

FEDERAL REGISTER

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Pages 9907-9982

Part I

(Part II begins on page 9973)

Agencies in this issue—

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Atomic Energy Commission
Business and Defense Services
Administration
Civil Service Commission
Coast Guard
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Federal Aviation Administration
Federal Insurance Administration
Federal Maritime Commission
Federal Power Commission
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Department
Interior Department
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
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Securities and Exchange Commission
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Social Security Administration

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Volume 82

UNITED STATES
STATUTES AT LARGE

[90th Cong., 2d Sess.]

Contains laws and concurrent resolutions enacted by the Congress during 1968, reorganization plans, and Presidential proclamations. Also included are: a subject index, tables of prior

laws affected, a numerical listing of bills enacted into public and private law, and a guide to the legislative history of bills enacted into public law.

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1970, and specifies how they are affected.

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Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11536

ESTABLISHING THE PRESIDENT'S COMMISSION ON CAMPUS UNREST

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. *Establishment of Commission.* (a) There is hereby established the President's Commission on Campus Unrest (hereinafter referred to as the Commission).

(b) The Commission shall be composed of a Chairman to be appointed by the President, and of so many other members as the President may appoint.

SEC. 2. *Functions of the Commission.* The Commission shall study dissent, disorder, and violence on the campuses of institutions of higher learning or in connection with such institutions, and report its findings and recommendations to the President. The duties of the Commission shall include, but not be limited to, the following:

(1) Identifying the principal causes of campus violence and the breakdown in the process of orderly expression of dissent on the campus.

(2) Suggesting specific methods and procedures through which grievances can be resolved by means other than the exertion of force.

(3) Suggesting ways to protect academic freedom, the right to obtain an education free from improper interference, and the right of peaceful dissent and protest.

(4) Proposing practical steps which can be taken by government at all levels, by the administrations of institutions of higher learning, and by students, through student governments or otherwise, to minimize dangers attendant upon expressions of dissent.

SEC. 3. *Staff of the Commission.* (a) The Commission shall have an Executive Director, appointed by the President in accordance with law.

(b) Subject to law, the Commission is authorized (1) to appoint such additional personnel as it deems necessary and fix their compensation, and (2) to obtain services in accordance with the provisions of 5 U.S.C. 3109.

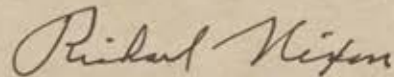
SEC. 4. *Expenses.* Members of the Commission shall receive compensation of \$100 per day when engaged in the performance of duties under this order and shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in Government service employed intermittently.

SEC. 5. *Cooperation by executive departments and agencies.* (a) The Commission, acting through its chairman, is authorized to request from any executive department or agency any information and assistance deemed necessary to carry out its functions under this order. Each department and agency is directed, to the extent permitted by law and within the limits of available funds, to furnish information and assistance to the Commission.

(b) The General Services Administration shall provide administrative services and support for the Commission.

THE PRESIDENT

SEC. 6. *Report and termination.* The Commission shall present its final report and recommendations to the President not later than October 1, 1970, and shall terminate thirty days after the presentation of such report.



THE WHITE HOUSE,
June 13, 1970.

[F.R. Doc. 70-7756; Filed, June 16, 1970; 11:02 a.m.]

Rules and Regulations

Title 24—HOUSING AND HOUSING CREDIT

Chapter VII—Federal Insurance Administration, Department of Housing and Urban Development

