Lakeview District Office, Bureau of Land Management, Lakeview, Oreg., and the Land Office, Bureau of Land Management, 729 Northeast Oregon Street, Portland, Oreg.

The description of the area is as follows:

## WILLAMETTE MERIDIAN

- T. 23 S., R. 9 E.,  
 Sec. 1, SE $\frac{1}{4}$ ;  
 Sec. 2, lot 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 3, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 4, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 5, E $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
 Sec. 8;  
 Sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 10, W $\frac{1}{2}$ NW $\frac{1}{4}$  and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 11, N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Sec. 12, NE $\frac{1}{4}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
 Sec. 14, NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 15, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 16;  
 Sec. 17, N $\frac{1}{2}$  and N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
 Sec. 20, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 21, S $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 22, E $\frac{1}{2}$ NE $\frac{1}{4}$  and S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 23, S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 27, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , and S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 28, E $\frac{1}{2}$ ;  
 Sec. 32, E $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 33, NE $\frac{1}{4}$  (exclusive of E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ ), SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 34, N $\frac{1}{2}$ NW $\frac{1}{4}$ .  
 T. 23 S., R. 10 E.,  
 Sec. 2, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;

- Sec. 3, E $\frac{1}{2}$  and W $\frac{1}{2}$ W $\frac{1}{4}$ ;  
 Sec. 4, lots 1, 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 Sec. 5, lots 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 Sec. 6, W $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
 Secs. 7, 8, and 9;  
 Sec. 10, E $\frac{1}{2}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 11, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ ;  
 Sec. 12, SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 13, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ ;  
 Sec. 14;  
 Sec. 15, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 17, N $\frac{1}{2}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 18, N $\frac{1}{2}$  and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 21;  
 Sec. 22, E $\frac{1}{2}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 23;  
 Sec. 24, E $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 25, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
 Sec. 26;  
 Sec. 27, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 28, W $\frac{1}{2}$ NE $\frac{1}{4}$  and N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Sec. 29, N $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
 Sec. 33, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 34;  
 Sec. 35, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ .  
 T. 24 S., R. 9 E.,  
 Sec. 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 5, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 13, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 24, S $\frac{1}{2}$ NE $\frac{1}{4}$ .  
 T. 24 S., R. 10 E.,  
 Secs. 1 and 2;  
 Sec. 3, E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$  (exclusive of N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ ), and SE $\frac{1}{4}$ ;  
 Sec. 7, S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 8, S $\frac{1}{2}$ S $\frac{1}{2}$ ;  
 Sec. 9, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 Sec. 10, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
 Sec. 11, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
 Sec. 12, N $\frac{1}{2}$ ;  
 Sec. 15, NW $\frac{1}{4}$ ;  
 Sec. 17, E $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , and S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 18;  
 Sec. 19, lot 2, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 21;  
 Sec. 28, NW $\frac{1}{4}$ .  
 T. 36 S., R. 14 E.,  
 Sec. 36, E $\frac{1}{2}$ NW $\frac{1}{4}$ .  
 T. 36 S., R. 15 E.,  
 Secs. 28, 30, and 32.  
 T. 37 S., R. 7 E.,  
 Sec. 30, lots 3, 4, 5, 6, 7, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$ .  
 T. 37 S., R. 10 E.,  
 Sec. 3, W $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 4, lots 3 and 4, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 5, lots 1, 2, 3, and portion of lot 4;  
 Sec. 6, lot 8;  
 Sec. 9, NE $\frac{1}{4}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 10, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ ;  
 Sec. 11, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 12, S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 13, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 14, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;

- Sec. 23, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 24, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 25, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ .  
 T. 37 S., R. 11 E.,  
 Sec. 11, NE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 13, E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Sec. 14, SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 17, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 20, NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 22, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 27, NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 28, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 29, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 31;  
 Sec. 32, NE $\frac{1}{4}$ , W $\frac{1}{2}$ .  
 T. 37 S., R. 11 E.,  
 Sec. 16, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 26, SW $\frac{1}{4}$ ;  
 Sec. 27, E $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
 Sec. 29, N $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 30, N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 33, SE $\frac{1}{4}$ SW $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 34, E $\frac{1}{2}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 35, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and S $\frac{1}{2}$ .  
 T. 37 S., R. 12 E.,  
 Sec. 26, SW $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 27, N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$  and SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 34, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 35, lots 2 and 3, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
 T. 37 S., R. 14 E.,  
 Sec. 4;  
 Sec. 5, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 9, N $\frac{1}{2}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 10, W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ .  
 T. 37 S., R. 15 E.,  
 Sec. 4.  
 T. 38 S., R. 8 E.,  
 Sec. 19, lots 12, 13, and 14;  
 Sec. 30, lots 6 to 16 inclusive;  
 Sec. 31, lots 4 and 6.  
 T. 38 S., R. 10 E.,  
 Sec. 27, S $\frac{1}{2}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 28, W $\frac{1}{2}$ E $\frac{1}{2}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 30, lots 2, 3, and 4;  
 Sec. 31, E $\frac{1}{2}$ E $\frac{1}{2}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and lots 1, 2, 3, and 4;  
 Sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 33, W $\frac{1}{2}$ E $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 34, N $\frac{1}{2}$ NW $\frac{1}{4}$ .  
 T. 38 S., R. 11 E.,  
 Sec. 5, lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 Sec. 6, lots 1, 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 8, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , and W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Sec. 9, W $\frac{1}{2}$ W $\frac{1}{2}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ S $\frac{1}{2}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 16;  
 Sec. 17, E $\frac{1}{2}$ ;  
 Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 21, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 22, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 27, N $\frac{1}{2}$ N $\frac{1}{2}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 T. 38 S., R. 11 E.,  
 Sec. 1, N $\frac{1}{2}$ SW $\frac{1}{4}$  and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 2, lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ ;  
 Sec. 3, lots 1, 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 10, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 11, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 12, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 13, W $\frac{1}{2}$ E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , and W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Sec. 14, W $\frac{1}{2}$ E $\frac{1}{2}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 17, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 19, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 20, S $\frac{1}{2}$ SW $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;







T. 40 S., R. 13 E.,  
 Sec. 7, lots 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 8, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 17, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
 Sec. 18, lots 1, 2, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Sec. 19, lots 1, 2, 3, 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 20, SW $\frac{1}{4}$ NW $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 30, lots 1, 2, 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 31, lots 2 through 7 inclusive, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 32, SW $\frac{1}{4}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ ;  
 T. 40 S., R. 14 $\frac{1}{2}$  E.,  
 Secs. 1, 2, and 3;  
 Sec. 4, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
 Sec. 5, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 Secs. 6 through 11 inclusive;  
 Sec. 12, N $\frac{1}{2}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Secs. 13 through 19 inclusive;  
 Sec. 20, NE $\frac{1}{4}$ , W $\frac{1}{2}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Secs. 21 through 24 inclusive;  
 Sec. 25, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 26;  
 Sec. 27, E $\frac{1}{2}$ , NW $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 28, N $\frac{1}{2}$ ;  
 Sec. 29, NE $\frac{1}{4}$ , W $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Secs. 30 and 31;  
 Sec. 32, W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 33, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 34, E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 35, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
 T. 40 S., R. 14 E.,  
 Secs. 1 through 4 inclusive;  
 Sec. 6, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Secs. 10 through 15 inclusive;  
 Sec. 16, SE $\frac{1}{4}$ ;  
 Secs. 21 through 27 inclusive;  
 Sec. 28, NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 33, E $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
 Sec. 34, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 35;  
 Sec. 36, W $\frac{1}{2}$ ;  
 T. 40 S., R. 15 E.,  
 Sec. 5, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 6, lots 2 through 7 inclusive, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 7;  
 Sec. 8, W $\frac{1}{2}$ ;  
 Sec. 17, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
 Sec. 18, E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 19, lots 2, 3, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 20, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 28, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 29, E $\frac{1}{2}$ E $\frac{1}{2}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 30, S $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
 Sec. 31, lots 1, 2, 3, 4, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 32, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 33, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 T. 41 S., R. 5 E.,  
 Sec. 6, lot 7;  
 Sec. 8, SW $\frac{1}{4}$ ;  
 Sec. 12, lot 3, S $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 13, lot 4;  
 Sec. 14, lots 1 and 2;  
 Sec. 18, lots 1, 2, 3, and 4;  
 T. 41 S., R. 6 E.,  
 Sec. 2, N $\frac{1}{2}$ NW $\frac{1}{4}$  (unnumbered lots);  
 Sec. 4, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
 Sec. 6, lots 4, 6, 7, 8, 9, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 7, lot 5;  
 Sec. 8, E $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 10, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 18, lots 2, 3, 4, and 5.  
 T. 41 S., R. 7 E.,  
 Sec. 10, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 13, lot 4 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 T. 41 S., R. 8 E.,  
 Sec. 8, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 T. 41 S., R. 12 E.,  
 Sec. 1, N $\frac{1}{2}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 T. 41 S., R. 13 E.,  
 Sec. 5, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 6;  
 Sec. 7, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 8, W $\frac{1}{2}$ E $\frac{1}{2}$ , W $\frac{1}{2}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 9, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 17, E $\frac{1}{2}$ E $\frac{1}{2}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ W $\frac{1}{2}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 18, E $\frac{1}{2}$ ;  
 Sec. 19, lots 5, 6, and NE $\frac{1}{4}$ ;  
 Sec. 20, lot 1, 2, 3, 4, E $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 21, SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 24, lot 1 and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 T. 41 S., R. 14 $\frac{1}{2}$  E.,  
 Secs. 1 through 9 inclusive;  
 Sec. 10, NE $\frac{1}{4}$ , W $\frac{1}{2}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 11, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 12;  
 Sec. 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 14, E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 15, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ ;  
 Sec. 17;  
 Sec. 18, lots 1 and 2, E $\frac{1}{2}$ , and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Secs. 19 through 23 inclusive;  
 Sec. 24, lots 1, 2, 3, 4, and NW $\frac{1}{4}$ ;  
 T. 41 S., R. 14 E.,  
 Secs. 1 and 2;  
 Sec. 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 9, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
 Sec. 10, NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 Sec. 11, N $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
 Secs. 12, 13, and 14;  
 Sec. 15, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 16;  
 Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
 Sec. 18, SE $\frac{1}{4}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 19, lots 3 and 4 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 22, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 23, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ N $\frac{1}{2}$ , and SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 24.  
 T. 41 S., R. 15 E.,  
 Sec. 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 4, lots 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 5, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 6;  
 Sec. 7, lots 1, 2, 4, E $\frac{1}{2}$ E $\frac{1}{2}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 9, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 11, E $\frac{1}{2}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 17, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 18, lot 1 and E $\frac{1}{2}$ ;  
 Sec. 19, lots 3, 4, 5, 6, and NE $\frac{1}{4}$ ;  
 Sec. 21, lots 1 and 2, and S $\frac{1}{2}$ NW $\frac{1}{4}$ .

The area described aggregates approximately 186,290 acres.

4. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed

classification may present their views in writing to the Lakeview District Manager, Bureau of Land Management, Post Office Box 151, Lakeview, Ore. 97630.

5. A public hearing on the proposed classification will be held on Thursday, May 7, 1970 at 10 a.m. in the Klamath Falls County Commissioners Hearing Room, County Courthouse, Klamath Falls, Ore.

IRVING W. ANDERSON,  
 Acting State Director.

[F.R. Doc. 70-4517; Filed, Apr. 13, 1970; 8:47 a.m.]

## DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and  
 Conservation Service

DIRECTOR, GRAIN DIVISION, ET AL.

### Delegation of Authority

This delegation of authority combines delegations issued in the FEDERAL REGISTER at 29 F.R. 14192, 31 F.R. 6458, 31 F.R. 9557, and 31 F.R. 10549 delegating certain responsibilities under the Processor Wheat Marketing Certificate Regulations. It corrects the text to read "Grain Division" wherever applicable, and makes other minor editorial changes. It also removes the reference made to transition certificates as such certificates no longer apply. As combined and corrected the delegation of authority reads as follows:

Pursuant to the authority vested in me by the Processor Wheat Marketing Certificate Regulations (33 F.R. 14676, as amended) I hereby delegate to the individuals designated below the responsibilities which are described below:

*Delegations—1. Approval of institutions.* The Director or Acting Director, Grain Division, may, pursuant to § 777.3 (s), approve those institutions to which the food processor may deliver food products for distribution by donation to needy persons without acquiring domestic wheat marketing certificates or if the institution is a food processor, which may remove food products from the plant for donation to needy persons without acquiring certificates.

*2. Acquisition and surrender of certificates.* The Director or Acting Director, Kansas City ASCS Commodity Office, may extend the time for the acquisition and surrender of certificates by food processors under § 777.11.

*3. Undertaking performance security.* The Director or Acting Director, Kansas City ASCS Commodity Office, may determine under § 777.11 whether a food processor who has entered into an undertaking with CCC must submit a bond or letter of credit to secure performance of the food processor's obligation under the regulations, and, if so, the time within which such performance security must be submitted and the form and amount of such performance security.

*4. Inapplicability of interest.* The Director or Acting Director, Kansas City ASCS Commodity Office, is vested with authority to make determinations to the extent it is established as provided in



§ 777.11(f), that a delay in the acquisition and surrender of certificates resulted from a processor relying in good faith upon action or advice of an authorized official of the Department and that, accordingly, no interest charges shall apply as a result of such delay.

5. *Food processing reports.* The Director or Acting Director, Kansas City ASCS Commodity Office, may in accordance with § 777.12: (i) Change a processing report period; (ii) extend the period within which processing reports must be submitted to the Kansas City ASCS Commodity Office; and (iii) determine the extent to which an error in reporting was due to an honest mistake and was not intentional or the result of gross negligence. The Director or Acting Director, Grain Division, may approve a change under § 777.12 in the basis of reporting by a food processor during a marketing year from the weight of the wheat basis to a conversion factor basis or from a conversion factor basis to the weight of the wheat basis.

6. *Casualty losses.* The Director or the Acting Director, Kansas City ASCS Commodity Office, may determine under § 777.16 whether a food product was destroyed or rendered unmarketable for use as a food product as a result of a fire, casualty, or Act of God prior to sale or removal for sale or consumption. The Director or Acting Director, Kansas City ASCS Commodity Office, may also determine under § 777.16 whether flour second clears acquired by the Industrial User were destroyed or rendered unfit for human consumption as a result of a fire, casualty, or Act of God.

7. *Undertaking performance security.* The Director or Acting Director, Kansas City ASCS Commodity Office, may determine whether an Industrial User or a Distributor of flour second clears as provided in §§ 777.19(k) and 777.20(d) (3) respectively, shall furnish a bond or letter of credit to protect the Department from any damages which may result from action by either the Industrial User or Distributor of flour second clears, and, if so, the time within which such performance security must be submitted and the form and amount of such performance security.

8. *Change in reporting period—Industrial users of flour second clears.* The Director or Acting Director, Kansas City ASCS Commodity Office may under § 777.19(d) (4), approve a change in the reporting period established for use by the industrial user of flour second clears upon written request from the industrial user for good cause shown.

The authority herein delegated shall be exercised in conformity with the requirements of the Processor Wheat Marketing Certificate Regulations and may not be redelegated.

(Sec. 379(a) to 379(j), 52 Stat. 31, as amended; 7 U.S.C. 1379a to 1379j)

Signed at Washington, D.C., on April 8, 1970.

KENNETH E. FRICK,  
Administrator, Agricultural Stationization and Conservation Service.  
[F.R. Doc. 70-4504; Filed, Apr. 13, 1970; 8:46 a.m.]

## DIRECTOR OR ACTING DIRECTOR, KANSAS CITY ASCS COMMODITY OFFICE

### Delegation of Authority

This delegation of authority combines delegations published in the FEDERAL REGISTER at 30 F.R. 6798, 31 F.R. 6142, and 33 F.R. 6306 which were issued by the Director, Procurement and Sales Division, ASCS, together with the delegation issued by the Director, Commodity Operations Division, ASCS, on August 12, 1968. The combined Delegation of Authority shall read as follows:

Pursuant to the authority vested in me by the Processor Wheat Marketing Certificate Regulations (33 F.R. 14676, as amended) I hereby delegate to the Director or Acting Director, Kansas City ASCS Commodity Office the responsibilities which are described below:

*Delegations—1. Designation of a plant.* Approve a combination of two or more plants or a division of the plant as provided in § 777.12(e).

*2. Consolidated corrected processing reports.* Approve the submission of a consolidated corrected processing report to cover more than one processing report period as provided in § 777.12(g).

*3. Consolidated corrected claims for refund.* Approve the submission of a consolidated corrected claim for refund to cover more than one consecutive reporting period as provided in § 777.19(j).

*4. Change method of determining ending inventory.* Approve, for good cause shown, a change from determining the ending inventory by weigh-up to determining such inventory by measurement, as provided in Appendix II, Item 15.

The authority herein delegated shall be exercised in conformity with the requirements of the Processor Wheat Marketing Certificate Regulations and may not be redelegated.

(Secs. 379(a) to 379(j), 52 Stat. 31, as amended; 7 U.S.C. 1379a to 1379j)

Signed at Washington, D.C., on April 8, 1970.

GLEN A. WEIR,  
Director, Grain Division.  
[F.R. Doc. 70-4505; Filed, Apr. 13, 1970; 8:46 a.m.]

## Office of the Secretary INTERNATIONAL COMMERCIAL EXCHANGE, INC.

### Designation as Contract Market for Cottonseed Oil and Soybeans

Pursuant to the authorization and direction contained in the Commodity Exchange Act, as amended (7 U.S.C. 1 et seq., Supp. IV, 1969) I hereby designate the International Commercial Exchange, Inc., of New York, N.Y., as a contract market for cottonseed oil and soybeans effective on this date, as shown below. The said exchange has applied for, and has otherwise complied with the requirements imposed by the said act as a condition precedent to, such designation.

This designation is subject to suspension or revocation in accordance with

the provisions of the said act. For the purpose of any such suspension or revocation, this order, designating the said exchange as a contract market for the commodities specified may constitute either a single designation or two designations.

Issued this 9th day of April 1970.

RICHARD E. LYNG,  
Assistant Secretary.

[F.R. Doc. 70-4538; Filed, Apr. 13, 1970; 8:49 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

OFFICE OF EDUCATION

### Statement of Organization, Functions, and Delegations of Authority

Part 6 (Office of Education) of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health, Education, and Welfare (32 F.R. 10479, 10480, and 10481 dated July 15, 1967) is hereby amended to update delegations of authority to the Commissioner, or the Office of Education. The delegations of authority now read as follows:

*6-C Delegations of authority.* Except as noted below and as provided in Part 2 (Office of the Secretary) and section 6-D of this Manual (Reservation of Authority), the Commissioner of Education shall exercise the functions vested in or delegated to the Secretary, the Department of Health, Education, and Welfare, the Commissioner, or the Office of Education by or under the following:

1. Establishment of Federal agency, Reorganization Plan No. 1, dated July 1, 1939, and Reorganization Plan No. 1, dated April 11, 1953; derived from the Acts of March 2, 1867, and July 20, 1868 (20 U.S.C. 1).

2. Establishment of and assistance to land-grant colleges and universities (Morrill Acts and special legislation in lieu thereof), except that authority to certify funds is reserved to the Secretary (Act of July 2, 1862; Act of Aug. 30, 1890, as amended; and Act of June 29, 1935 (7 U.S.C. 301-329)).

3. Availability of library facilities (Joint Resolution No. 8, 52d Congress, approved Apr. 12, 1892, as amended) (20 U.S.C. 91).

4. Publications and international education studies (Act of May 28, 1896) (20 U.S.C. 3).

5. Inspection of Howard University (section 8 of Public Law 70-634, approved December 13, 1928, as amended) (20 U.S.C. 123).

6. Membership on D.C. Commission on Licensure (section 4 of Public Law 70-831, approved Feb. 27, 1929, as amended) (2 D.C. Code 103).

7. Agreement with Housing and Home Finance Agency under Title IV of the Housing Act of 1950 regarding college



housing loans (Public Law 81-475, approved Apr. 20, 1950, as amended) (12 U.S.C. 1749a(c)(2)).

8. Future Farmers of America (Public Law 81-7540, approved Aug. 30, 1950) (36 U.S.C. 271-291).

9. School construction in areas affected by Federal activities and in disaster relief areas (Public Law 81-815, approved Sept. 23, 1950, as amended) (20 U.S.C. 631-647).

10. Financial assistance for local educational agencies in areas affected by Federal activities and in disaster relief areas (Public Law 81-874, approved Sept. 30, 1950, as amended) (20 U.S.C. 236-241-1, 242-244).

11. Immigration and Nationality Act—approval of schools for aliens under student visas (Public Law 82-414, approved June 27, 1952, as amended) (8 U.S.C. 1101(a)(15)(F)).

12. Veterans Readjustment Assistance Act of 1952—approval of accrediting agencies and membership on advisory committee (Public Law 82-550, approved July 16, 1952, as amended) (38 U.S.C. 1644, 1653, 1662-1664, 1667).

13. Consultation with National Science Foundation on study of effects on educational institutions of Federal contracts and grants for scientific research and development (Executive Order 10521 of Mar. 17, 1954).

14. National Defense Education Act of 1958, including functions of the Secretary under section 1001(d) to study Federal programs in higher education, after initial contact has been made by the Secretary with the heads of departments and agencies concerned; and excepting the functions of the Secretary under sections 601, 761 (a) and (d), 1001(b), and 1002(a) (Public Law 85-864, approved Sept. 2, 1958, as amended) (20 U.S.C. 401-602).

15. Membership on Board of Trustees of the John F. Kennedy Center for the Performing Arts (Public Law 85-874, approved Sept. 2, 1958, as amended).

16. Science Clubs (Public Law 85-875, approved Sept. 2, 1958) (20 U.S.C. 2 note).

17. Captioned Films for the Deaf and Media Services for Handicapped Children, except the functions of the Secretary under section 5 (Public Law 85-905, approved Sept. 2, 1958, as amended) (42 U.S.C. 2491-2495).

18. Grants for Teaching in the Education of Handicapped Children (Public Law 85-926, approved Sept. 6, 1958, as amended) (20 U.S.C. 611-617).

19. Preparation of national emergency plans and development of preparedness programs covering education functions and educational institutions (Executive Order 11490 of Oct. 28, 1969, Part II, section 1107, and those portions of Part 30, sections 3001, 3002, 3003, 3004, 3005, 3007, 3008, 3009, and 3010 which pertain to education).

20. Manpower Development and Training Act of 1962, except the responsibility for overall policy direction of the program, for coordination of program policies with those of related programs within the Department and with

other departments and agencies, and the functions of the Secretary under sections 232 and 233 (Public Law 87-415, approved Mar. 15, 1962, as amended) (42 U.S.C. 2571-2623).

21. Cooperative Research Act, except the functions of the Secretary under section 2(c) relating to the transfer of funds to other Federal agencies (Public Law 83-531, approved July 26, 1954, as amended) (20 U.S.C. 331-332b).

22. Membership on National Advisory Committee on Education (Public Law 83-532, approved July 20, 1954) (20 U.S.C. 333-337).

23. Library Services and Construction Act, except the functions of the Secretary under section 502 (Public Law 84-597, approved June 19, 1956, as amended) (20 U.S.C. 351-358).

24. Grants for construction of educational broadcasting facilities under title III, part IV of the Communications Act of 1934, except the functions of the Secretary under sections 392-395 (Public Law 87-477, approved May 1, 1962, as amended) (47 U.S.C. 390-397).

25. Cuban refugee educational assistance programs, as assigned by the Commissioner of Welfare, under the Migration and Refugee Assistance Act of 1962 (Public Law 87-510, approved June 28, 1962, as amended) (22 U.S.C. 2601-2605).

26. Approval of recognized bodies for accrediting schools of medicine, dentistry, optometry, osteopathy, pharmacy, podiatry, nursing, and public health, membership on National Advisory Council on Education for Health Professions and the National Advisory Council on Nurse Training under the Public Health Service Act (Public Law 88-129, approved Sept. 24, 1963, as amended, sections 721, 725, 841(a)(1), and 843(f)) (42 U.S.C. 293a(b)(1), et seq.).

27. Research and related activities in the field of education of handicapped children, training of physical educators and recreation personnel for handicapped children, and research and demonstration projects in physical education and recreation for such children under section 302 and title V of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, except the functions of the Secretary in sections 302(d) and 503 (Public Law 88-164, approved Oct. 31, 1963, as amended) (20 U.S.C. 618; 42 U.S.C. 2698-2698b).

28. Higher Education Facilities Act of 1963, except the functions of the Secretary under section 306(b) to set limitations of general applicability respecting the amount of the annual interest grant or the amount on which such grant is based, and the functions of the Secretary under section 402(c) (Public Law 88-204, approved Dec. 16, 1963, as amended) (20 U.S.C. 701-757).

29. Vocational Education Act of 1963, except the functions of the Secretary under section 104(a)(2)(B) (Public Law 88-210, approved Dec. 18, 1963, as amended) (20 U.S.C. 1241-1391).

30. Presidential Scholars (Executive Order 11155 of May 23, 1964).

31. Assistance in desegregation of public schools under title IV of the Civil Rights Act of 1964 (Public Law 88-352, approved July 2, 1964) (42 U.S.C. 2000c-2000c-9).

32. Extension to the Trust Territory of the Pacific Islands of any program or of assistance under any program administered by the Commissioner of Education, except financial assistance under a grant-in-aid program (Public Law 88-487, approved Aug. 22, 1964) (48 U.S.C. 1681).

33. Membership on and assistance to President's Commission on White House Fellowships (Executive Order 11183 of Oct. 6, 1964).

34. Coordination of Federal education programs under Executive Order 11185 of October 16, 1954, as amended by Executive Order 11260 of December 15, 1965, except the functions of the Secretary thereunder.

35. Financial assistance for follow through under the Economic Opportunity Act of 1964 (Public Law 88-452, approved Aug. 30, 1964, as amended) (42 U.S.C. 2809(a)(2), 2971).

36. Membership on President's Council on Equal Opportunity under Executive Order 11197 of February 5, 1965, except the functions of the Secretary thereunder.

37. Vocational education facilities and supplements to certain grant-in-aid programs administered by the Commissioner of Education—Appalachian Regional Development Act of 1965 (Public Law 89-4, approved Mar. 9, 1965, as amended) (40 U.S.C. App. 211, 214).

38. Elementary and Secondary Education Act of 1965, except the functions of the Secretary under sections 103(d), 134, 510, 611, 707, and 802 (Public Law 89-10, approved Apr. 11, 1965, as amended) (20 U.S.C. 241 (a)-(m), 242-44, 821-887).

39. Membership on the Federal Council on the Arts and the Humanities and grants and loans for improving instructions in the humanities and the arts under the National Foundation on the Arts and the Humanities Act of 1965 (Public Law 89-209, approved Sept. 29, 1965, as amended) (20 U.S.C. 958, 961).

40. Higher Education Act of 1965, except the functions of the Secretary under sections 109, 205, 303, and 502 (Public Law 89-329, approved Nov. 8, 1965, as amended) (20 U.S.C. 1001-1144; 42 U.S.C. 2751-2756).

41. Adult Education Act of 1966, except the functions of the Secretary under section 310 (Public Law 89-750, title III, approved Nov. 3, 1966) (20 U.S.C. 1201-1213).