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

PART 1915—IDENTIFICATION OF FLOOD-PRONE AREAS

List of Flood Hazard Areas

Section 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of flood hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Alaska	Kenai Peninsula Borough	Kenai to Soldotna	T 02 120 0000 01	Local Affairs Agency, Office of the Governor, State of Alaska, Juneau, Alaska 99801. Director of Insurance, State of Alaska, Pouch D, Juneau, Alaska 99801.	Kenai Peninsula Borough Planning Department, Borough Bldg., Soldotna, Alaska 99669.	June 18, 1970.
California	Los Angeles	Los Angeles	T 06 037 1980 01 through T 06 037 1980 04	Department of Water Resources, Box 288, Sacramento, Calif. 95802. California Insurance Department, 107 South Broadway, Los Angeles, Calif. 90012, and 1407 Market St., San Francisco, Calif. 94103.	Storm Drain Design Division, Bureau of Engineering, Department of Public Works, 111 East First St., Room 600, Los Angeles, Calif. 90012.	Do.
Do.	Sonoma	Guerneville and vicinity	H 06 007 0000 01 H 06 007 0000 02	Do.	Sonoma County Water Agency, Sonoma County Administration Bldg., 2555 Mendocino Ave., Santa Rosa, Calif. 95401.	Do.
Connecticut	Hartford	West Hartford	T 09 003 0823 01 T 09 003 0823 02	Connecticut Water Resources Commission, Capitol Ave., Hartford, Conn. 06115. Connecticut Insurance Department, State Office Bldg., Hartford, Conn. 06115.	Office of the Town Clerk, Town Hall, West Hartford, Conn. 06107.	Do.
Florida	Okaloosa	Fort Walton Beach	T 12 091 1091 01, et seq.	Department of Community Affairs, 225 West Jefferson St., Tallahassee, Fla. 32303. State of Florida Insurance Department, Treasurer's Office, State Capitol, Tallahassee, Fla. 32303.	City Hall, 107 Miracle Strip Parkway SW., Fort Walton Beach, Fla. 32548.	Do.
Do.	do	Valparaiso	H 12 091 3040 01 through H 12 091 3040 04	Do.	Valparaiso City Hall, 44 Southview Ave., Valparaiso, Fla. 32560.	Do.
Do.	Palm Beach		T 12 099 0000 01 through T 12 099 0000 04 H 12 099 0000 05 H 12 099 0000 06	Do.	Board of County Commissioners, Palm Beach County, 301 North Olive Ave., West Palm Beach, Fla. 33401.	Do.
Do.	Pinellas		T 12 103 0000 01 through T 12 103 0000 03	Do.	Pinellas County Department of Planning, 315 Haven St., Clearwater, Fla. 33516.	Do.
Do.	do	St. Petersburg	T 12 103 2730 01 through T 12 103 2730 04	Do.	Department of Buildings, City of St. Petersburg, 650 16th St. North, St. Petersburg, Fla. 33713.	Do.
Do.	do	South Pasadena	H 12 103 2573 01	Do.	Town Hall, Town of South Pasadena, South Pasadena, Fla. 33707.	Do.
Georgia	De Kalb	Decatur	T 13 080 1610 01, et seq.	State Planning and Programming Bureau, 270 Washington St. SW., Atlanta, Ga. 30334. State of Georgia Insurance Commission, State Capitol, Room 238, Atlanta, Ga. 30334.	Office of the City Clerk, City of Decatur, Post Office Box 230, Decatur, Ga. 30030.	Do.
Do.	Muscogee	Columbus	T 13 215 1280 01, et seq.	Do.	Office of the Building Official, City of Columbus, Post Office Box 1340, Columbus, Ga. 31902.	Do.
Iowa	Webster	Fort Dodge	T 19 187 3020 01 through T 19 187 3020 06	Iowa Natural Resources Council, Grimes Bldg., Des Moines, Iowa 50319. Commissioner of Insurance, State of Iowa, Lucas State Office Bldg., Des Moines, Iowa 50319.	City Clerk's Office, Municipal Building, Fort Dodge, Iowa 50501.	Do.
Massachusetts	Norfolk	Quincy	T 25 021 1000 01 through T 25 021 1000 09	Division of Water Resources, Massachusetts Water Resources Commission, State Office Bldg., Government Center, 100 Cambridge St., Boston, Mass. 02202. Division of Insurance, 100 Cambridge St., Boston, Mass. 02202.	Department of Planning, Programming and Development, City of Quincy, 55 Sea St., Quincy, Mass. 02160.	Do.
Minnesota	Winona	Winona	T 27 100 7600 01, et seq.	Minnesota Department of Conservation, 345 Centennial Bldg., St. Paul, Minn. 55101. Commissioner of Insurance, State of Minnesota, State Office Bldg., Room 210, St. Paul, Minn. 55101.	Office of the Planning Director, Room 8, Municipal Bldg., Winona, Minn. 55987.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Mississippi	Harrison	Long Beach	H 28 047 1380 01	State of Mississippi, Governor's Emergency Council, 429 Mississippi St., Room 409, Jackson, Miss. 39205. Mississippi Research and Development Center, Information Services Division, Post Office Drawer 2470, Jackson, Miss. 39205. Mississippi Instruction Department, 910 Woolfolk Bldg., Jackson, Miss. 39205.	Office of the City Clerk, City Hall, Long Beach, Miss. 39260.	Do.
New Jersey	Cape May	Sea Isle City	H 34 009 3000 01 H 34 009 3000 02	Department of Environmental Protection, Division of Water Policy and Supply, Post Office Box 1390, Trenton, N.J. 08625. Department of Banking and Insurance, State House Annex, Trenton, N.J. 08625.	Office of the City Clerk, City Hall, 4416 Landis Ave., Sea Isle City, N.J. 08243.	Do.
Do	Ocean	Beach Haven Borough	H 34 029 0300 01	do	Office of the Borough Clerk, Municipal Bldg., Bay and Engleside Ave., Beach Haven, N.J. 08008.	Do.
Do	Union	Cranford	T 34 039 0705 01	do	Office of the Township Engineer, Cranford Municipal Bldg., 8 Springfield Ave., Cranford, N.J. 07016.	Do.
Do	do	Plainfield	T 34 039 2630 01 T 34 039 2630 02	do	Office of the Director of Public Works Works and Urban Development, City Hall, 515 Watchung Ave., Plainfield, N.J. 07061.	Do.
Rhode Island	Kent	Warwick	T 44 003 0230 01 through T 44 003 0230 06	Rhode Island Statewide Program, Room 123-A, The State House, Providence, R.I. 02903. Rhode Island Insurance Department, Room 418, 49 Westminster, Providence, R.I. 02903.	Department of City Planning, 3275 Post Road, Warwick, R.I. 02885.	Do.
Do	Newport	Newport	H 44 005 0150 01 H 44 005 0150 02	do	Engineer's Office, City Hall, Newport, R.I. 02840.	Do.
Texas	Aransas		T 48 007 0000 01 T 48 007 0000 02	Texas Water Development Board, 301 West Second St., Austin, Tex. 78711. State Board of Insurance, 11th and San Jacinto, Austin, Tex. 78701.	County Clerk's Office, Aransas County Courthouse, Rockport, Tex. 78382.	Do.
Do	do	Rockport	T 48 007 5890 01 T 48 007 5890 02 T 48 007 5890 03	do	City Hall, City of Rockport, Broadway St., Rockport, Tex. 78382.	Do.
Do	Brazoria		T 48 039 0000 01 through T 48 039 0000 06	do	Office of the County Engineer, Brazoria County Courthouse, Angleton, Tex. 77515.	Do.
Do	do	Freeport	T 48 039 2490 01 T 48 039 2490 02	do	Office of the City Manager, City of Freeport, 128 East Fourth St., Freeport, Tex. 77541.	Do.
Texas	Calhoun		T 48 057 0000 01 T 48 057 0000 02 T 48 057 0000 03	Texas Water Development Board, 301 West Second St., Austin, Tex. 78711. State Board of Insurance, 11th and San Jacinto, Austin, Tex. 78701.	County Clerk of Calhoun County, Calhoun County Court house, 211 South Ann St., Port Lavaca, Tex. 77973.	Do.
Do	Dallas	Irving	H 48 113 3420 01	do	Office of the City secretary., City Hall, 835 West Irving Blvd., Irving, Tex. 75060.	Do.
Do	Galveston		T 48 167 0000 01 T 48 167 0000 02	do	Office of the County Clerk, Galveston County Courthouse, Galveston, Tex. 77550.	Do.
Do	do	Hitchcock	T 48 167 3230 01, et seq.	do	City Hall, City of Hitchcock, 6015 Second St., Hitchcock, Tex. 77563.	Do.
Do	Jefferson	Beaumont	T 48 245 0490 01 through T 48 245 0490 04	do	City Hall, 700 Pearl St., Beaumont, Tex. 77704.	Do.
Do	Matagorda		T 48 321 0000 01 through T 48 321 0000 04	do	Office of the County Judge, Matagorda County Courthouse, Bay City, Tex. 77414.	Do.
Texas	Nueces		T 48 355 0000 01 T 48 355 0000 02	Texas Water Development Board, 301 West Second St., Austin, Tex. 78711. State Board of Insurance, 11th and San Jacinto, Austin, Tex. 78701.	Office of the County Engineer, Nueces County Courthouse, Corpus Christi, Tex. 78401.	Do.
Do	do	Agua Dulce	T 48 355 0040 01	do	Office of the City Secretary, Nueces County Bldg., 1514 Second St., Agua Dulce, Tex. 78330.	Do.
Do	do	Aransas Pass	T 48 355 0240 01, et seq.	do	City Offices, City of Aransas Pass, Aransas Pass, Tex.	Do.
Do	do	Corpus Christi	H 48 355 1150 01 through H 48 355 1150 04	do	Planning Department, City Hall, 302 South Shoreline Dr., Corpus Christi, Tex. 78401.	Do.
Do	do	Port Aransas	T 48 355 5420 01, et seq.	do	City of Port Aransas, Post Office Box 367, Port Aransas, Tex. 78373.	Do.
Do	do	Robstown	T 48 355 5850 01	do	Office of the City Secretary, City Hall, 330 East Main St., Robstown, Tex. 78380.	Do.
Do	San Patricio		T 48 409 0000 01 T 48 409 0000 02	Texas Water Development Board, 301 West Second St., Austin, Tex. 78711. State Board of Insurance, 11th and San Jacinto, Austin, Tex. 78701.	Office of the County Clerk, San Patricio County Courthouse, Sinton, Tex. 78387.	Do.
Do	do	Ingleside	T 48 409 3380 01 T 48 409 3380 02	do	City Hall, 116 Humble St., Ingleside, Tex. 78602.	Do.
Do	do	Sinton	T 48 409 6400 01, et seq.	do	City Hall, 201 East Market St., Sinton, Tex. 78387.	Do.
Do	Taylor	Ablene	T 48 441 0030 01 through T 48 441 0030 06	do	Office of the City Engineer, City Hall, 555 Walnut St., Abilene, Tex. 79604.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Virginia	Fairfax		T 51 059 0000 01 T 51 059 0000 02	Division of Water Resources, Seventh Floor, 911 East Broad St., Richmond, Va. 23219. Virginia Insurance Department, 700 Blanton Bldg., Richmond, Va. 23200.	Office of the Director of Public Works, Fairfax County, 4100 Chain Bridge Rd., Fairfax, Va. 22030.	Do.
Do.	Wise	Big Stone Gap	T 51 195 0170 01 T 51 195 0170 02	do.	Office of the Town Manager, Town of Big Stone Gap, Big Stone Gap, Va. 24219.	Do.
Do.	do.	St. Paul	T 51 195 2160 01	do.	Clerk's Office, Town Hall, St. Paul, Va. 24283.	Do.
Do.	City of Waynesboro		H 51 820 2610 01 through H 51 820 2610 08	do.	Office of the City Engineer, City Hall, 250 South Wayne Ave., Waynesboro, Va. 22980.	Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: June 16, 1970.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[F.R. Doc. 70-7483; Filed, June 16, 1970; 8:45 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER C—REGULATIONS AND STANDARDS UNDER THE AGRICULTURAL MARKETING ACT OF 1946

PART 54—GRADING AND INSPECTION OF DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF AND U.S. SPECIFICATIONS FOR CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

PART 55—GRADING AND INSPECTION OF EGG PRODUCTS

PART 56—GRADING OF SHELL EGGS AND U.S. STANDARDS, GRADES, AND WEIGHT CLASSES FOR SHELL EGGS

PART 70—GRADING AND INSPECTION OF POULTRY AND EDIBLE PRODUCTS THEREOF AND U.S. CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

Miscellaneous Amendments

Under authority contained in the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621 et seq.), the U.S. Department of Agriculture hereby amends the Regulations Governing the Grading and Inspection of Domestic Rabbits and Edible Products Thereof and U.S. Specifications for Classes, Standards, and Grades With Respect Thereto (7 CFR Part 54), the Regulations Governing the Grading and Inspection of Egg Products (7 CFR Part 55), the Regulations Governing the Grading of Shell Eggs and U.S. Standards, Grades, and Weight Classes for Shell Eggs (7 CFR Part 56), and the Regulations Governing the Grading and Inspection of Poultry and Edible Products Thereof and U.S. Classes, Standards, and Grades With Re-

spect Thereto (7 CFR Part 70) as set forth below:

Statement of considerations. The amendments increase the hourly rate from \$8 to \$9.20 for voluntary inspection and grading services including sampling for laboratory analysis performed on a fee basis under the Agricultural Marketing Act and increase charges for such services performed on Saturdays, Sundays, or Government authorized holidays from \$10 to \$11.40 an hour. The amendments also increase the laboratory fees for testing egg and poultry products.