42. Planning and evaluation as authorized by section 402, Title IV of the Elementary and Secondary Education Amendments of 1967, except for those evaluation funds which are reserved in any fiscal year for use at the initiative and direction of the Assistant Secretary for Planning and Evaluation; and except authority to approve regulations, establish advisory committees, and appoint members thereof, which is reserved to the Secretary (Public Law 90-247, approved



# DEPARTMENT OF TRANSPORTATION

## Coast Guard

[CGFR 70-46]

### EQUIPMENT, CONSTRUCTION, AND MATERIALS

#### Approval Notice

1. Certain laws and regulations (46 CFR, Ch. I), require that various items of lifesaving, firefighting, and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the Outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from February 11, 1970 to February 19, 1970 (List No. 5-70). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of title 46, United States Code, section 1333 of title 43, United States Code, and section 198 of title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals 49 CFR 1.46(b). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction, and materials are set forth in 46 CFR, Parts 160 to 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner canceled or suspended by proper authority.

#### LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE), MODELS 3 AND 5

NOTE: Approved for use on all vessels and motorboats.

Approval No. 160.002/90/0, model 3, adult kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Swan Products Co., Inc., 130-30 180th Street, Springfield Gardens, N.Y. 11434, effective February 11, 1970. (It is an extension of Approval No. 160.002/90/0, dated Mar. 10, 1965.)

Approval No. 160.002/91/0, model 5, child kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Swan Products Co., Inc., 130-30 180th Street, Springfield Gardens, N.Y. 11434, effective February 11, 1970. (It is an extension of Approval No. 160.002/91/0, dated Mar. 10, 1965.)

#### LADDERS, EMBARKATION—DEBARKATION (FLEXIBLE), FOR MERCHANT VESSELS

Approval No. 160.017/40/0, model 12 PL-S, type II embarkation-debarkation

ladder, chain suspension (8-0 lock link chain), steel ears, dwg. dated January 16, 1970, approval limited to ladders 70 feet or less in length, manufactured by H. K. Metalcraft Manufacturing Corp., 35 Industrial Road, Post Office Box 275, Lodi, N.J. 07644, effective February 12, 1970.

#### BUOYANT VESTS, KAPOK OF FIBEROUS GLASS, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.047/303/0, type I, model AK-1, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Iowa Fibre Products, Inc., 2425 Dean Avenue, Des Moines, Iowa 50317, effective February 17, 1970. (It is an extension of Approval No. 160-047/303/0, dated May 3, 1965.)

Approval No. 160.047/304/0, type I, model CKM-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Iowa Fibre Products, Inc., 2425 Dean Avenue, Des Moines, Iowa 50317, effective February 17, 1970. (It is an extension of Approval No. 160-047/304/0, dated May 3, 1965.)

Approval No. 160.047/305/0, type I, model CKS-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Iowa Fibre Products, Inc., 2425 Dean Avenue, Des Moines, Iowa 50317, effective February 17, 1970. (It is an extension of Approval No. 160-047/305/0, dated May 3, 1965.)

Approval No. 160.047/306/0, type I, model AK-1, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Iowa Fibre Products, Inc., 2425 Dean Avenue, Des Moines, Iowa 50317, for Hawkeye Sporting Goods Co., Box 613, Des Moines, Iowa 50303, effective February 16, 1970. (It is an extension of Approval No. 160.047/306/0, dated Mar. 10, 1965.)

Approval No. 160.047/307/0, type I, model CKM-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Iowa Fibre Products, Inc., 2425 Dean Avenue, Des Moines, Iowa 50317, for Hawkeye Sporting Goods Co., Box 613, Des Moines, Iowa 50303, effective February 16, 1970. (It is an extension of Approval No. 160.047/307/0, dated Mar. 10, 1965.)

Approval No. 160.047/308/0, type I, model CKS-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Iowa Fibre Products, Inc., 2425 Dean Avenue, Des Moines, Iowa 50317, for Hawkeye Sporting Goods Co., Box 613, Des Moines, Iowa 50303, effective February 16, 1970. (It is an extension of Approval No. 160.047/308/0, dated Mar. 10, 1965.)

Approval No. 160.047/324/0, type I, model AK-1, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, effective February 17, 1970. (It is an extension of Approval No. 160.047/324/0, dated May 10, 1965.)

Approval No. 160.047/325/0, type I, model CKM-1, child kapok buoyant vest,

Jan. 2, 1968, as amended) (20 U.S.C. 1221-1226).

43. Handicapped Children's Early Education Assistance Act (Public Law 90-538, approved Sept. 30, 1968) (20 U.S.C. 621-624).

44. The agreements made with the Department of State in connection with educational aspects of international education exchange and international technical cooperation programs under:

a. Agricultural Trade Development and Assistance Act of 1954 (Public Law 83-480, approved July 10, 1954, as amended) (7 U.S.C. Ch. 41).

b. Act for International Development of 1961 (Public Law 87-195, approved Sept. 4, 1961, as amended) (22 U.S.C. Ch. 32).

c. Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256, approved Sept. 21, 1961, as amended) (22 U.S.C. Ch. 33).

45. Emergency Insured Student Loan Act of 1969, except the functions of the Secretary under section 2 (Public Law 91-95, approved Oct. 22, 1969) (20 U.S.C. 1078a).

6-D *Reservation of Authority.* No State grant-in-aid funds shall be withheld nor shall any State plan or amendment thereto submitted pursuant to any statute administered by the Office of Education be finally disapproved without the Commissioner's prior consultation and discussion with the Secretary.

6-E *Redelegation of Authority.* Authority contained in section 6-C, except the making of regulations, may, to the extent permitted by law, be delegated or redelegated by the Commissioner of Education to such officials of the Office of Education as he may deem appropriate.

6-F *Order of Succession.* 1. During the absence or disability of the Commissioner of Education or in the event of a vacancy in that office, the first official listed below who is available shall act as Commissioner:

- Deputy Commissioner.
- Deputy Commissioner for Planning, Research, and Evaluation.
- Deputy Commissioner for School Systems.
- Deputy Commissioner for Higher and International Education.
- Deputy Commissioner for Instructional Resources.
- Associate Commissioner in order of the seniority of their appointments as Associate Commissioner or, in the event of concurrent appointments, in order of their seniority in the Office of Education.
- For a planned period of absence, the Commissioner may specify a different order of succession.

Dated: March 27, 1970.

SOL ELSON,  
Acting Assistant Secretary  
for Administration.

[P.R. Doc. 70-4508; Filed, Apr. 13, 1970;  
8:45 a.m.]



U.S.C.G. Specification Subpart 160.047, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, effective February 17, 1970. (It is an extension of Approval No. 160.047/325/0, dated May 10, 1965.)

Approval No. 160.047/326/0, type I, model CKS-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, effective February 17, 1970. (It is an extension of Approval No. 160.047/326/0, dated May 10, 1965.)

Approval No. 160.047/327/0, type I, model AK-1, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Style-Crafters, Inc., Box 8277, Station A, Greenville, S.C. 29604, effective February 18, 1970. (It is an extension of Approval No. 160.047/327/0, dated May 17, 1965.)

Approval No. 160.047/328/0, type I, model CKM-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Style-Crafters, Inc., Box 8277, Station A, Greenville, S.C. 29604, effective February 18, 1970. (It is an extension of Approval No. 160.047/328/0, dated May 17, 1965.)

Approval No. 160.047/329/0, type I, model CKS-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Style-Crafters, Inc., Box 8277, Station A, Greenville, S.C. 29604, effective February 18, 1970. (It is an extension of Approval No. 160.047/329/0, dated May 17, 1965.)

Approval No. 160.047/351/0, type I, model AK-1, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Stearns Manufacturing Co., Division Street at 30th, St. Cloud, Minn. 56301, effective February 17, 1970. (It is an extension of Approval No. 160.047/351/0, dated May 10, 1965.)

Approval No. 160.047/352/0, type I, model CKM-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Stearns Manufacturing Co., Division Street at 30th, St. Cloud, Minn. 56301, effective February 17, 1970. (It is an extension of Approval No. 160.047/352/0, dated May 10, 1965.)

Approval No. 160.047/353/0, type I, model CKS-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Stearns Manufacturing Co., Division Street at 30th, St. Cloud, Minn. 56301, effective February 17, 1970. (It is an extension of Approval No. 160.047/353/0, dated May 10, 1965.)

Approval No. 160.047/417/0, type I, model AK-1, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by International Cushion Co., 1110 Northeast Eighth Avenue, Fort Lauderdale, Fla. 33304, effective February 17, 1970. (It is an extension of Approval No. 160.047/417/0, dated May 10, 1965.)

Approval No. 160.047/418/0, type I, model CKM-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by International Cushion Co., 1110 Northeast Eighth Avenue, Fort

Lauderdale, Fla. 33304, effective February 17, 1970. (It is an extension of Approval No. 160.047/418/0, dated May 10, 1965.)

Approval No. 160.047/419/0, type I, model CKS-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by International Cushion Co., 1110 Northeast Eighth Avenue, Fort Lauderdale, Fla. 33304, effective February 17, 1970. (It is an extension of Approval No. 160.047/419/0, dated May 10, 1965.)

Approval No. 160.047/429/0, type I, model AK-1, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Noble Products Co., Post Office Box 329, Caldwell, Ohio 43724, effective February 19, 1970. (It is an extension of Approval No. 160.047/429/0, dated May 4, 1965.)

Approval No. 160.047/430/0, type I, model CKM-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Noble Products Co., Post Office Box 329, Caldwell, Ohio 43724, effective February 19, 1970. (It is an extension of Approval No. 160.047/430/0, dated May 4, 1965.)

Approval No. 160.047/431/0, type I, model CKS-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Noble Products Co., Post Office Box 329, Caldwell, Ohio 43724, effective February 19, 1970. (It is an extension of Approval No. 160.047/431/0, dated May 4, 1965.)

#### BUOYANT CUSHIONS, UNICELLULAR PLASTIC FOAM

NOTE: Approved for use on motorboats of classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.049/1/0, group approval for rectangular and trapezoidal unicellular plastic foam buoyant cushions, U.S.C.G. Specification Subpart 160.049, sizes to be as per Table 160.049-4(c) (1), manufactured by Stearns Manufacturing Co., Division Street at 30th, St. Cloud, Minn. 56301, effective February 13, 1970. (It is an extension of Approval No. 160.049/1/0, dated Apr. 1, 1965.)

#### BUOYS, LIFE RING, UNICELLULAR PLASTIC

Approval No. 160.050/23/0, 30-inch unicellular plastic ring life buoy, U.S.C.G. Specification Subpart 160.050, buoy bodies made by B. F. Goodrich Sponge Products Division of the B. F. Goodrich Co., Shelton, Conn., rigging and materials as per B. F. Goodrich Sponge Products Division dwg. 12988, revision 3, dated January 13, 1960, manufactured for Style-Crafters, Inc., Box 8277, Station A, Greenville, S.C. 29604, effective February 18, 1970. (It is an extension of Approval No. 160.050/23/0, dated May 17, 1965.)

Approval No. 160.050/24/0, 24-inch unicellular plastic ring life buoy, U.S.C.G. Specification Subpart 160.050, buoy bodies made by B. F. Goodrich Sponge Products Division of the B. F. Goodrich Co., Shelton, Conn., rigging and materials as per B. F. Goodrich Sponge Products Division dwg. 12988,

revision 3, dated January 13, 1960, manufactured for Style-Crafters, Inc., Box 8277, Station A, Greenville, S.C. 29604, effective February 18, 1970. (It is an extension of Approval No. 160.050/24/0, dated May 17, 1965.)

Approval No. 160.050/25/0, 20-inch unicellular plastic ring life buoy, U.S.C.G. Specification Subpart 160.050, buoy bodies made by B. F. Goodrich Sponge Products Division of the B. F. Goodrich Co., Shelton, Conn., rigging and materials as per B. F. Goodrich Sponge Products Division dwg. 12988, revision 3, dated January 13, 1960, manufactured for Style-Crafters, Inc., Box 8277, Station A, Greenville, S.C. 29604, effective February 18, 1970. (It is an extension of Approval No. 160.050/25/0, dated May 17, 1965.)

#### BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.052/87/0, type II, model JPB-3, child size, medium unicellular plastic foam buoyant vest, assembly dwg. No. 59H642, dated September 8, 1959, manufactured by Gentex Corp., Carbondale, Pa. 18407, effective February 13, 1970. (It is an extension of Approval No. 160.052/87/0, dated Mar. 10, 1965.)

#### WORK VESTS, UNICELLULAR PLASTIC FOAM

Approval No. 160.053/3/0, unicellular plastic foam work vest as per Military Specification MIL-L-17653A and U.S.C.G. Specification Subpart 160.053, manufactured by Style-Crafters, Inc., Post Office Box 8277, Station A, Greenville, S.C. 29604, effective February 18, 1970. (It is an extension of Approval No. 160.053/3/0, dated Mar. 12, 1965.)

#### DESALTER KITS, SEA WATER, FOR MERCHANT VESSELS

Approval No. 160.058/1/0, desalter kits, sea water, type EM-6318, U.S.C.G. Specification 160.058, manufactured by Ionac Chemical Co., Birmingham, N.J. 08011, effective February 17, 1970. (It is an extension of Approval No. 160.058/1/0, dated May 5, 1965.)

Dated: April 8, 1970.

P. E. TRIMBLE,  
Vice Admiral, U.S. Coast Guard,  
Acting Commandant.

[P.R. Doc. 70-4525; Filed, Apr. 13, 1970;  
8:48 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket No. 50-263]

### NORTHERN STATES POWER CO.

#### Order Changing Location of Hearing

Monticello Nuclear Generating Plant, Unit 1. According to the notice issued by the Commission on March 9, 1970 and published in the FEDERAL REGISTER of



March 11, 1970 at 35 F.R. 4344, the hearing on the application of Northern States Power Company for a provisional operating license was to be held in the Wright County Courthouse, Buffalo, Minn., beginning April 28, 1970, at 10 a.m. local time.