The existing hourly rates and laboratory fees became effective January 1969. Since that time, grading personnel performing work on a fee basis have had two general salary increases of 9.2 percent in July 1969 and 6 percent in December 1969. In addition, the agency is now required to contribute an additional one-half percent to the retirement fund. The increases in rates are necessary to cover these pay raises and retirement fund costs. The fees for the voluntary resident grading and inspection services are not changed since they are currently at levels sufficient to cover the costs of such services.

Previously, the voluntary inspection and grading regulations provided appeals from inspections and gradings only if an official certificate had been issued for the product. To increase the effectiveness of the services to their users, the amendments provide procedures for the appeal of a grader's or inspector's decision as to the grade of a product whether it is reflected in a certificate or merely by grade identification on the product, and in an official plant. To expedite the appeal service, the amendments delegate the authority to perform appeals or appoint appeal inspectors or graders to certain supervisory field staff. Presently, this authority is only in the national office. To this extent, the amendments relate to agency management and procedure.

Several minor changes have been made for the sake of clarity and uniformity. Such changes relate to the correction of

a typographical error, revision of a sampling table for grading in Part 54 to make it consistent with a previously amended similar table in Part 70, and the addition of a note at the end of Parts 54, 56, and 70 to indicate that these Parts comply with the reporting and/or recordkeeping requirements of the Bureau of the Budget.

The amendments are as follows:

As to Part 54:

1. The heading preceding § 54.55 and § 54.55 are deleted.
2. In § 54.100(a), the figure "54.111" is amended to read "54.110."
3. Paragraphs (b) and (c) of § 54.101 are amended to read:

§ 54.101 On a fee basis.

(b) Fees for grading or inspection service will be based on the time required to perform such service for class, quality, quantity (weight test), or condition of ready-to-cook product. The hourly charge shall be \$9.20 and shall include the time actually required to perform the work, waiting time, travel time, and any clerical costs involved in issuing a certificate.

(c) Grading or inspection services rendered on Saturdays, Sundays, or Government authorized holidays shall be charged for at the rate of \$11.40 per hour. Information on Government authorized holidays is available from the Supervisor.

4. Section 54.102 is amended to read:

§ 54.102 Fees for appeal grading or review of a grader's decision.

(a) The fee to be charged for any appeal grading shall be based on the hourly rates as specified in § 54.101 (b) or (c). If the result of the appeal grading discloses that a material error was made in the original grading, no fee will be charged.

(b) No fee shall be charged for the appeal under § 54.191(a) of a grader's decision unless special travel was necessary to perform the appeal review and the grader's decision was upheld on the appeal. In such cases, the fee shall be

based on the hourly rates as specified in § 54.101 (b) or (c).

5. Paragraph (a) (7) of § 54.108 is amended to read:

§ 54.108 Continuous grading performed on a resident basis.

(a) Charges.

(7) A charge of 10 percent of: (i) The premium pay, (ii) the salary paid to each grader in excess of one regular grader, and (iii) all charges made to the applicant for expenses which are paid by C&MS to graders assigned to the applicant.

6. Section 54.134 is amended to read:

§ 54.134 Appeal inspections; how made.

Any person receiving inspection service may, if dissatisfied with any decision of an inspector relating to any inspection, file an appeal from such decision: *Provided*, That such appeal is filed within 48 hours from the time the decision was made. Any such appeal from a decision of an inspector shall be made to his immediate superior having jurisdiction over the subject matter of the appeal. Review of such appeal findings, when requested, shall be made by the immediate superior of the employee of the Department making the appeal inspection. The cost of any such appeal shall be borne by the applicant if the Administrator determines that the appeal is frivolous. The charges for such frivolous appeal shall be based on the hourly rates as specified in § 54.101 (b) or (c).

7. Section 54.150 is amended to read:

§ 54.150 General.

Grading service performed with respect to any quantity of product shall, as the case may require, be on the basis of an examination, pursuant to the regulations in this part, of each unit thereof, or of each unit in the representative sample thereof drawn by a grader. Whenever the grading service is performed on a representative sample basis, such sample shall be drawn and consist of not less than the minimum number of containers as indicated in the following table:

(Minimum number of containers comprising a representative sample)

Containers in lot:	Containers in sample
3 or less	All
4-20	4
21-100	6
101-500	8
501-1,000	15
1,001-2,000	25
2,001-4,000	40
Over 4,000	60

8. The heading preceding § 54.190 and §§ 54.190 through 54.196 are amended to read:

APPEAL OF A GRADING OR DECISION

§ 54.190 Who may request an appeal grading or review of a grader's decision.

An appeal grading may be requested by any interested party who is dissatisfied with the determination by a grader

of the class, quality, quantity, or condition of any product as evidenced by the USDA grade mark and accompanying label, or as stated on a grading certificate, and a review may be requested by the operator of an official plant with respect to a grader's decision on any other matter related to grading in the official plant.

§ 54.191 Where to file an appeal.

(a) *Appeal from resident grader's grading or decision in an official plant.* Any interested party who is not satisfied with the determination of the class, quality, quantity, or condition of product which was graded by a grader in an official plant and has not left such plant, and the operator of any official plant who is not satisfied with a decision by a grader on any other matter relating to grading in such plant may request an appeal grading or review of the decision by filing such request with the grader's immediate supervisor.

(b) *All other appeal requests.* Any interested party who is not satisfied with the determination of the class, quality, quantity, or condition of product which has left the official plant where it was graded or which was graded other than in an official plant may request an appeal grading by filing such request with the Area Supervisor in the area where the product is located or with the Chief of the Grading Branch.

§ 54.192 How to file an appeal.

Any request for an appeal grading or review of a grader's decision may be made orally or in writing. If made orally, written confirmation may be required. The applicant shall clearly state the reasons for requesting the appeal service and a description of the product or the decision which is questioned. If such appeal request is based on the results stated on an official certificate, the original and all available copies of the certificate shall be returned to the appeal grader assigned to make the appeal grading.

§ 54.193 When an application for an appeal grading may be refused.

When it appears to the official with whom an appeal request is filed that the reasons given in the request are frivolous or not substantial, or that the quality or condition of the product has undergone a material change since the original grading, or that the original lot has changed in some manner, or the Act or the regulations in this part have not been complied with, the applicant's request for the appeal grading may be refused. In such case the applicant shall be promptly notified of the reason(s) for such refusal.

§ 54.194 Who shall perform the appeal.

(a) An appeal grading or review of a decision requested under § 54.191 (a) shall be made by the grader's immediate supervisor or by a licensed grader assigned by the immediate supervisor other than the grader whose grading or decision is being appealed.

(b) Appeal gradings requested under § 54.191 (b) shall be performed by a

grader other than the grader who originally graded the product.

(c) Whenever practical, an appeal grading shall be conducted jointly by two graders. The assignment of the grader(s) who will make the appeal grading requested under § 54.191 (b) shall be made by the Area Supervisor or the Chief of the Grading Branch.

§ 54.195 Procedures for appeal gradings.

(a) When all of the originally graded and identified samples are available, the appeal sample shall consist of such samples plus an equal number of samples.

(b) When the original samples are not available, the appeal sample size for the lot shall consist of double the samples required in § 54.150.

(c) Rabbits in an unfrozen state must be adequately protected and kept in good condition until the appeal grading is performed.

(d) Overwraps on frozen rabbits shall be removed from all rabbits in the sample prior to appeal grading for quality or to determine the class.

(e) When the appeal is based on grading or class determination factors, each frozen carcass shall be defrosted prior to conducting the appeal grading. Whether defrosting rabbit carcasses for other types of appeals will be required by the appeal grader will depend upon the reason for the appeal.

§ 54.196 Appeal grading certificates.

Immediately after an appeal grading is completed, an appeal certificate shall be issued to show that the original grading was sustained or was not sustained. Such certificate shall supersede any previously issued certificate for the product involved and shall clearly identify the number and date of the superseded certificate. The issuance of the appeal certificate may be withheld until any previously issued certificate and all copies have been returned when such action is deemed necessary to protect the interest of the Government. When the appeal grader assigns a different grade to the lot, the existing grade mark shall be changed or obliterated as necessary. When the appeal grader assigns a different class or quantity designation to the lot, the labeling shall be corrected.

9. Sections 54.197 and 54.198 are deleted.

10. The heading preceding § 54.205 and § 54.205 is deleted.

11. The following is added at the end of the Regulations Governing the Grading and Inspection of Domestic Rabbits and Edible Products Thereof and U.S. Specifications for Classes, Standards, and Grades With Respect Thereto (7 CFR Part 54):

NOTE: The reporting and/or recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

As to Part 55:

1. The heading preceding § 55.50 and §§ 55.50 through 55.56 are amended to read:

APPEAL OF A GRADING OR DECISION

§ 55.50 Who may request an appeal grading or inspection or review of a grader's or inspector's decision.

An appeal grading or inspection may be requested by any interested party who is dissatisfied with the determination by a grader or inspector of the class, quality, quantity, or condition of any product, as evidenced by the USDA egg products mark and accompanying label, or as stated on a grading certificate and a review may be requested by the operator of an official plant with respect to a grader's or inspector's decision or on any other matter related to grading or inspection in the official plant.

§ 55.51 Where to file an appeal.

(a) *Appeal from resident grader's or inspector's grading or decision in an official plant.* Any interested party who is not satisfied with the determination of the class, quality, quantity, or condition of product which was graded or inspected by a grader or inspector in an official plant and has not left such plant, and the operator of any official plant who is not satisfied with a decision by a grader or inspector on any other matter relating to grading or inspection in such plant may request an appeal grading or inspection or review of the decision by the grader or inspector by filing such request with the grader's or inspector's immediate supervisor.

(b) *All other appeal requests.* Any interested party who is not satisfied with the determination of the class, quality, quantity, or condition of product which has left the official plant where it was graded or inspected or which was graded or inspected other than in an official plant may request an appeal grading or inspection by filing such request in the area where the product is located or with the Chief of the Grading Branch.

§ 55.52 How to file an appeal.

Any request for an appeal grading or inspection or review of a grader's or inspector's decision may be made orally or in writing. If made orally, written confirmation may be required. The applicant shall clearly state the reasons for requesting the appeal service and a description of the product, or the decision which is questioned. If such appeal request is based on the results stated on an official certificate, the original and all available copies of the certificate shall be returned to the appeal grader or inspector assigned to make the appeal grading or inspection.

§ 55.53 When an application for an appeal grading or inspection may be refused.

When it appears to the official with whom an appeal request is filed that the reasons given in the request are frivolous or not substantial, or that the condition of the product has undergone a material change since the original grading or inspection, or that the original lot has changed in some manner, or the Act or the regulations in this part have not been complied with, the applicant's request for the appeal grading or inspection

may be refused. In such case, the applicant shall be promptly notified of the reason(s) for such refusal.

§ 55.54 Who shall perform the appeal.

(a) An appeal grading or inspection or review of a decision requested under § 55.51(a) shall be made by the grader's or inspector's immediate supervisor or by a licensed grader or inspector assigned by the immediate supervisor other than the grader or inspector whose grading or inspection or decision is being appealed.

(b) Appeal gradings or inspections requested under § 55.51(b) shall be performed by a grader or inspector other than the grader or inspector who originally graded or inspected the product.

(c) Whenever practical, an appeal grading or inspection shall be conducted jointly by two graders or inspectors. The assignment of the grader(s) or inspector(s) who will make the appeal grading or inspection under § 55.51(b) shall be made by the Area Supervisor or the Chief of the Grading Branch.

§ 55.55 Procedures for selecting appeals samples.

(a) *Laboratory analyses.* The appeal sample shall consist of product taken from the original sample containers plus an equal number of containers selected at random. When the original sample containers cannot be located, the appeal sample shall consist of product taken at random from double the number of original sample containers.

(b) *Condition inspection.* The appeal sample shall consist of product taken from the original sample containers plus an equal number of containers selected at random. A condition appeal cannot be made unless all originally sampled containers are available.

§ 55.56 Appeal grading certificates.

Immediately after an appeal grading or inspection is completed, an appeal certificate shall be issued to show that the original grading or inspection was sustained or was not sustained. Such certificate shall supersede any previously issued certificate for the product involved and shall clearly identify the number and date of the superseded certificate. The issuance of the appeal certificate may be withheld until any previously issued certificate and all copies have been returned when such action is deemed necessary to protect the interest of the Government. When the appeal grader or inspector assigns a different class or quantity designation to the lot, the labeling shall be corrected.

2. Sections 55.57, 55.58, and 55.59 are deleted.

3. Paragraphs (b) and (c) of § 55.61 are amended to read:

§ 55.61 On a fee basis.

(b) Fees for egg products condition inspection and sampling for laboratory analysis will be based on the time required to perform the services. The hourly charge shall be \$9.20 and shall include the time actually required to perform the sampling and inspection,

waiting time, travel time, and any clerical costs involved in issuing a certificate.

(c) Grading services rendered on Saturdays, Sundays, or Government authorized holidays shall be charged for at the rate of \$11.40 per hour. Information on Government authorized holidays is available from the Supervisor.

4. Section 55.62 is amended to read:

§ 55.62 Fees for appeal grading or inspection or review of a grader's or inspector's decision.

(a) The fee to be charged for any appeal review, and the grader's or inspection analysis appeal, shall be based on the hourly rates as specified in § 55.61 (b) or (c). If the result of an appeal condition inspection discloses that a material error was made in the original inspection, no fee will be charged.

(b) No fee shall be charged for the appeal under § 55.51(a) of a grader's or inspector's decision unless special travel was necessary to perform the appeal review, and the grader's or inspector's decision was upheld on the appeal. In such cases, the fee shall be based on the hourly rates as specified in § 55.61 (b) or (c).

5. Section 55.66 is amended to read:

§ 55.66 Laboratory analysis fees.

(a) The fees listed for the following laboratory analyses are applicable except as otherwise stated in paragraphs (b) or (c) of this section:

	Fee
Solids	\$4.00
Fat	6.90
Bacteriological plate count.....	4.00
Bacteriological direct count.....	4.60
Coliforms	4.60
E. Coli (presumptive).....	6.90
Yeast and mold count.....	4.60
Sugar	11.50
Salt	11.50
Color:	
NEPA	5.75
B-carotene	9.20
Whipping test.....	4.60
Whipping test plus bleeding.....	5.75
Fat film test.....	11.50
Oxygen	5.75
Glucose:	
Quantitative	9.75
Qualitative	6.90
Palatability and odor:	
First sample.....	4.60
Each additional sample.....	2.30
Staphylococcus	13.80
Salmonella: ¹	
Step 1.....	9.20
Step 2.....	4.60
Step 3.....	9.20

¹ Salmonella test may be in three steps as follows: Step 1—growth through differential agars; Step 2—growth and testing through triple-sugar-iron agar; Step 3—confirmatory test through biochemicals.