At the prehearing conference held in Buffalo, Minn., on April 7, 1970, it was noted that the interests of the members of the public who might wish to attend the hearing, as well as the general interests of the intervenors, might better be served if the location of the hearing would be removed to the Twin Cities area.

Accordingly, it is hereby ordered, That the hearing shall be convened in the U.S. Federal Courthouse, 316 North Roberts Street, St. Paul, Minn., at Courtroom 4 (seventh floor) instead of the place heretofore designated. The date and time of the beginning of the hearing shall be as previously scheduled, namely 10 a.m. local time on Tuesday, April 28, 1970.

It is further ordered, That this order shall be published in the FEDERAL REGISTER.

Dated at Washington, D.C. April 8, 1970.

ATOMIC SAFETY AND LICENSING BOARD,  
VALENTINE B. DEALE,  
Chairman.

[F.R. Doc. 70-4500; Filed, Apr. 13, 1970; 8:46 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 21810, Order 70-4-27]

### SEDALIA, MARSHALL, BOONVILLE STAGE LINE, INC.

#### Order To Show Cause

Issued under delegated authority April 7, 1970.

Final service mail rates established by Orders 68-11-10, 68-11-49, 68-11-28, 68-12-27, 69-1-23, and 69-1-28 for the transportation of mail by aircraft are currently in effect for Sedalia, Marshall, Boonville Stage Line, Inc. (Sedalia), an air taxi operator under 14 CFR Part 298.

On January 16, 1970, Sedalia filed a petition requesting the Board to fix new final service mail rates for routes in 12 different dockets. The Board consolidated these 12 dockets into the above docket number. On March 27, 1970, the Postmaster General filed a reply to Sedalia's petition. The Postmaster General stated that it was in agreement with Sedalia that the present rates are no longer fair and reasonable because of increased costs experienced by Sedalia which were not known or reasonably foreseeable at the time the rates were set.

The Postmaster General, however, concludes that upon thorough analysis, in each instance, he can support increased rates in the amount as shown in the following table:

| Previous docket No. | Route                  | Cents per mile |                    |                                |
|---------------------|------------------------|----------------|--------------------|--------------------------------|
|                     |                        | Present rate   | Sedalia's proposal | Post Office Department support |
| 19311               | Sidney-Grand Island    | 29.83          | 41.52              | 41.52                          |
| 19317               | Valentine-North Platte | 41.87          | 45.30              | 45.30                          |
| 19318               | O'Neill-Grand Island   | 40.58          | 46.32              | 45.80                          |
| 19320               | Chadron-North Platte   | 39.74          | 44.21              | 43.51                          |
| 19361               | Oklahoma City-Wichita  | 41.60          | 44.73              | 44.00                          |
| 19374               | Emporia-Wichita        | 33.16          | 35.31              | 35.10                          |
| 19376               | Hays-Wichita           | 40.14          | 44.10              | 43.18                          |
| 19377               | Independence-Wichita   | 30.06          | 40.59              | 40.47                          |
| 19378               | Colby-Wichita          | 32.71          | 34.63              | 34.41                          |
| 20306               | Muskogee-Oklahoma City | 59.14          | 60.66              | 60.32                          |
| 20427               | Kansas City-Wichita    | 42.90          | 44.21              | 43.41                          |
| 20433               | Grand Island-Wichita   | 34.80          | 35.95              | 35.22                          |

The Postmaster General states that Sedalia, after due consideration, has informally agreed that the rates supported by the Postmaster General, as set forth above, are fair and reasonable rates of compensation.

The Board finds it is in the public interest to determine, adjust and establish the fair and reasonable rates of compensation to be paid by the Postmaster General for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the petitions and other matters officially noticed, it is proposed to issue an order to include

As this order to show cause is not a final action but merely provides for interested persons to be heard on these matters, it is not regarded as subject to the review provisions of Part 385 (14 CFR Part 385). These provisions will be applicable to final action taken by the staff under authority delegated in § 385.14(g).

the following findings and conclusions:

On and after January 16, 1970, the fair and reasonable final service mail rates per great circle aircraft mile to be paid in their entirety by the Postmaster General to Sedalia pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the following points shall be as follows:

| Route  | Cents per mile |
|--|----------------|
| 1. Sidney and Grand Island via North Platte, Nebr. | 41.52          |
| 2. Valentine and North Platte, Nebr.               | 45.30          |
| 3. O'Neill and Grand Island via Norfolk, Nebr.     | 45.80          |
| 4. Chadron and North Platte via Alliance, Nebr.    | 43.51          |
| 5. Oklahoma City, Okla., and Wichita, Kans.        | 44.00          |
| 6. Emporia and Wichita via Topeka, Kans.           | 35.10          |

| Route   | Cents per mile |
|---|----------------|
| 7. Hays and Wichita via Salina, Kans.             | 43.18          |
| 8. Independence and Wichita via Fort Scott, Kans. | 40.47          |
| 9. Colby and Wichita via Dodge City, Kans.        | 34.41          |
| 10. Muskogee, Tulsa, and Oklahoma City, Okla.     | 60.32          |
| 11. Kansas City, Mo., and Wichita, Kans.          | 43.41          |
| 12. Grand Island, Nebr., and Wichita, Kans.       | 35.22          |

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a) and 406 thereof, and the board's regulations 14 CFR Part 302, 14 CFR Part 298 and the authority duly delegated by the Board in its Organization Regulations 14 CFR 385.14(f),

It is ordered, That:

1. All interested persons and particularly Sedalia, Marshall, Boonville Stage Line, Inc., and the Postmaster General are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rates for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, as the fair and reasonable rates of compensation to be paid to Sedalia, Marshall, Boonville Stage Line, Inc.:

2. Further procedures herein shall be in accordance with 14 CFR Part 302, as specified in the attached appendix; and

3. This order shall be served upon Sedalia, Marshall, Boonville Stage Line, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

[SEAL]

HARRY J. ZINK,  
Secretary.

#### APPENDIX

1. Further procedures related to the attached order shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed therein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

2. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed therein and fix and determine the final rate specified therein;

3. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307).

[F.R. Doc. 70-4519; Filed, Apr. 13, 1970; 8:47 a.m.]

[Docket No. 21811, Order 70-4-28]

### SEDALIA, MARSHALL, BOONVILLE STAGE LINE, INC.

#### Order To Show Cause

Issued under delegated authority April 7, 1970.



Final service mail rates established by orders 68-11-27 and 68-11-9 for the transportation of mail by aircraft are currently in effect for Sedalia, Marshall, Boonville Stage Line, Inc. (Sedalia), an air taxi operator under 14 CFR Part 298.

On January 16, 1970, Sedalia filed a petition requesting the Board to fix new final service mail rates for routes in three different dockets. The Board consolidated these three dockets into the above docket number. On March 27, 1970, the Postmaster General filed a reply to Sedalia's petition.

The Postmaster General stated that it was in agreement with Sedalia that the present rates are no longer fair and reasonable because of increased costs experienced by Sedalia which were not known or reasonably foreseeable at the time the rates were set.

The Postmaster General, however, concludes that upon thorough analysis, in each instance, he can support increased rates in the amount as shown in the following table:

| Previous docket No. | Route                  | Cents per mile |                    |                                |
|---------------------|------------------------|----------------|--------------------|--------------------------------|
|                     |                        | Present rate   | Sedalia's proposal | Post-Office Department support |
| 19074               | Chicago-Louisville     | 55.03          | 59.86              | 59.30                          |
| 19075               | Cleveland-Indianapolis | 57.65          | 61.06              | 60.94                          |
| 19812               | Cincinnati-Columbus    | 63.55          | 67.27              | 67.21                          |

The Postmaster General states that Sedalia, after due consideration, has informally agreed that the rates supported by the Postmaster General, as set forth above, are fair and reasonable rates of compensation.

The Board finds it is in the public interest to determine, adjust and establish the fair and reasonable rates of compensation to be paid by the Postmaster General for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the petitions and other matters officially noticed, it is proposed to issue an order<sup>1</sup> to include the following findings and conclusions:

On and after January 16, 1970, the fair and reasonable final service mail rates per great circle aircraft mile to be paid in their entirety by the Postmaster General to Sedalia pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the following points shall be as follows:

| Route                                     | Cents per mile |
|---|----------------|
| 1 Chicago, Ill., and Louisville, Ky.      | 59.30          |
| 2 Cleveland, Ohio, and Indianapolis, Ind. | 60.94          |
| 3 Cincinnati and Columbus, Ohio           | 67.21          |

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a) and 406 thereof, and the Board's regulations 14 CFR Part 302, 14 CFR Part 298 and the authority duly delegated by the Board in its Organization Regulations 14 CFR 385.14(f):

It is ordered, That:

1. All interested persons and particularly Sedalia, Marshall, Boonville Stage Line, Inc., and the Postmaster General are directed to show cause why the Board

<sup>1</sup> As this order to show cause is not a final action but merely provides for interested persons to be heard on these matters, it is not regarded as subject to the review provisions of Part 385 (14 CFR Part 385). These provisions will be applicable to final action taken by the staff under authority delegated in § 385.14(g).

should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rates for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, as the fair and reasonable rates of compensation to be paid to Sedalia, Marshall, Boonville Stage Line, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, as specified in the attached appendix; and

3. This order shall be served upon Sedalia, Marshall, Boonville Stage Line, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

[SEAL]

HARRY J. ZINK,  
Secretary.

#### APPENDIX

1. Further procedures related to the attached order shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed therein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

2. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed therein and fix and determine the final rate specified therein;

3. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307).

[F.R. Doc. 70-4520; Filed, Apr. 13, 1970; 8:47 a.m.]

[Docket No. 21950, Order 70-4-40]

### UNITED AIR LINES, INC.

#### Order Granting Petition

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 8th day of April 1970.

By petition filed February 26, 1970, United Air Lines, Inc. (United), seeks a Board order which would allow the carriers presently serving Chicago to discuss the expansion of service at Chicago's Midway Airport.

United states that its request results from a meeting of the carriers serving Chicago with Mayor Richard Daley wherein the Mayor urged the carriers to expand their service and schedules at Midway Airport to meet the needs of a large segment of the traveling public who find the use of Midway more convenient than O'Hare. The Mayor's request was prompted in part by a study performed by the firm of Landrum and Brown which concluded, inter alia, that 50 percent of the Chicago local market or approximately 15 million passengers would be better served at Midway than O'Hare.<sup>1</sup>

United contends that a constructive service pattern attractive to both the local and connecting traffic markets cannot be established by individual carrier action. Inherent in this problem is the fact that Midway, unlike O'Hare, is not a full service airport and that market distances are a limiting and controlling factor in service expansion.<sup>2</sup>

United argues that it is unreasonable to expect carrier use of Midway to expand through individual carrier action when it is clear that a unilateral move with such strong negative competitive implications would do nothing but increase losses for any carrier making such a move, and that the failure of many carriers to move flights to Midway gives ample evidence of this fact.

United further contends that any authority granted to the carriers serving the Chicago market to discuss an industry approach to service expansion at Midway must be sufficiently broad to allow those carriers choosing to participate maximum flexibility in the scope of their discussions including, of necessity, authority to discuss and agree on scheduling in specific markets. In support of its petition United states that the discussions contemplated may well lead to a resultant increase in services at Midway, thereby offering a direct benefit to a large segment of the traveling public and at the same time provide a logical complement to the high density traffic restriction imposed on operations at O'Hare.<sup>3</sup> An examination of prior Board orders indicates the Board's willingness to grant authority for intercarrier discussions when two basic conditions are met: First, the intended purpose of the discussions must appear to be in the public interest per se; and second, the intended result could not readily be achieved by individual carrier action. There can be no question that expansion of service benefiting anywhere from 30

<sup>1</sup> United says its estimate demonstrates that 30 percent of the local Chicago market would find Midway more convenient.

<sup>2</sup> United estimates that an increment of 15 to 25 percent over and above local boardings is attainable if industry action is involved.

<sup>3</sup> Section 93.123 of the Federal Aviation Regulations (14 CFR 93.123).



to 50 percent of the local Chicago market, a market which represented an estimated 15 million passengers in 1969, is in the public interest per se, and that the answer to the question as to whether the intended result can be obtained by individual carrier action may be found in the current traffic statistics for Midway.

Responsive comments have been filed by Southern Airways, Inc., Mohawk Airlines, Inc., and Eastern Air Lines, Inc. The city of Chicago and the Chicago Association of Commerce (CAC) have filed a petition to intervene and in addition have filed a motion requesting an expedited hearing in the matter.<sup>44</sup>

Southern, Eastern, and Mohawk support United's request as does the city of Chicago and the CAC. Mohawk, in addition, states that a more equitable distribution of carrier services should be made between O'Hare and Midway. For example, Mohawk states that a portion of the New York/Chicago "turn around" flights could be moved to Midway with "connecting" flights being substituted at O'Hare where the chances for convenient passenger connections are much greater. The Board should express its desire that the carriers reach an agreement which will give all carriers certificated at Chicago access to O'Hare, and that the discussions include all carriers authorized by the Board.<sup>45</sup> Furthermore, Mohawk stresses the urgency of the matter and requests the Board to establish a time limit of less than 90 days for discussions. The city of Chicago and the CAC urge expeditious treatment because if traffic is not substantially increased at Midway Airport, the city will continue to incur losses from its operations there and will be forced to increase landing fees to offset such losses.

Upon consideration of the matter, we have decided to grant United's petition. Transfer of a significant number of flights from O'Hare to Midway appears to be in the public interest. Not only would such action increase the convenience of air travel for a substantial portion of Chicago local and connecting market, but it may also serve generally to lessen the crowded conditions at O'Hare. Furthermore, it seems evident from current and past traffic statistics at Midway that increased service there will not be forthcoming in the near future absent some type of concerted carrier action whereby a minimum level of

convenient connecting schedules can be arranged. We would, however, expect normal competitive factors to impel voluntary additions of service beyond the minimum level established through the discussions approved herein.