(b) *Other fees for specified individual tests and services.* The fees listed for the following laboratory analyses are applicable for individual tests for one factor only, on a particular product sample:

	Fee
Solids	\$5.50
Bacteriological plate count.....	5.50
Bacteriological direct count.....	5.50
Coliforms	5.50
E. Coli (presumptive).....	7.75
Yeast and mold count.....	5.50
Volatile acids.....	34.50
Acetic acids plus volatile acids.....	69.00
Lactic acid.....	69.00

(c) The fee charge for an analysis for any laboratory test which is not shown in this section or for other services rendered in the laboratory will be based on the time required to perform the analysis or render the service. The hourly rate will be \$11.40.

6. Paragraph (a)(7) of § 55.68 is amended to read:

§ 55.68 Continuous inspection performed on a resident basis.

(a) Charges. * * *

(7) A charge of 10 percent of: (i) The premium pay, (ii) the salary paid to each grader or inspector in excess of one regular grader or inspector, and (iii) all charges made to the applicant for expenses which are paid by C&MS to graders or inspectors assigned to the applicant.

7. Paragraph (b) of § 55.103 is amended to read:

§ 55.103 Heat treatment of dried whites.

(b) The minimum requirements for heat treatment of spray or pan dried albumen shall be as follows:

As to Part 56:

1. Paragraphs (b) and (c) of § 56.46 are amended to read:

§ 56.46 On a fee basis.

(b) Fees for grading services will be based on the time required to perform the services. The hourly charge shall be \$9.20 and shall include the time actually required to perform the grading, waiting time, travel time, and any clerical costs involved in issuing a certificate.

(c) Grading services rendered on Saturdays, Sundays, or Government authorized holidays shall be charged for at the rate of \$11.40 per hour. Information on Government authorized holidays is available from the Supervisor.

2. Section 56.47 is amended to read:

§ 56.47 Fees for appeal grading or review of a grader's decision.

(a) The fee to be charged for any appeal grading shall be based on the hourly rates as specified in § 56.46 (b) or (c). If the result of the appeal grading discloses that a material error was made in the original grading, no fee will be charged.

(b) No fee shall be charged for the appeal under § 56.61(a) of a grader's decision unless special travel was necessary to perform the appeal review and the grader's decision was upheld on the appeal. In such cases, the fee shall be based on the hourly rates as specified in § 56.46 (b) or (c).

2. Paragraph (a)(7) of § 56.52 is amended to read:

§ 56.52 Continuous grading performed on a resident basis.

(a) Charges. * * *

(7) A charge of 10 percent of: (i) The premium pay, (ii) the salary paid to each grader in excess of one regular grader

and (iii) all charges made to the applicant for expenses which are paid by C&MS to graders assigned to the applicant.

3. The heading preceding § 56.60 and §§ 56.60 through 56.66 are amended to read:

APPEAL OF A GRADING OR DECISION

§ 56.60 Who may request an appeal grading or review of a grader's decision.

An appeal grading may be requested by any interested party who is dissatisfied with the determination by a grader of the class, quality, quantity, or condition of any product as evidenced by the USDA grade mark and accompanying label, or as stated on a grading certificate and a review may be requested by the operator of an official plant with respect to a grader's decision or on any other matter related to grading in the official plant.

§ 56.61 Where to file an appeal.

(a) *Appeal from resident grader's grading or decision in an official plant.* Any interested party who is not satisfied with the determination of the class, quality, quantity, or condition of product which was graded by a grader in an official plant and has not left such plant, and the operator of any official plant who is not satisfied with a decision by a grader on any other matter related to grading in such plant may request an appeal grading or review of the decision by the grader by filing such request with the grader's immediate supervisor.

(b) *All other appeal requests.* Any interested party who is not satisfied with the class, quality, quantity, or condition of product which has left the official plant where it was graded or which was graded other than in an official plant may request an appeal grading by filing such request in the area where the product is located or with the Chief of the Grading Branch.

§ 56.62 How to file an appeal.

Any request for an appeal grading or review of a grader's decision may be made orally or in writing. If made orally, written confirmation may be required. The applicant shall clearly state the reasons for requesting the appeal service and a description of the product, or the decision which is questioned. If such appeal request is based on the results stated on an official certificate, the original and all available copies of the certificate shall be returned to the appeal grader assigned to make the appeal grading.

§ 56.63 When an application for an appeal grading may be refused.

When it appears to the official with whom an appeal request is filed that the reasons given in the request are frivolous or not substantial, or that the quality or condition of the product has undergone a material change since the original grading, or that the original lot has changed in some manner, or the Act or the regulations in this part have not been complied with, the applicant's

request for the appeal grading may be refused. In such case, the applicant shall be promptly notified of the reason(s) for such refusal.

§ 56.64 Who shall perform the appeal.

(a) An appeal grading or review of a decision requested under § 56.61(a) shall be made by the grader's immediate supervisor, or by a licensed grader assigned by the immediate supervisor other than the grader whose grading or decision is being appealed.

(b) Appeal gradings requested under § 56.61(b) shall be performed by a grader other than the grader who originally graded the product.

(c) Whenever practical, an appeal grading shall be conducted jointly by two graders. The assignment of the grader(s) who will make the appeal grading requested under § 56.61(b) shall be made by the Area Supervisor of the Chief of the Grading Branch.

§ 56.65 Procedures for appeal gradings.

(a) When all of the originally graded and identified samples are available, the appeal sample shall consist of such samples plus an equal number of samples.

(b) When the original samples are not available, the appeal sample size for the lot shall consist of double the samples required in § 56.4(c).

(c) Shell eggs shall not have been moved from the original place of grading and must have been maintained under adequate refrigeration and humidity conditions.

§ 56.66 Appeal grading certificates.

Immediately after an appeal grading is completed, an appeal certificate shall be issued to show that the original grading was sustained or was not sustained. Such certificate shall supersede any previously issued certificate for the product involved and shall clearly identify the number and date of the superseded certificate. The issuance of the appeal certificate may be withheld until any previously issued certificate and all copies have been returned when such action is deemed necessary to protect the interest of the Government. When the appeal grader assigns a different grade to the lot, the existing grade mark shall be changed or obliterated as necessary. When the appeal grader assigns a different class or quantity designation to the lot, the labeling shall be corrected.

4. Sections 56.67, 56.68, and 56.69 are deleted.

5. The following is added at the end of the Regulations Governing the Grading of Shell Eggs and U.S. Standards, Grades and Weight Classes for Shell Eggs (7 CFR Part 56):

NOTE: The reporting and/or recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

As to Part 70:

1. The heading preceding § 70.85 and § 70.85 are deleted.

2. In § 70.130(a), the figure "70.142" is amended to read "70.141."

3. Paragraphs (b) and (c) of § 70.131 are amended to read:

§ 70.131 On a fee basis.

(b) Fees for grading or inspection services will be based on the time required to perform such service for class, quality, quantity (weight test), or condition, whether live, dressed, or ready-to-cook poultry is involved. The hourly charge shall be \$9.20 and shall include the time actually required to perform the work, waiting time, travel time, and any clerical costs involved in issuing a certificate.

(c) Grading or inspection services rendered on Saturdays, Sundays, or Government authorized holidays shall be charged for at the rate of \$11.40 per hour. Information on Government authorized holidays is available from the Supervisor.

4. Section 70.132 is amended to read:

§ 70.132 Fees for appeal grading, laboratory analyses or examination or review of a grader's decision.

(a) The fee to be charged for any appeal grading, or laboratory analysis or examination shall be based on the hourly rates as specified in § 70.131 (b) or (c). If the result of the appeal grading, or laboratory analysis or examination discloses that a material error was made in the original grading, analysis or examination, no fee will be charged.

(b) No fee shall be charged for the appeal under § 70.211(a) of a grader's decision unless special travel was necessary to perform the appeal service and the grader's decision was upheld on the appeal. In such cases, the fee shall be based on the hourly rates as specified in § 70.131 (b) or (c).

5. Paragraph (a)(7) of § 70.138 is amended to read:

§ 70.138 Continuous grading performed on a resident basis.

(a) Charges. . . .

(7) A charge of 10 percent of: (i) The premium pay, (ii) the salary paid to each grader in excess of one regular grader, and (iii) all charges made to the applicant for expenses which are paid by C&MS to graders assigned to the applicant.