In previous cases, we have limited the scope of carrier scheduling discussions to the total number of movements and have prohibited the discussions of scheduling in specific markets. However, those limitations have been imposed in situations substantially different from the one currently faced at Midway.<sup>46</sup> The task faced by the carriers at Midway is not a reduction in the total number of flights but rather the need for increased service. Thus, because Midway is not a full service airport and because scheduling there involves a substantial amount of connecting traffic, fruitful discussions would appear to require grant of limited authority for the carriers to discuss scheduling in specific markets. Absent such authority, the carriers would be unable to arrange for convenient connecting schedules at Midway and passengers arriving there might incur substantial delays in awaiting connection or would be forced to experience the inconvenience of traveling to O'Hare to reach a connecting flight.

Scheduling practices are, however, an important competitive factor in the air carrier industry and it is only because of the exceptional circumstances currently being experienced in the Chicago area, that we have decided to allow the carriers to deviate from their normal scheme of competition. Consequently, the authority granted herein will be limited so as to allow those carriers presently serving O'Hare to discuss only those flights currently operating out of O'Hare which will be transferred to Midway. The carriers will not be allowed to discuss any operations at O'Hare and Midway, including their current operations there, other than those specifically being transferred from O'Hare to Midway.

The authorization granted herein should result in the transfer of a significant number of operations from O'Hare to Midway and should provide a solid basis for a pattern of increased service there. Once this basis has been established, the carriers will be free to act independently in increasing operations at Midway, as the competitive needs of the markets dictate.

We turn next to discuss Mohawk's requests that the discussions include all carriers authorized to serve Chicago and that the Board express its desire that the discussions be conducted in such a manner as to allow all carriers which are authorized to serve Chicago access to both O'Hare and Midway. Initially, be-

cause we have decided to allow discussions only with respect to operations to be transferred from O'Hare to Midway, and because we will not allow the carriers to discuss scheduling generally at either Midway or O'Hare, it appears that Mohawk, which does not serve O'Hare, would have nothing to contribute to the discussions as to movement of its flights. We will, however, authorize the attendance at the meetings by such carrier representatives in the role of observers. We will also require that any agreement with respect to the transfer of flights from O'Hare to Midway reached as a result of the discussions be served, within five days of consummation thereof, on all carriers authorized to serve Chicago, as well as with the Board. Such should provide any carrier not participating in the discussions with an opportunity independently to add to and/or arrange its Midway schedules in accordance with the flights transferred thereto.

Mohawk also requests that the Board impose a time limit on the discussions because of the urgency of the matter. The situation does appear to warrant prompt carrier action and further, because of the exceptional nature of the relief granted herein, we have decided that the authorization for carrier scheduling discussions should terminate within 60 days of the effective date of this order. Such should provide the carriers with a sufficient amount of time to plan and conduct the discussions.

The procedures to be followed in conducting the discussions will be left to the discretion of the parties involved. However, we will require that a Board observer be permitted to attend each meeting as well as any representatives designated by the city of Chicago. In addition, we will require the carriers to file a full and complete report of each schedule committee meeting. In addition, any resultant agreement among the carriers shall be filed within 5 days of consummation thereof for approval by the Board.

Finally, we wish to make it clear that we are countenancing this departure from our policy on intercarrier schedule discussions only because of the existing need at Chicago for a more diffused pattern of service at its two airports. We do not expect this problem to recur, since the discussions authorized herein will, in our view, create the necessary impetus for achieving that end. Once that pattern has been established, we expect that each carrier acting individually will fulfill its responsibility to provide adequate service to Chicago through all available facilities there. Since our desire is just to create the impetus for assumption of a responsibility which is that of each individual carrier, we do not propose to approve any agreement submitted to us after the discussions which would

<sup>44</sup> Since this matter will not proceed to a hearing, there is no reason for us to entertain these requests. However, the city of Chicago and the CAC will be allowed to appear as observers at the discussions authorized herein.

<sup>45</sup> Mohawk has been authorized by the Board to serve Chicago but has not received authorization from the Chicago Department of Aviation to serve O'Hare. In similar straits are Northeast, Piedmont, and Southern.

<sup>46</sup> See Orders 68-12-11, Dec. 3, 1968, and 70-3-140, Mar. 27, 1970, concerning scheduling discussions as a result of flight limitations at certain airports.



have the effect of freezing a level of service at either airport for any period of time. Thus, while the carriers may agree on the flights initially to be transferred, we will not allow such an agreement to substitute for the normal management prerogative of adjusting schedules as the need arises. Moreover, since our ultimate goal is to achieve a greater balance in service at Chicago as between its two current airports, we shall not approve any agreement submitted to us resulting from such discussion without the assurance of or demonstration by the appropriate authorities that all carriers the Board has authorized to serve Chicago may do so through both of its airports.

Accordingly, it is ordered, That:

1. The petition of United Air Lines in Docket 21950 be and it hereby is granted subject to the following conditions:

(a) Participation in the discussions shall be limited to carriers currently serving O'Hare;

(b) The discussions shall be limited to the specific flights to be transferred from O'Hare to Midway and the carriers shall not discuss any of their operations at O'Hare or Midway other than those flights currently serving O'Hare which are to be transferred to Midway;

(c) Representatives of the Civil Aeronautics Board, the CAC, the Department of Aviation of the city of Chicago, any other Government agency expressing an interest, and all carriers authorized to serve Chicago shall be permitted to attend the discussions as observers;

(d) A notice of any discussion meeting shall be served on all carriers eligible to participate therein and on the CAB, the Department of Aviation of the city of Chicago and all other carriers authorized to serve Chicago at least 7 calendar days prior to such meeting;

(e) Grant of the petition shall not be construed as authorizing discussions of rates, fares, charges, or in flight and other services in connection with air transportation;

(f) The carriers participating in the discussions shall file with the Board, a report of each discussion meeting held including, *inter alia*, the date, place, attendance, and a summary of all discussions. Such report shall be filed in triplicate with the Board within 14 days of the close of each discussion meeting and a copy thereof shall be served on the parties enumerated in (d) above;

(g) Any agreement reached as a result of the discussions authorized herein

shall be filed with the Board for approval under section 412 of the Act within 5 days of consummation thereof and a copy of such agreement shall be served on the parties enumerated in (d) above within the same 5-day time period;

(h) The relief granted herein shall expire within 60 days of the effective date of this order;

(i) The petitions and motions of the city of Chicago and the Chicago Association of Commerce be and they hereby are dismissed;

(j) Except to the extent granted herein all outstanding motions and requests be and they hereby are denied;

(k) Copies of this order shall be served on all parties enumerated in (d) above; the Departments of Transportation and Justice, the Federal Aviation Administration and the city of Chicago; and

2. To the extent not granted herein all outstanding requests for relief be and they hereby are denied.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,  
Secretary.

[P.R. Doc. 70-4521; Filed, Apr. 13, 1970;  
8:47 a.m.]

[Docket No. 21944]

#### DAN-AIR SERVICES, LTD.

#### Notice of Postponement of Prehearing Conference and Hearing

Notice is hereby given that the prehearing conference in the above-entitled matter has been postponed to June 2, 1970, at 10 a.m., e.d.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless at or prior to the conference a person objects or shows reason for further postponement.

Dated at Washington, D.C., April 9, 1970.

[SEAL] JOSEPH L. FITZMAURICE,  
Hearing Examiner.

[P.R. Doc. 70-4587; Filed, Apr. 13, 1970;  
8:50 a.m.]

#### 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 subject to refund in dockets Nos. |
|--------------|---|-------------------|----------------|--|---------------------------|----------------------|---------------------------------|-----------------------|----------------|-------------------------|--|
|              |   |                   |                |  |                           |                      |                                 |                       | Rate in effect | Proposed increased rate |  |
| R170-1454..  | Getty Oil Co., Post Office Box 1494, Houston, Tex. 77001. | 6                 | 12             | Natural Gas Pipeline Co. of America (LaGloria Field, Jim Wells and Crook Counties, Tex.) (RR. District No. 4). | \$39,751                  | 3-13-70              | 4-13-70                         | 9-13-70               | \$ 14.05083    | *** 16.73               | R167-184.  |
| .....do..... | .....do.....  | 51                | 17             | Texas Eastern Transmission Corp. (Nordhelm Field, De Witt County, Tex.) (RR. District No. 2).                  | 1,305                     | 3-13-70              | 4-13-70                         | 6-13-70               | \$ 14.661      | *** 15.3733             | R170-753.  |
| R170-1455..  | Getty Oil Co. (Operator) et al.                           | 7                 | 27             | Texas Eastern Transmission Corp. (Wilcox Trend Area, Bee et al. Counties, Tex.) (RR. District No. 2).          | 5,617                     | 3-13-70              | 4-13-70                         | 9-13-70               | 14.161         | *** 14.8733             | R170-757.  |

## FEDERAL POWER COMMISSION

[Docket No. RI70-1454, etc.]

GETTY OIL CO. ET AL.

### Order Providing for Hearings on and Suspension of Proposed Changes in Rates<sup>1</sup>

APRIL 3, 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 May 18, 1970.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

<sup>1</sup> Does not consolidate for hearing or dispose of the several matters herein.



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 subject to refund in dockets Nos. |
|--------------|--|-------------------|----------------|--|---------------------------|----------------------|---------------------------------|-----------------------|----------------|-------------------------|--|
|              |  |                   |                |  |                           |                      |                                 |                       | Rate in effect | Proposed increased rate |  |
| RI70-1456..  | Midhurst Oil Corp. (Operator) et al., Post Office Box 18095, Oklahoma City, Okla. 73118. | 20                | 3              | South Texas Natural Gas Gathering Co. (Schuster Field, Hidalgo County, Tex.) (RR. District No. 4).                         | \$1,383                   | 3-9-70               | 14-9-70                         | 9-9-70                | 16.0           | ** 17.06375             | RI65-459.  |
| RI70-1457..  | Texaco, Inc., Post Office Box 430, Bellshire, Tex. 77401.                                | 55                | 15             | Tennessee Gas Transmission Co. (Raymondville Field, Willacy County, Tex.) (RR. District No. 4).                            | 6,023                     | 3-9-70               | 14-9-70                         | 9-9-70                | 16.00          | * 17.0638               | RI70-447.  |
| .....do..... | .....do.....   | 438               | 1              | Natural Gas Pipeline Co. of America (Stroman Field, Jim Hogg County, Tex.) (RR. District No. 4).                           | 3,360                     | 3-9-70               | 14-9-70                         | 9-9-70                | ** 16.0        | * 17.8668               |  |
| RI70-1458..  | Sun Oil Co., Post Office Box 2880, Dallas, Tex. 75221.                                   | 121               | 4              | South Texas Natural Gas Gathering Co. (Donna Field, Hidalgo County, Tex.) (RR. District No. 4).                            | 474                       | 3-9-70               | 14-15-70                        | 9-15-70               | 14.5544        | ** 15.5058              | RI68-100.  |
| RI70-1460..  | T. K. Kendrick (Operator) et al., 2005 Liberty Bank Bldg., Oklahoma City, Okla. 73102.   | 8                 | 2              | Natural Gas Pipeline Co. of America (Beekham County, Okla.) (Oklahoma "Other" Area).                                       | 7,510                     | 3-9-70               | 14-9-70                         | 9-9-70                | ** 15.66       | ** 16.703               | RI69-126.  |
| RI70-1460..  | N. Appleman Co. et al., 654 Madison Ave., New York, N.Y. 10021.                          | 7                 | 4              | Colorado Interstate Gas Co., a division of Colorado Interstate Corp. (Hugoton Field, Grant County, Kans.).                 | 1,898                     | 3-6-70               | 14-6-70                         | 9-6-70                | ** 13.5        | ** 14.5                 | RI68-643.  |
| RI70-1461..  | Anadarko Production Co. (Operator) et al., Post Office Box 9317, Fort Worth, Tex. 76107. | 104               | 2              | Northern Natural Gas Co. (Max A. Blau Unit and Buxman Lease, Lipscomb and Ochiltree Counties, Tex.) (RR. District No. 10). | 2,008                     | 3-9-70               | 14-9-70                         | 9-9-70                | ** 17.06375    | ** 18.06750             | RI70-673.  |
| RI70-1462..  | Arkla Exploration Co. (Operator) et al., Post Office Box 1734, Shreveport, La. 71102.    | 27                | 3              | Arkansas Louisiana Gas Co. (Ashland Field, Pittsburg and Coal Counties, Okla.) (Oklahoma "Other" Area).                    | 12,180                    | 3-9-70               | 14-9-70                         | 9-9-70                | 15.0           | * 16.015                |  |
| RI70-1463..  | Mesa Petroleum Co. (Operator) et al., Post Office Box 2909, Amarillo, Tex. 79105.        | 40                | 7              | Colorado Interstate Gas Co., a division of Colorado Interstate Corp. (Moene Field, Beaver County, Okla.) (Panhandle Area). | 6,290                     | 3-9-70               | 14-9-70                         | 9-9-70                | ** 17.280      | ** 19.584               |  |

<sup>1</sup> The stated effective date is the effective date requested by respondent.  
<sup>2</sup> Periodic rate increase.  
<sup>3</sup> Pressure base is 14.65 p.s.i.a.  
<sup>4</sup> Subject to 0.25-cent dehydration charge, by buyer.  
<sup>5</sup> Includes 0.5 cent paid to producer for dehydration.  
<sup>6</sup> Increase from permanent certificated rate to initial contract rate.  
<sup>7</sup> Applies only to acreage added by Supplement No. 10 (Agreement dated May 15, 1969).  
<sup>8</sup> The stated effective date is the first day after expiration of the statutory notice period.