6. The heading preceding § 70.210 and §§ 70.210 and 70.211 are amended and new §§ 70.212 through 70.216 are added to read:

APPEAL OF A GRADING OR DECISION

§ 70.210 Who may request an appeal grading or review of a grader's decision.

An appeal grading may be requested by any interested party who is dissatisfied with the determination by a grader of the class, quality, quantity, or condition of any product as evidenced by the USDA grade mark and accompanying label, or as stated on a grading certificate and a review may be requested by the operator of an official plant with re-

spect to a grader's decision on any other matter relating to grading in an official plant.

§ 70.211 Where to file an appeal.

(a) *Appeal from resident grader's grading or decision in an official plant.* Any interested party who is not satisfied with the determination of the class, quality, quantity, or condition of product which was graded by a grader in an official plant and has not left such plant, and the operator of any official plant who is not satisfied with a decision made by a grader on any other matter relating to grading in such plant may request an appeal grading or review of the decision by filing such request with the grader's immediate supervisor.

(b) *All other appeal requests.* Any interested party who is not satisfied with the determination of the class, quality, quantity, or condition of product which has left the official plant where it was graded or which was graded other than in an official plant may request an appeal grading by filing such request with the Area Supervisor in the area where the product is located or with the Chief of the Grading Branch.

§ 70.212 How to file an appeal.

Any request for an appeal grading or review of a grader's decision may be made orally or in writing. If made orally, written confirmation may be required. The applicant shall clearly state the reasons for requesting the appeal service, and a description of the product or the decision which is questioned. If such appeal request is based on the results stated on an official certificate, the original and all available copies of the certificate shall be returned to the appeal grader assigned to make the appeal grading.

§ 70.213 When an application for an appeal grading may be refused.

When it appears to the official with whom an appeal request is filed that the reasons given in the request for an appeal grading are frivolous or not substantial, or that the quality or condition of the product has undergone a material change since the original grading, or that the original lot has changed in some manner, or the Act or the regulations in this part have not been complied with, the applicant's request for the appeal grading may be refused. In such case, the applicant shall be promptly notified of the reason(s) for such refusal.

§ 70.214 Who shall perform the appeal.

(a) An appeal grading or review of a decision requested under § 70.211(a) shall be made by the grader's immediate supervisor, or by a licensed grader assigned by the immediate supervisor other than the grader whose grading or decision is being appealed.

(b) Appeal gradings requested under § 70.211(b) shall be performed by a grader other than the grader who originally graded the product.

(c) Whenever practical, an appeal grading shall be conducted jointly by two graders. The assignment of the

grader(s) who will make the appeal grading requested under § 70.211(b) shall be made by the Area Supervisor or the Chief of the Grading Branch.

§ 70.215 Procedures for appeal gradings.

(a) When all of the originally graded and identified samples are available, the appeal sample shall consist of such samples plus an equal number of samples.

(b) When the original samples are not available, the appeal sample size for the lot shall consist of double the samples required in § 70.180.

(c) Poultry in an unfrozen state must be adequately protected and kept in good condition until the appeal grading is performed.

(d) Overwraps on frozen poultry shall be removed from all birds in the sample prior to appeal grading for quality or to determine the class.

(e) When the appeal is based on grading or class determination factors, each frozen carcass shall be defrosted prior to conducting the appeal grading. Whether defrosting poultry carcasses for other types of appeals will be required by the appeal grader will depend upon the reason for the appeal.

§ 70.216 Appeal grading certificates.

Immediately after an appeal grading is completed, an appeal certificate shall be issued to show that the original grading was sustained or was not sustained. Such certificate shall supersede any previously issued certificate for the product involved and shall clearly identify the number and date of the superseded certificate. The issuance of the appeal certificate may be withheld until any previously issued certificate and all copies have been returned when such action is deemed necessary to protect the interest of the Government. When the appeal grader assigns a different grade to the lot, the existing grade mark shall be changed or obliterated as necessary. When the appeal grader assigns a different class or quantity designation to the lot, the labeling shall be corrected.

7. The heading preceding § 70.220 and §§ 70.220 through 70.228 are deleted.

8. The heading preceding § 70.235 and § 70.235 are deleted.

9. The following is added at the end of the Regulations Governing the Grading and Inspection of Poultry and Edible Products Thereof and United States Classes, Standards, and Grades With Respect Thereto (7 CFR Part 70).

NOTE: The reporting and/or recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Legislation requires that the fees and charges for inspection and grading services under the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621 et seq.), shall be reasonable and shall, as nearly as possible, cover the cost of such services.

The facts upon which are based the determination as to the level of fees and charges necessary to cover these costs are not available to the industry, but are

peculiarly within the knowledge of the Department. Therefore, public rulemaking would not result in the Department receiving additional information on this matter.

The amendments providing for appeal procedures are noncontroversial, pertain solely to agency management and procedures, and increase the effectiveness of the voluntary grading and inspection services to those who use these services. The minor changes, as described in the statement of considerations, have been made solely for the sake of clarity and uniformity.

Accordingly, pursuant to 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 the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

Issued at Washington, D.C., this 12th day of June 1970, to become effective on July 1, 1970.

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

[F.R. Doc. 70-7573; Filed, June 16, 1970;
8:49 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

PART 1487—TERMS AND CONDITIONS UNDER WHICH EXPORT COMMODITY CERTIFICATES ISSUED BY COMMODITY CREDIT CORPORATION UNDER CERTAIN PROGRAMS MAY BE REDEEMED IN TOBACCO

Part 1487 is deleted from Subchapter C of Chapter XIV of Title 7 of the Code of Federal Regulations. The export commodity certificates are no longer being issued and none remain outstanding. This part is, therefore, obsolete.

Effective date. This deletion shall become effective on the date of its publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 11, 1970.

CARROLL G. BRUNTHAVER,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 70-7571; Filed, June 16, 1970;
8:49 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Rev. 3, Amdt. 3]

PART 108—LOANS TO STATE AND LOCAL DEVELOPMENT COMPANIES

Guaranteed Loans

Section 108.502-1 of Part 108 of Chapter I of Title 13 of the Code of Federal Regulations is hereby amended by revis-

ing subparagraph (3) of paragraph (g) and adding a new paragraph (1) to read as follows:

§ 108.502-1 Section 502 loans.

(g) *Participation by other financial institutions in loans to development companies.* * * *

(3) Charges and fees:

(i) *Charges on guaranteed loans.* In guaranteed loans (those made by a financial institution with which SBA has entered into an agreement to guarantee as set forth herein), a guaranty charge shall be payable by the financial institution to SBA for such agreement. The guaranty charge shall be one-half of 1 percent per annum on the portion of the loan which SBA has guaranteed.

(ii) *Service fees.* In immediate participation loans made and serviced by a financial institution, the financial institution may deduct a service fee only out of interest collected for the account of SBA so long as the bank is servicing the loan, and provided that such fee shall not be added to any amount which borrower is obligated to pay under the loan. Where SBA's share of the loan is 75 percent or less, the service fee shall be one-half of 1 percent per annum on the unpaid principal balance of SBA's share of the loan. Where SBA's share is in excess of 75 percent of the loan, the service fee shall be one-quarter of 1 percent per annum on the unpaid principal balance of SBA's portion of the loan.

(1) *Individually guaranteed loans.* (1) An individually guaranteed loan may be made by financial institutions to a local development company for the benefit of an identifiable small business concern subject to a guaranty agreement between SBA and the lending institution which guaranty is applicable only to a specific loan to a local development company for the benefit of an identifiable small business concern. Under such a guaranty agreement SBA is obligated to purchase not more than 90 percent of the outstanding loan to the borrower, together with accrued interest, in the event the borrower has defaulted in payment for not less than 90 days after the due date.

(2) SBA shall automatically and simultaneously purchase its guaranteed share of the loan in the event of the commencement by or against borrower of any bankruptcy proceeding, receivership, dissolution or of a creditor's rights proceeding pursuant to the provisions of the guaranty agreement.

(3) SBA shall charge the financial institution as provided in Part 120 of this chapter. Such guaranty charges shall not be charged by the financial institution to its borrower.

(4) During the time that SBA may be obligated to purchase pursuant to a guaranty agreement, the financial institution may exercise a liquidity privilege in the form of temporary advances from SBA not exceeding the guaranteed portion of the loan. No temporary advances may be made for less than 15 days. The total maturities of all such advances may not exceed 90 days during any 12-month

period. The repayment date of any such advance may not extend beyond the maturity of the local development company's obligation to the financial institution. Advances may be made by SBA to the financial institution only while the loan to the local development company is not delinquent as to the principal and interest.

(5) Notwithstanding any other provisions of the regulations in this part or any agreement entered into by SBA, SBA shall have the right to purchase its guaranteed percentage of the loan if SBA shall determine that such purchase is in the best interest of the Government. If SBA shall exercise such right, the financial institution shall immediately assign, transfer, and deliver to SBA the note and all instruments obtained by the financial institution in connection with its loan.

(6) SBA shall be released from obligation to purchase its share of the guaranteed loan, unless the financial institution has substantially complied with all of the provisions of these regulations and the guaranty agreement, or upon the happening of any one or more of the following events:

(i) Failure of the financial institution to close and disburse the loan substantially in accord with the terms and requirements of the authorization approving the loan or the servicing of the loan in a negligent manner, either of which may result in a substantial loss on the loan; or

(ii) Payment in full of the amount due on the note; or

(iii) Receipt by SBA of written notice from the financial institution of the termination of this Agreement.

Effective date. This amendment shall become effective on publication in the FEDERAL REGISTER.

Dated: June 8, 1970.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-7578; Filed, June 16, 1970;
8:50 a.m.]

[Amdt. 2]

PART 113—NONDISCRIMINATION IN FINANCIAL ASSISTANCE PROGRAMS OF SBA—EFFECTUATION OF POLICIES OF FEDERAL GOVERNMENT AND SBA ADMINISTRATOR

Miscellaneous Amendments

The amendments add the guaranty loan program to those programs subject to the nondiscrimination regulations and provide that the regulations contain explicit authority for the agency to withhold or withdraw financial assistance in any instance in which an applicant or recipient is determined to be in noncompliance with Part 113 upon the completion of the procedures prescribed therein. The amendments read as follows:

Part 113 of Chapter I of Title 13 of the Code of Federal Regulations is hereby amended by:

1. Revising subparagraph (6) of paragraph (a) of § 113.2 to read as follows:

§ 113.2 Definitions.

(a) * * * (6) section 2 of Public Law 87-550; whether extended directly or in cooperation with banks or other lenders through agreements to participate on an immediate basis, or under guaranty agreements.

2. Revising subparagraphs (1) and (2) of paragraph (a) and revising paragraph (c) of § 113.7 to read as follows:

§ 113.7 Procedure for effecting compliance.

(a) *General.* (1) If there appears to be a failure or threatened failure to comply with this part and if the noncompliance or threatened noncompliance cannot be corrected by informal means, compliance with this part may be effected by suspending, terminating, or refusing any financial assistance approved but not yet disbursed to an applicant. In the case of loans partially or fully disbursed, compliance with this part may be effected by calling, canceling, terminating, accelerating repayment, or suspending in whole or in part the financial assistance provided. In addition compliance may be effected by any other means authorized by law.

(2) Such other means may include but are not limited to (i) legal action by SBA to enforce its rights, embodied in the assurances described in § 113.4; (ii) a reference to the Department of Justice with a recommendation that appropriate proceedings be brought to enforce any rights of the United States under any law of the United States; and (iii) any applicable proceedings under State or local law.

(c) *Condition precedent.* Under this Part 113, no order suspending, terminating, refusing, calling, canceling, or accelerating repayment of financial assistance in whole or in part shall become effective until (1) SBA has advised the applicant or recipient of his failure to comply and has determined that compliance cannot be secured by voluntary means; (2) there has been an express finding on the record after an opportunity for hearing, of a failure by the applicant or recipient to comply with a requirement imposed by or pursuant to this part; and (3) the action has been approved by the Administrator of SBA pursuant to § 113.9.

This amendment is effective August 1, 1970.

Dated: May 28, 1970.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-7579; Filed, June 16, 1970;
8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 70-WE-1-AD;
Amdt. 39-1011]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 707-300, -300B, -300C, and -400 Series Airplanes

Amendment 39-931 (35 F.R. 1158), AD 70-2-11, requires inspection of the stabilizer center section front spar terminal fitting lug on the Boeing Model 707-300, -300B, -300C, and -400 airplanes. After issuing Amendment 39-931, due to further study, the agency determined that the failures occurred on the split bushing installation due to stress corrosion which initiated at the bushing gap. A modification has been approved to eliminate the requirement for inspections. Therefore, the AD is being amended to provide for terminating action.

Since this amendment relieves a restriction and imposes no additional burden on any person, notice and public procedure hereon are unnecessary 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 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, amendment 39-931 (35 F.R. 1158), AD 70-2-11, is amended by adding a new paragraph (b) to read:

(b) Inspections required by this AD may be discontinued when the front spar fitting has been modified in accordance with Boeing Service Bulletin 2959, Revision 1, dated June 15, 1970, or later FAA approved revision or an equivalent method approved by the Chief, Aircraft Engineering Division, FAA Western Region.

Paragraphs (b) and (c) in AD 70-2-11 are relisted as (c) and (d), respectively.

The amendment becomes effective June 18, 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 June 5, 1970.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 70-7585; Filed, June 16, 1970;
8:50 a.m.]

[Docket No. 70-CE-5-AD; Amdt. 39-1008]

PART 39—AIRWORTHINESS DIRECTIVES

Cessna Models 172 I and K Airplanes

The purpose of this amendment is to extend, both as to time in service and until June 30, 1970, the compliance date for the subject airworthiness directive.

On May 7, 1970, the Federal Aviation Administration adopted AD 70-10-6,

Amendment 39-990, which was published in the FEDERAL REGISTER on May 15, 1970. This amendment required replacement of the metal oil pressure instrument line between the engine and the firewall on all subject aircraft with a flexible hose assembly in accordance with Cessna Service Instructions within 10 hours' time in service from May 19, 1970. The Federal Aviation Administration has since been advised that the modification kits are not as yet available for all aircraft in the field and finds that justification exists for extending the effective date of this AD by 50 hours' time in service from June 1, 1970, but in any event no later than June 30, 1970.

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

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, Amendment 39-990 (35 F.R. 7551, 7552), AD 70-10-6, is amended so that it now reads as follows:

CESSNA. Applies to Models 172I (Serial Nos. 17256513 through 17257161) and 172K (Serial Nos. 17256493, and 17257162 through 17259043) Airplanes.

Compliance: Required as indicated, unless already accomplished.

To prevent the loss of engine oil cause by failure of the metal oil pressure instrument line, accomplish the following:

Within 50 hours' time in service from June 1, 1970, but by no later than June 30, 1970, replace the metal oil pressure instrument line between the engine and the firewall with a flexible hose assembly in accordance with the instructions contained in Cessna Service Letter No. SE70-10, dated May 5, 1970, or Cessna Service Letter No. SE70-10, Supplement No. 1, dated June 9, 1970, or any other method approved by the Chief, Engineering & Manufacturing Branch, FAA, Central Region.

This amendment becomes effective upon publication in the FEDERAL REGISTER.

(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 Kansas City, Mo., on June 5, 1970.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 70-7586; Filed, June 16, 1970;
8:51 a.m.]

[Airspace Docket No. 70-WE-25]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On April 17, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 6279) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Portland, Oreg., transition area.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections. No objections have been received and the proposed amendment is hereby adopted without change.

Effective date. This amendment shall be effective 0901 G.m.t., August 20, 1970.

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

Issued in Los Angeles, Calif., on June 5, 1970.

LEE E. WARREN,
Acting Director, Western Region.

In consideration of the foregoing in § 71.181 (35 F.R. 2134) the description of the Portland, Oreg., transition area is amended by adding the following:

That airspace extending upward from 11,500 feet MSL bounded on the north by latitude 45°25'00" N., on the east by longitude 121°53'00" W., on the northeast by an arc of a 60-mile radius circle centered on Portland Airport, on the southeast by the Portland VORTAC 036° radial, and on the west by longitude 122°16'00" W.