<sup>9</sup> Conditioned initial rate.  
<sup>10</sup> Includes base price of 15 cents before increase and 16 cents after increase plus upward B.t.u. adjustment plus tax reimbursement.  
<sup>11</sup> Subject to upward and downward B.t.u. adjustment.  
<sup>12</sup> Subject to a downward B.t.u. adjustment.  
<sup>13</sup> Includes base price of 15 cents before increase and 17 cents after increase plus upward B.t.u. adjustment.

Texaco, Inc. (Texaco), requests that its proposed rate increases be permitted to become effective as of March 9, 1970. Mesa Petroleum Co. (Operator) et al. (Mesa), requests a retroactive effective date of June 1, 1969, for their proposed rate increase. 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 Texaco and Mesa's proposed rate filings and such requests are denied.

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).

[P.R. Doc. 70-4418; Filed, Apr. 13, 1970; 8:45 a.m.]

[Docket No. RI70-1450 etc.]

NEIL E. HANSON ET AL.

**Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund<sup>1</sup>**

APRIL 2, 1970.

The respondents named herein have filed proposed changes in rates and

<sup>1</sup> Does not consolidate for hearing or dispose of the several matters herein.

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: *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.<sup>2</sup>

<sup>2</sup> 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.



(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 May 18, 1970.

By the Commission.

[SEAL]

GORDON M. GRANT,  
Secretary.

## 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 subject to refund in docket's No. |
|-------------|---|-------------------|----------------|---|---------------------------|----------------------|---------------------------------|-----------------------|----------------|-------------------------|--|
|             |   |                   |                |   |                           |                      |                                 |                       | Rate in effect | Proposed increased rate |  |
| RI70-1450.. | Neil E. Hanson (Operator) et al., 1234 Americana Bldg., Houston, Tex. 77002.      | 1                 | 1              | Texas Eastern Transmission Corp. (Lajara Field, Hidalgo and Willacy Counties, Tex.) (RR. District No. 4)  | \$864                     | 3-13-70              | * 3-13-70                       | * 3-14-70             | \$ 16.0        | * * 16.00               |  |
| RI70-1451.. | Virginia Sherrill, 2206 South Travis, Amarillo, Tex. 79102.                       | 1                 | 5              | Phillips Petroleum Co. <sup>1</sup> (West Panhandle Field, Hutchinson County, Tex.) (RR. District No. 10) | 800                       | 3- 5-70              | * 4- 5-70                       | * 4- 6-70             | \$ 14.0325     | * * 14.0330             | RI70-660   |
| RI70-1452.. | Mesa Petroleum Co. (Operator) et al., Post Office Box 2009, Amarillo, Tex. 79105. | 28                | 4              | Natural Gas Pipeline Co. of America (Quindino Field, Roberts County, Tex.) (RR. District No. 10)          | 135                       | 3- 9-70              | * 3- 9-70                       | * 3-10-70             | \$ 12.0        | * * 12.045              |  |
|             | do.....   |                   | 37             | Panhandle Eastern Pipe Line Co. (Texas Hugoton Field, Hansford County, Tex.) (RR. District No. 10)        | 167                       | 3- 9-70              | * 3- 9-70                       | * 3-10-70             | \$ 18.003      | * * 18.0705             |  |
| RI70-1453.. | Mesa Petroleum Co. et al.   | 20                | 3              | Northern Natural Gas Co. (Morrow Field, Ochiltree County, Tex.) (RR. District No. 10)                     | 10                        | 3- 9-70              | * 3- 9-70                       | * 3-10-70             | \$ 16.5        | * * 16.5015             |  |

<sup>1</sup> The stated effective date is the date of filing pursuant to Commission's Order No. 390.

<sup>2</sup> The suspension period is limited to 1 day.

<sup>3</sup> Tax reimbursement increase.

<sup>4</sup> Initial rate as conditioned by temporary certificate issued May 29, 1968, in Docket No. CI68-1177.

<sup>5</sup> Pressure base is 14.65 p.s.i.a.

<sup>6</sup> It cannot be determined to which of Phillips' plants the acreage is decedated.

Phillips' resale rates are in effect subject to refund.

<sup>7</sup> The stated effective date is the first day after expiration of the statutory notice.

<sup>8</sup> Periodic rate increase.

<sup>9</sup> Subject to a deduction of 0.4466 cent for sour gas.

<sup>10</sup> Subject to a downward B.t.u. adjustment.

<sup>11</sup> Subject to upward and downward B.t.u. adjustment.

<sup>12</sup> Includes base rate of 17 cents plus 1.003 cents upward B.t.u. adjustment.

[Docket No. RI70-1464]

## MESA PETROLEUM CO. ET AL.

### Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

APRIL 6, 1970.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule<sup>1</sup> for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge 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 a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its 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),

<sup>1</sup> Producers operating under small producer certificates are permitted to file above-ceiling rate increases in the Permian Basin Area without submitting rate schedules as a result of Order No. 394 issued Jan. 6, 1970. Where the word "supplement" or "rate schedule" appears in this order, it refers to the notice of change in rate filed by the producer.

and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its 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 supplement to the rate schedule filed by respondent 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 respondent shall 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 a copy thereof upon the purchaser under the rate schedule involved. Unless respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.<sup>2</sup>

<sup>2</sup> 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.

[F.R. Doc. 70-4419; Filed, Apr. 13, 1970; 8:45 a.m.]



(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding 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 May 25, 1970.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

## 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 subject to refund in dockets Nos. |
|------------|--------------------------------------|-------------------|----------------|--|---------------------------|----------------------|---------------------------------|-----------------------|----------------|-------------------------|--|
|            |                                      |                   |                |  |                           |                      |                                 |                       | Rate in effect | Proposed increased rate |  |
| E170-1464  | Mesa Petroleum Co. (Operator) et al. | (9)               | -----          | El Paso Natural Gas Co. (screener in Upton County, Tex.) (Permian Basin Area). | \$32                      | 3-9-70               | *3-9-70                         | *3-10-70              | 14.5           | **14.5543               |  |

\* No rate schedule on file—pertains to contract dated Sept. 11, 1962.  
† The stated effective date is the date of filing pursuant to Commission Order No. 290 issued Oct. 10, 1969.

‡ The suspension period is limited to 1 day.  
§ Tax reimbursement increase.  
¶ Pressure base is 14.55 p.s.i.a.

Mesa Petroleum Co. (Operator) et al. (Mesa) is a holder of a small certificate and has filed a rate increase reflecting partial reimbursement for the increase in Texas Production Tax from 7 to 7.5 percent enacted by the State of Texas on September 9, 1969, to be effective as of October 1, 1969. The proposed rate exceeds the applicable area base ceiling rate determined in Opinion No. 468 for the Permian Basin Area.

Since Mesa's proposed rate increase relates solely to reimbursement for the increase in the Texas production tax we believe that it should be suspended for 1 day from the date of filing, March 9, 1970, in accordance with Order No. 390 issued October 10, 1969, since the filing involved was made after October 31, 1969.

[F.R. Doc. 70-4489; Filed, Apr. 13, 1970; 8:45 a.m.]

[Docket No. RP70-27]

## MICHIGAN GAS STORAGE CO.

## Notice of Proposed Change in Rates and Charges; Correction

APRIL 6, 1970.

In the notice of proposed change in rates and charges, issued April 1, 1970, and published in the FEDERAL REGISTER April 3, 1970, 35 F.R. 5570, second paragraph: Change "September 30, 1970" to "September 30, 1978," second paragraph: Change "Consumer" to "Consumers".

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-4490; Filed, Apr. 13, 1970; 8:45 a.m.]

[Docket No. CP69-325]

## TRANSCONTINENTAL GAS PIPE LINE CORP.

## Notice of Petition To Amend

APRIL 6, 1970.

Take notice that on March 26, 1970, Transcontinental Gas Pipe Line Corp. (applicant), Post Office Box 1396, Houston, Tex. 77001, filed in Docket No. CP69-325 a petition to amend the order of the Commission issued on August 12, 1969, to permit the expenditure of up to \$1 million for any single onshore project, up to \$1,750,000 for any single off-

shore project and total expenditures of \$7 million, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Applicant was authorized under the "budget-type" certificate issued on August 12, 1969, to construct and operate facilities related to the purchase of natural gas from producers and other similar sellers during the 12-month period commencing on August 12, 1969. The Commission granted Applicant's request for waiver of the cost limitations of § 2.58(a) (2) of its statements of general policy and interpretations in order to permit the expenditure thereunder of up to \$750,000 for any single onshore project and up to \$1 million for any single offshore project. By its Order No. 395 issued on February 25, 1970, in Docket No. R-373, the Commission enlarged the cost limitations for total expenditures under "budget-type" certificates of up to \$7 million per year, in lieu of the previous limit of \$5 million, and expenditures of up to \$1,750,000 for a single offshore project and \$1 million for a single onshore project. Applicant states that it is experiencing costs of construction in excess of previous estimates and desires to avail itself of the new cost ceilings.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 27, 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.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-4491; Filed, Apr. 13, 1970; 8:45 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30-B (Region V) Amdt. 1]

## REGION V, REGIONAL DIVISION CHIEFS ET AL.

## Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30-B, 34 F.R. 19842 dated December 18, 1969, as amended 35 F.R. 1073, dated January 27, 1970, Delegation of Authority 30-B (Region V) 35 F.R. 4155, dated March 5, 1970, is hereby amended by revising Item IV, to read as follows:

IV. Branch Managers—IV-A. Marquette, Mich. 1. To approve or decline business, disaster, and displaced business loans not exceeding \$50,000 (SBA share) and economic opportunity loans not exceeding \$25,000 (SBA share).

2. To enter into business, economic opportunity, disaster, and displaced business loan participation agreements with banks.

3. To execute loan authorizations for Central Office, regional, and district approved loans and loans approved under delegated authority, said execution to read as follows:

(Name), Administrator

By \_\_\_\_\_

(Name)

Title of person signing.

4. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity, disaster, and displaced business loans approved under delegated authority.

5. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

6. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.



7. To take all necessary actions in connection with the administration, servicing, and collection, other than those accounts classified as "in liquidation"; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing.

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privileges under the loan guaranty plan.

d. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

8. Size determinations for financing only: To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, except sections 501 and 502 loans; and further, to make product classification decisions for financing purposes only. Product classification decisions for procurement purposes are made by contracting officers.

9. Eligibility determinations for financing only: To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC and community economic development programs, in accordance with Small Business Administration standards and policies. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in § 120.2(e) of SBA Loan Policy Regulations.

IV-B. *Springfield, Ill.*—A. *Financing program.* 1. To approve or decline business loans not exceeding \$100,000 (SBA share) and economic opportunity loans not exceeding \$25,000 (SBA share).

2. a. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (1) \$50,000 per household for repairs or replacement of the home and/or not to exceed an additional \$10,000 allowable for house-

hold goods and personal items, but in no event may the money loaned for physical loss or damage exceed \$55,000 for a single disaster on home loans, except for funds to refinance prior liens or mortgages, which may be approved in addition to the foregoing limits for amounts up to \$50,000; and (2) \$100,000 on disaster business loans (excluding displaced business loans), except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster guaranteed loans up to \$100,000 and to decline them in any amount.

b. To approve or decline displaced business loans up to \$100,000 (SBA share).

3. To enter into business, economic opportunity, disaster, and displaced business loan participation agreements with banks.

4. To execute loan authorizations for Central Office and regional approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,  
By \_\_\_\_\_  
(Name)  
Title of person signing.

5. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity, disaster, and displaced business loans.

6. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

7. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

8. [Reserved]

9. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in § 120.2(e) of SBA Loan Policy Regulations.

B. *Community Economic Development Program.* 1. [Reserved]

2. To extend the disbursement period on sections 501 and 502 loan authorizations or undisbursed portions of sections 501 and 502 loans.

3. [Reserved]

4. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans.

5. To enter into section 502 loan participation agreements with banks.

6. [Reserved]

7. [Reserved]

8. To disburse approved EDA loans, as authorized.

C. *Loan Administration Program.*

1. To take all necessary actions in connection with the administration, servicing, and collection, other than those accounts classified as "in liquidation", and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing.

a. The assignment, endorsement, transfer, and delivery (but in all cases

without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents, and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

d. [Reserved]

e. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

2. [Reserved]

3. [Reserved]

4. [Reserved]

D. *Procurement and Management Assistance Program.* [Reserved]

E. *Administrative.* [Reserved]

F. *Eligibility determinations.* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC program, in accordance with Small Business Administration standards and policies.

G. *Size determinations.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financing purposes only. Product classification decisions for procurement purposes are made by contracting officers.

H. *Branch Attorney.* 1. To close and disburse approved SBA loans and rehabilitation loans for Department of Housing and Urban Development.

2. To close approved EDA loans, as authorized.

3. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

4. To conduct all litigation activities, including SBIC matters, as assigned, and to take all action necessary in connection with litigated matters; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, with the exception of the following, which are reserved to the regional counsel:



a. The assignment, endorsement, transfer and delivery of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator, as to all litigated matters.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing, as to all litigated matters.

5. To take all necessary action in liquidating Economic Development Administration (EDA) loans having litigative aspects when and as authorized by EDA.

V. The specific authority delegated herein, indicated by double asterisk (\*\*), cannot be redelegated.

VI. The authority delegated herein to a specific position may be exercised by an SBA employee designated as acting in that position.

Effective date: April 6, 1970.

ROBERT A. DWYER,  
Regional Director, Region V.

[P.R. Doc. 70-4518; Filed, Apr. 13, 1970;  
8:47 a.m.]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 9, 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. 41935—*Methylene chloride from points in Louisiana and Texas.* Filed by Southwestern Freight Bureau, agent (No. B-144), for interested rail carriers. Rates on methylene chloride, in tank carloads, as described in the application, from specified points in Louisiana and Texas, to Chicago, Ill., and points taking same rates, also East St. Louis and Lemont, Ill., and St. Louis, Mo. Grounds for relief—Related commodity relationship.

Tariffs—Supplements 198 and 268 to Southwestern Freight Bureau, agent, tariffs ICC 4668 and 4564, respectively.

FSA No. 41937—*Soda ash from Saltville, Va.* Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2974), for interested rail carriers. Rates on soda ash, in bulk, in covered

hopper cars, in carloads, as described in the application, from Saltville, Va., to Kearney, N.J.

Grounds for relief—Market competition.

Tariff—Supplement 21 to Norfolk and Western Railway Co. tariff ICC 10028.

#### AGGREGATE-OF-INTERMEDIATES

FSA No. 41936—*Methylene chloride from points in Louisiana and Texas.* Filed by Southwestern Freight Bureau, agent (No. B-145), for interested rail carriers. Rates on methylene chloride, in tank carloads, as described in the application, from specified points in Louisiana and Texas, to Chicago, Ill., and points taking same rates, also East St. Louis and Lemont, Ill., and St. Louis, Mo.

Grounds for relief—Maintenance of depressed rates without use of such rates as factors in constructing combination rates.

Tariffs—Supplements 198 and 268 to Southwestern Freight Bureau, agent, tariffs ICC 4668 and 4564, respectively.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[P.R. Doc. 70-4524; Filed, Apr. 13, 1970;  
8:47 a.m.]

[Notice 58]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 9, 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 office 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 11592 (Sub-No. 10 TA), filed March 26, 1970. Applicant: BEST REFRIGERATED EXPRESS, INC., 1402 Pacific Street, Omaha, Nebr. 68108. Applicant's representative: Irving L. Johnson (same address as above). 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 appendix I to the Report in Descriptions in Motor Carrier Certificates, sections A and C, 61 M.C.C. 209 and 276 (except hides and commodities in bulk, in tank vehicles), from the plantsite and storage facilities utilized by American Beef Packers, Inc., at or near Omaha, Nebr., Oakland, Iowa, and storage facilities utilized by American Beef Packers at or near Fremont, Nebr., to points in Connecticut, District of Columbia, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, and Pennsylvania, for 150 days. Supporting shipper: American Beef Packers, Inc., Box 6234 Elmwood Park Station, Omaha, Nebr. 68106. Send protests to: Keith P. Kohrs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 60131 (Sub-No. 7 TA), filed April 2, 1970. Applicant: ROCKY FORD MOVING VANS, INC., Midland, Tex. Applicant's representative: Robert J. Gallagher, Suite 3020, Empire State Building, New York City, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods,* as defined by the Commission, between points in Colorado, Kansas, New Mexico, Louisiana, and Oklahoma, on the one hand, and, on the other, points in California, for 180 days. Supporting shippers: There are approximately (8) 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: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 918 Tyler Street, Amarillo, Tex. 79101.

No. MC 63417 (Sub-No. 29 TA), filed April 1, 1970. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, 1814 Hollins Road NE, Post Office Box 2888, Roanoke, Va. 24001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New furniture,* from Sumter, S.C., to points in Alabama, Florida, and Georgia, for 150 days. Note: Applicant intends to tack to its present authority in MC-63417. Supporting shippers: Georgia-Pacific Corp., Sumter, S.C.; Carolina Furniture Works, Inc., Sumter, S.C.; Korn Industries, Inc., Sumter, S.C. Send protests to: Clatin M. Harmon, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 215 Campbell Avenue SW., Roanoke, Va. 24011.

No. MC 109994 (Sub-No. 32 TA), filed April 1, 1970. Applicant: SIZER TRUCKING, INC., Post Office Box 97, Rochester, Minn. 55901. Applicant's representative: Oren Sizer (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bones,* from Austin, Minn., to Chicago, Ill., for 180 days. Supporting shipper: Geo. A. Hormel & Co., Post Office Box 800, Austin, Minn.



55912. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 111594 (Sub-No. 49 TA), filed April 1, 1970. Applicant: C W TRANSPORT, INC., 610 High Street, Wisconsin Rapids, Wis. 54494. Applicant's representative: G. R. Richmond, 1970 South Broadway, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent ferric chloride and spent chromic acid*, in bulk, in tank vehicles, from Indianapolis and Fort Wayne, Ind.; Port Huron, Mich.; Edina, Golden Valley, Minneapolis, and Minnetonka, Minn.; Springfield, Mo.; Cambridge, Ohio; and Baldwin, Wis., to Chicago, Ill., for 180 days. Supporting shipper: Philip A. Hunt Chemical Corp., Palisades Park, N.J. 07650. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 444 West Main Street, Room 11, Madison, Wis. 53703.

No. MC 113267 (Sub-No. 233 TA), filed April 2, 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: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* (except hides and commodities in bulk in tank vehicles), from Sioux Center, Iowa, to points in Arkansas, Louisiana, Mississippi, and Memphis, Tenn., for 180 days. Supporting shipper: Sioux-Preme Packing Co., Post Office Box 177, Sioux Center, Iowa 51250. 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 114107 (Sub-No. 7 TA), filed April 2, 1970. Applicant: CEMENT TRANSPORT, INC., Post Office Box 176, Valley Station, Ky. 40272. Applicant's representative: Ollie L. Merchant, Suite 202, 140 South Fifth Street, Louisville, Ky. 40202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in tank vehicles, and in bags, from Kosmosdale, Ky., to points in Tennessee, for 180 days. Supporting shipper: Kosmos Portland Cement Co., 802 Bank of Louisville Building, 510 West Broadway, Louisville, Ky. 40202. Send protests to: Wayne L. Merilatt, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 116996 (Sub-No. 6 TA), filed April 1, 1970. Applicant: B & B CARRIERS, INC., Post Office Box 160, Downingtown, Pa. 19335. Applicant's representative: William R. Keen, Jr. (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Slag*, from points in Hancock County, W. Va., to points in Beaver County, Pa., for 90 days. Supporting

shipper: International Mill Services, Post Office Box 185, Exton, Pa. 19341. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 123503 (Sub-No. 3 TA) (Correction), filed February 26, 1970, published March 11, 1970, FEDERAL REGISTER, and republished as corrected this issue. Applicant: KRAUS TRANSPORT LIMITED, 406 Gilbert Avenue, Toronto 10, Ontario, Canada. Applicant's representative: William J. Hirsch, 43 Niagara Street, Buffalo, N.Y. 14202. Note: The purpose of this republication is to show the correct docket number assigned thereto, as shown above, in lieu of MC 123505 (Sub-No. 3 TA), as previously published in error.

No. MC 125543 (Sub-No. 3 TA), filed April 1, 1970. Applicant: PERISHABLE SERVICE, INC., 770 North Springfield Road, Waukesha, Wis. 53186. Applicant's representative: Robert Morgan (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale or retail food business houses*, between Waukesha, Wis., on the one hand, and, on the other, points in Cook, Du Page, and Kane Counties, Ill., for 180 days. Supporting shipper: Milwaukee Cheese Co., Post Office Box 337, Waukesha, Wis. 53186 (Edward M. Berres, President). 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 126514 (Sub-No. 19 TA), filed March 25, 1970. Applicants: HELEN H. SCHAEFFER AND EDWARD P. SCHAEFFER, 5200 West Bethany Home Road, Phoenix, Ariz. 85019. Applicants' representative: George A. Olsen, 69 Tonelle Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk), when having prior movement by water carrier, from piers located at Portland, Ore.; Seattle and Longview, Wash.; San Francisco, Los Angeles, Long Beach, and San Diego, Calif., to New York, White Plains, and Middletown, N.Y.; Baltic, Conn.; Webster, Worcester, Boston, and Springfield, Mass., for 180 days. Supporting shipper: Bevis Industries, Inc., Casper Division, 20 Bank Street, White Plains, N.Y. 10606. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3427 Federal Building, Phoenix, Ariz. 85025.

No. MC 129282 (Sub-No. 6 TA), filed April 1, 1970. Applicant: FRED S. BERRY, doing business as BERRY TRANSPORTATION COMPANY, Post Office Box 1824, 502 Standard Street, Longview, Tex. 75601. Applicant's representative: Fred S. Berry (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1)

*Malt beverages*, (2) *advertising materials and supplies ordinarily dealt in by malt beverage distributors*, from (1) Houston, Tex., to Longview, Tex.; (2) from Houston, Tex., to Longview, Tex.; Alexandria and Shreveport, La.; (3) (1) and (2) above from New Orleans, La., to all points in Texas, for 180 days. NOTE: Carrier will tack authority at Longview, Tex., to Shreveport, La. (MC 129282 Sub 2). Supporting shippers: Jackson Brewing Co., 620 Decatur Street, New Orleans, La.; Shreveport Beverage Agency, Inc., of Shreveport, La., and Mid-State Beer Distributing Company of Alexandria, La., both for Jos. Schlitz Brewing Co.; Stouidt Distributing Co., Inc., of Longview, Tex., for Jos. Schlitz Brewing Co. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 134106 TA (Amendment), filed October 16, 1969, published FEDERAL REGISTER, issue of October 31, 1969, and republished as amended this issue. Applicant: L. G. WILKERSON, doing business as TRUCKEE AUTO REPAIR, Post Office Box 1238, Truckee, Calif. 95734. Applicant's representative: Raymond A. Greene, Jr., 405 Montgomery Street, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked or disabled automobiles, busses, trucks, tractors, semitrailers, and full trailers and replacements thereof, and wrecked or disabled trailers*, using wrecker type tow trucks, in truckaway service, between points in that part of California on and north of U.S. Highway 50 and on and south of a line beginning at the Pacific Ocean and extending along U.S. Highway 299 to junction U.S. Highway 395 at Alturas, Calif., and thence along U.S. Highway 295 to the California-Oregon State line, and points in that part of Nevada on and north of U.S. Highway 6, for 180 days. Supporting shippers: State of California, Department of Public Works, Division of Highways, 369 Pine Street, San Francisco, Calif.; Tahoe Vangas, Post Office Box 685, Tahoe City, Calif. 95730; Greyhound Lines West, 371 Market Street, San Francisco, Calif. 94106; Nevada Central Motor Lines, Inc., 100 Giroux Street, Reno, Nev. 89503. NOTE: The purpose of this republication is to show that applicant also proposed to transport busses. Send protests to: District Supervisor Daniel Augustine, Interstate Commerce Commission, Bureau of Operations, Room 24, 222 East Washington Street, Carson City, Nev. 89701.

#### MOTOR CARRIER PASSENGERS

No. MC 134465 TA, filed April 1, 1970. Applicant: GRAY LINE SIGHTSEEING TOURS, INC., 540 Northwest 10th Street, Miami, Fla. 33136. Applicant's representative: Gregory M. Rehman, Suite 1230, Boatmen's Bank Building, St. Louis, Mo. 63102. Authority sought to operate as a *contract carrier*, by motor vehicle over irregular routes, transporting: *Passengers and their baggage*, between all



points in Florida, for 180 days. Supporting shipper: GAC Properties Inc., 7880 Biscayne Boulevard, Miami, Fla. 33138. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, Room 105, Cox Building, 5720 Southwest 17th Street, Miami, Fla. 33155.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[P.R. Doc. 70-4522; Filed, Apr. 13, 1970;  
8:47 a.m.]

[Notice 521]

## MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 9, 1970.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-71930. By order of April 7, 1970, the Motor Carrier Board approved the transfer to Edward C. Walkiewicz, a partnership, doing business as Twin Haulage Co., Newark, N.J., of the operating rights in certificate No. MC-105607 (Sub-No. 5) issued December 11, 1953, to Edward C. Walkiewicz and George Valentine, doing business as Twin Haulage Co., Newark, N.J., authorizing the transportation of animal fats, animal fatty acids, inedible animal tallow, and animal greases, from Vineland, Camden, South Plainfield, Elizabeth, Newark, Harrison, Kearny, Guttenberg, and Paterson, N.J., to New York, N.Y.; inedible animal tallow and animal greases, from New York, N.Y., to Kearny, Newark, and Camden, N.J., and Philadelphia, Pa.; animal or red oil, from Newark, N.J., to Philadelphia, Conshohocken, and Northampton, Pa.; fish oil and sea animal oil, from Guttenberg, N.J., to New York, N.Y., and Conshohocken and Philadelphia, Pa., and coconut oil and palm oil, from Guttenberg, N.J., to Bristol and Philadelphia, Pa. John P. Tynan, 69-20 Fresh Pond Road, Ridgewood, N.J. 11227, and F. X. McCormick, 23 Prince Street, Elizabeth, N.J. 07207, attorneys for applicants.

No. MC-FC-71984. By order of April 7, 1970, the Motor Carrier Board approved

the transfer to M. Bulifant Trucking, Inc., Philadelphia, Pa., of the operating rights in certificates Nos. MC-42156, MC-42156 (Sub-No. 1), MC-42156 (Sub-No. 2), and MC-42156 (Sub-No. 3) issued December 12, 1942, April 8, 1960, March 12, 1963, and November 5, 1969, respectively, to Walton Bulifant, Walton Bulifant, Jr., and Donald Bulifant, Executors, doing business as M. Bulifant, Philadelphia, Pa., authorizing the transportation of paper containers, paper container wrappers, materials used in the manufacture of paper containers, bleaching and cleansing compounds, scrap metals, lead and zinc products, paint materials, paper, paper products, wood pulp, and skids and cores, from and to points as specified in Pennsylvania, New York, Delaware, Massachusetts, Rhode Island, Connecticut, Maryland, and New Jersey. Alan Kahn, Two Penn Center Plaza, Philadelphia, Pa. 19102, attorney for applicants.

No. MC-FC-72012. By order of April 7, 1970, the Motor Carrier Board approved the transfer to Richard W. Myers, Pender, Nebr. 68047, of certificate No. MC-79719 issued to Bryan E. Grothe and Lawrence P. Nielsen, doing business as Grothe & Nielsen, Pender, Nebr. 68047, authorizing the transportation of: Livestock, farm products, and household goods, as defined by the Commission, between specified points in Iowa and Nebraska.

No. MC-FC-72021. By order of April 6, 1970, the Motor Carrier Board approved the transfer to William E. (Billy) Oney, Route 7, Box 37, Kingsport, Tenn. 37600, of the operating rights in certificates Nos. MC-116175 and MC-116175 (Sub-No. 4) issued January 22, 1962, and May 18, 1962, respectively, to J. W. Daugherty, 1012 Leigh Avenue, Pennington Gap, Va. 24277, authorizing the transportation of livestock feed from Cincinnati, Ohio, to specified points in Tennessee and Virginia, and scrap paper and other specified commodities from Kingsport, Tenn., to Sandusky, Ohio.

No. MC-FC-72025. By order of April 7, 1970, the Motor Carrier Board approved the transfer to Theodore Marabelli and Joseph M. Marabelli, a partnership, Tunkhannock, Pa., of the operating rights in certificate No. MC-108722 (Sub-No. 2) issued February 28, 1968, to Frank Riviello, Old Forge, Pa., authorizing the transportation of coal, from points in Wayne County, Pa., to points in New York. Kenneth R. Davis, registered practitioner, 999 Union Street, Taylor, Pa. 18517, representative for applicants.

No. MC-FC-72033. By order of April 7, 1970, the Motor Carrier Board approved the transfer to B R Trucking Co., Inc., New York, N.Y., of that portion of the operating rights in certificate No. MC-15936 issued July 16, 1969, to

Boston and Springfield Dispatch, Inc., Stamford, Conn., authorizing the transportation of general commodities, with usual exceptions, between New York, N.Y., and Jersey City, N.J., on the one hand, and, on the other, points in Bergen, Essex, Hudson, Passaic, and Union Counties, N.J. Leonard Jay Reade, 10 East 40th Street, New York, N.Y. 10016, and Buckley, Jameson & Mason, 500 Summer Street, Stamford, Conn. 06904, attorneys for applicants.

No. MC-FC-72059. By order of April 7, 1970, the Motor Carrier Board approved the transfer to LaMar Hopewell, Trout Run, Pa., of the operating rights in certificate No. MC-59064 issued March 24, 1941, to A. J. Fremberg, 1450 Race St., Williamsport, Pa. 17701, authorizing the transportation, over irregular routes, of fertilizer between Baltimore, Md., on the one hand, and, on the other, Williamsport, Wellsboro, and Galeton, Pa., canned goods, groceries, and fresh vegetables between Baltimore, Md., and Williamsport, Pa., sugar from Baltimore, Md., to Williamsport, Pa., feed between Buffalo, N.Y., on the one hand, and, on the other, Galeton and Wellsboro, Pa., and lettuce, celery, and fresh vegetables between Wellsboro, Pa., and Baltimore, Md. Richard T. Eisenbeis, 322 Court Street, Williamsport, Pa. 17701, attorney for transferee.

No. MC-FC-72069. By order of April 6, 1970, the Motor Carrier Board approved the transfer to John W. Leach, doing business as Leach's Express, Box 16, Islesboro, Maine 04848 of certificate of registration No. MC-72069 issued to Ralph O. Leach, doing business as Leach's Express (above address) evidencing a right to engage in interstate transportation of commodities solely within the State of Maine.

No. MC-FC-72072. By order of April 7, 1970, the Motor Carrier Board approved the transfer to Miller Super Service, Inc., Fourth and Utah Avenue, Atchison, Kans., of the operating rights in certificate No. MC-124870 issued July 30, 1963, to J. T. Berridge & Sons Co., Inc., 811 Main Street, Atchison, Kans., authorizing the transportation of wrecked and disabled motor vehicles and replacement vehicles, in truckaway service, requiring the use of wrecker equipment, between points in Atchison County, Kans., on the one hand, and, on the other, points in Nebraska, and that part of Missouri on, west, and north of a line beginning at the Missouri-Iowa State line and extending along U.S. Highway 63 to junction U.S. Highway 36, thence along U.S. Highway 36 to Chillicothe, Mo., and thence along U.S. Highway 65 to the Missouri-Arkansas State line.

[SEAL] H. NEIL GARSON,  
Secretary.

[P.R. Doc. 70-4523; Filed, Apr. 13, 1970;  
8:47 a.m.]



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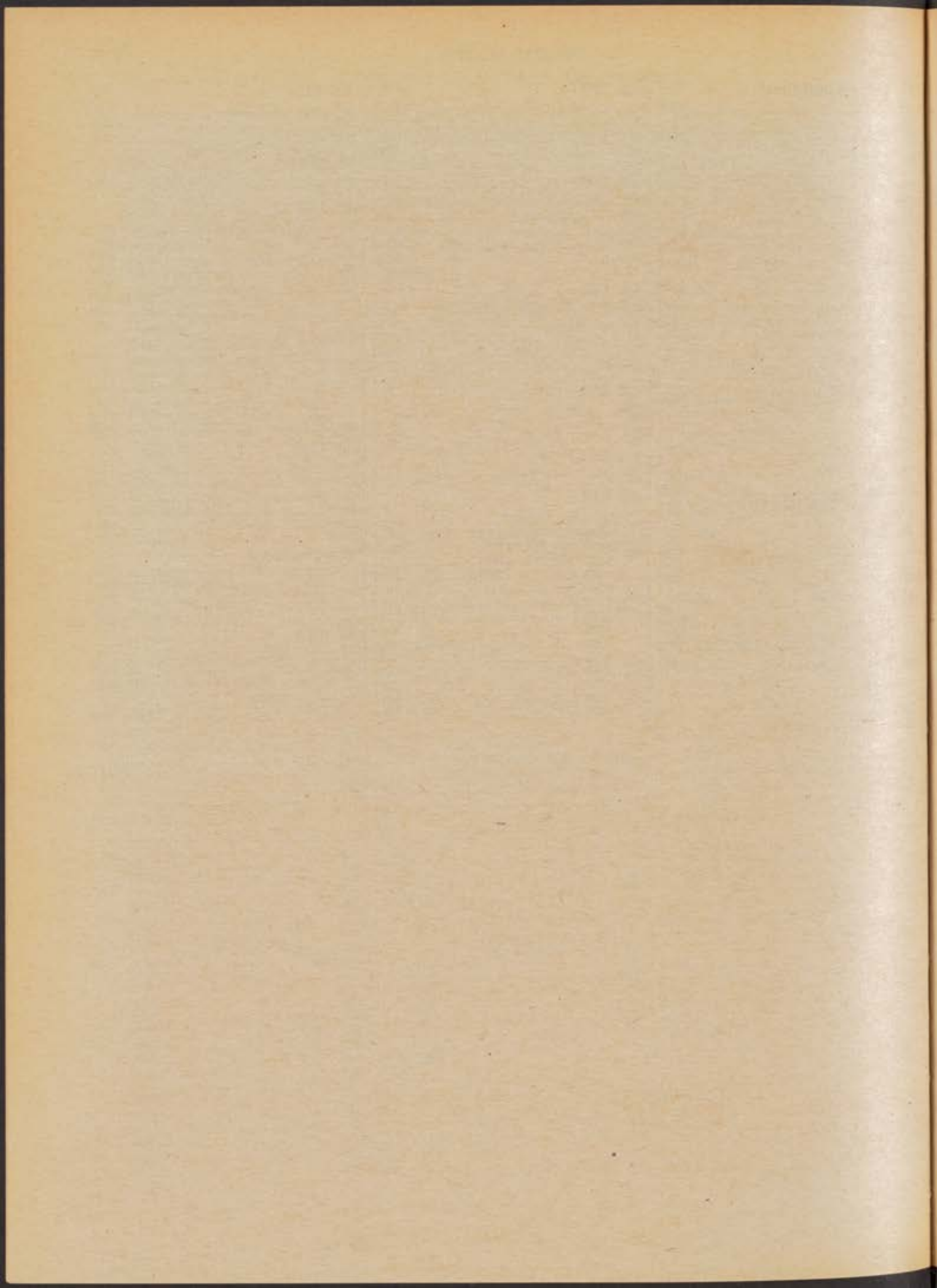


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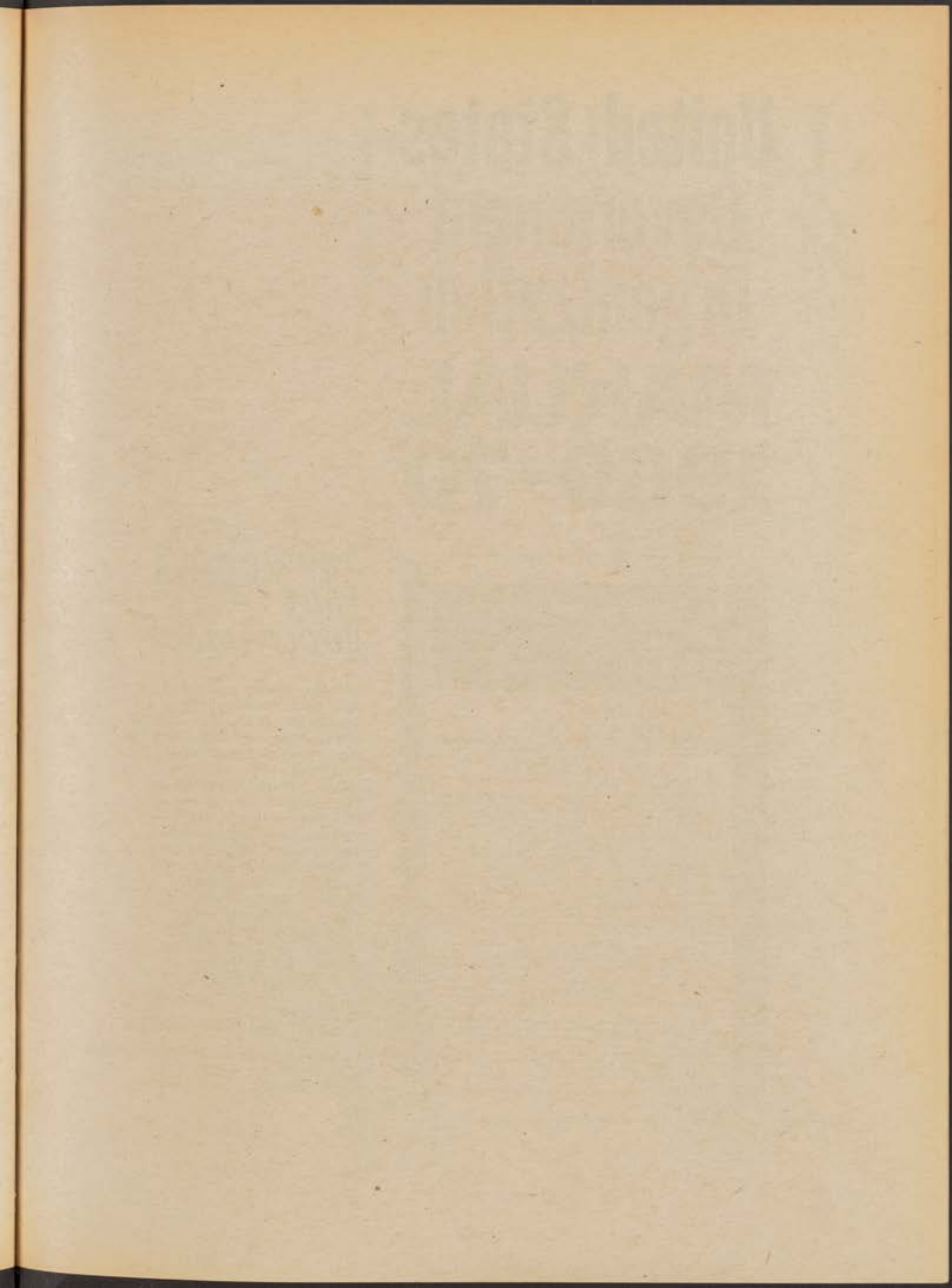
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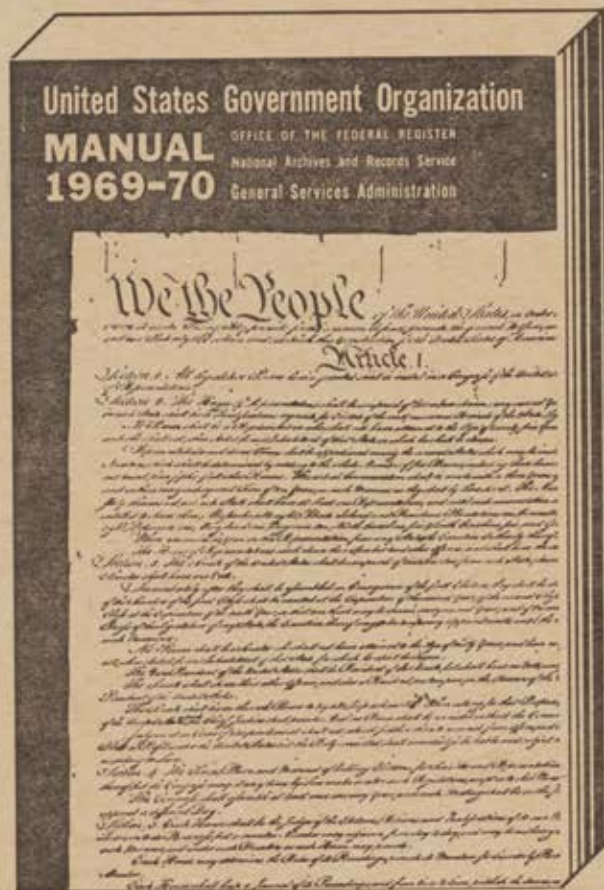








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