[F.R. Doc. 70-7587; Filed, June 16, 1970; 8:51 a.m.]

[Airspace Docket No. 70-WE-24]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On April 18, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 6236) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Astoria, Oreg., transition area.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections. No objections have been received and the proposed amendment is hereby adopted without change.

Effective date. This amendment shall be effective 0901 G.m.t., August 20, 1970.

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

Issued in Los Angeles, Calif., on June 5, 1970.

LEE E. WARREN,
Acting Director, Western Region.

In § 71.181 (35 F.R. 2134) the description of the Astoria, Oreg., transition area is amended by adding the following:

That airspace extending upward from 4,500 feet MSL bounded on the northwest by the southeast edge of V-27E, on the east by the west edge of V-165, and on the south by the north edge of V-112.

[F.R. Doc. 70-7588; Filed, June 16, 1970; 8:51 a.m.]

[Airspace Docket No. 70-WE-23]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On April 17, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 6279) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Ellensburg, Wash., transition area.

Interested persons were given 30 days in which to submit written comment, suggestion, or objections. No objections have been received and the proposed amendment is hereby adopted without change.

Effective date. The amendment shall be effective 0901 G.m.t., August 20, 1970.

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

Issued in Los Angeles, Calif., on June 5, 1970.

LEE E. WARREN,
Acting Director, Western Region.

In § 71.181 (35 F.R. 2134) the description of the Ellensburg, Washington transition area is amended by adding the following: "That airspace extending upward from 9,500 feet MSL bounded on the north by the south edge of V-2S, on the east by west edge of V-25, and on the south by the north edge of V-4."

[F.R. Doc. 70-7589; Filed, June 16, 1970; 8:51 a.m.]

[Docket No. 9950; Amdt. 91-79]

PART 91—GENERAL OPERATING AND FLIGHT RULES

Altimeter System Requirements

The purpose of this amendment to § 91.170 of Part 91 of the Federal Aviation Regulations is to revoke paragraph (b) which permitted the postponement of the first test and inspection of the altimeter system for airplanes under annual inspection until the first annual inspection after July 31, 1967.

This amendment is based on a notice of proposed rule making (Notice 69-50) published in the FEDERAL REGISTER on November 14, 1969 (34 F.R. 18252). Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

Five comments were received in response to Notice 69-50; four of which were generally in favor of the proposal. The one commentator who opposed revocation of § 91.170(b) stated that if the proposal is adopted, the regulations would not provide a means by which an airplane manufacturer may "start the clock" on new airplanes. The commen-

tator states that while the airworthiness certification requirements of Parts 23 and 25 of the FAR's provide airworthiness standards for static pressure system installations, they are void of requirements pertaining to altimeter airworthiness standards. He indicates that in his situation altimeters are tested and marked in accordance with Appendix E to FAR 43. He further points out that variables in assembly schedule, shelf-stocking, tests and calibration, and flight time adjustment often yield several months variations from airplane to airplane between the date of altimeter calibration, the date of static system tests, and the date of the issuance of an airworthiness certificate. Thus, if § 91.170 (b) is revoked, it would create an administrative burden for the manufacturer of attempting to relate the dates of the altimeter instrument calibration and static system leak tests to the date of issue of individual airworthiness certificates.

Section 91.170(a) is an operating regulation and it prohibits the operation of an airplane in controlled airspace under IFR unless, within the preceding 24 calendar months, each static pressure system and each altimeter instrument has been tested and inspected and found to comply with Appendix E of Part 43 of the FAR's. Thus, to meet this requirement, the owner of an airplane must know the date that the altimeter and the static systems on that airplane were last inspected in accordance with Appendix E of Part 43 in order to determine when the next inspection is due. The FAA is aware that the accuracy of altimeters is affected by environmental conditions regardless of whether they are installed in an airplane or are part of the shelf-stocking, and it is for this reason that the regulations contain the 24-month inspection and test requirement. If safety and effective utilization of the airspace are to be achieved, all airplanes that are operated in controlled airspace under IFR must meet the same altimeter system equipment standards. It would not be in the interest of safety and as Notice 69-50 clearly indicates, it was not intended to indefinitely permit newly manufactured airplanes to operate in controlled airspace under IFR for periods of time, up to 1 year, without assuring that the installed altimeter and static pressure systems have met the tests and inspections prescribed in Appendix E of Part 43 within the preceding 24 months. Thus, while the revocation of § 91.170(b) may represent an administrative burden for the commentator, this burden is far outweighed by the need in the interest of safety to assure that the altimeters on all airplanes have met the required tests before being operated in controlled airspace under IFR.

One of the commentators also proposed that the test and inspection period required by § 91.170(a) be reduced from 24 months to 12 months. The FAA does not agree. In addition to the fact that such a change would be outside the scope of Notice 69-50, service experience under

this regulation has not shown that the inspection and tests need be performed at intervals less than 24 months.

In consideration of the foregoing, Part 91 of the Federal Aviation Regulations is amended by revoking paragraph (b) of § 91.170, effective July 17, 1970.

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

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

J. H. SHAFFER,
Administrator.

[P.R. Doc. 70-7500; Filed, June 16, 1970;
8:51 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter VI—Business and Defense Services Administration, Department of Commerce

PART 610—ADJUSTMENT ASSISTANCE FOR FIRMS

Miscellaneous Amendments

The Department of Commerce has decided pursuant to the Trade Expansion Act of 1962, as amended (19 U.S.C. secs. 1801-1991), Executive Order 11075 of January 15, 1963, as amended by Executive Order 11106 of April 20, 1963, and Department Order 10-3 to amend so as to bring up-to-date the regulations concerning adjustment assistance for firms that are published in Part 610, Title 15, Code of Federal Regulations.

The notice, public rule making procedure and effective date requirements, contained in 5 U.S.C. 553 are omitted as unnecessary because the amendments are editorial in character and relate to public benefits. Accordingly, the amendments set forth below shall become effective upon publication in the FEDERAL REGISTER.

Subpart A—General

1. Section 610.1 is amended to read as follows:

§ 610.1 Scope and purpose.

The purpose of this chapter is to set forth regulations relating to the responsibilities vested in the Secretary of Commerce under the Trade Expansion Act of 1962. This Part 610 relates generally to the responsibilities vested in the Secretary of Commerce by title III, chapters 1 and 2 of the Act, and by section 7 of Executive Order 11075 of January 15, 1963 (28 F.R. 473). This part reflects the delegations of authority contained in Department Order No. 10-3, as amended.

2. In § 610.2, paragraph (d) is amended to read as follows:

§ 610.2 Definitions.

(d) "Director" means the Director of the Office of Business Programs of the

Business and Defense Services Administration, Department of Commerce.

3. Section 610.3 is amended to read as follows:

§ 610.3 Applications and communications.

Applications or other documents relating to adjustment assistance under this Part 610, supporting material, and communications in connection therewith, shall be addressed to and filed with the Director, Office of Business Programs, Business and Defense Services Administration, Department of Commerce, Washington, D.C. 20230. Copies of application forms referred to in this Part 610 may be obtained from the Office of Business Programs or from the Department of Commerce Field Offices.

Subpart B—Certification of Eligibility To Apply for Adjustment Assistance

4. In § 610.20, paragraph (c) is amended to read as follows:

§ 610.20 Certification under section 302(b)(1) of the Act, following Tariff Commission report of affirmative finding to injury to an industry.

(c) *When application may be made.* Application may be made within such time as may be specified by the President in acting under section 302(a)(2) of the Act or, if no time is specified, within 1 year from the date on which the President so acted.

Signed at Washington, D.C., this 2d day of June 1970.

KENNETH N. DAVIS,
Assistant Secretary of Commerce for Domestic and International Business.

[P.R. Doc. 70-7543; Filed, June 16, 1970;
8:47 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Administration, Department of Health, Education, and Welfare

[Regs. No. 4, further amended]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950—)

Subpart G—Filing of Applications and Other Forms

SERVICEMEN MISSING IN ACTION

Regulations No. 4 of the Social Security Administration, as amended (20 CFR 404.1 et seq.), are further amended as follows:

1. Section 404.608 is amended by adding a new subparagraph (6) to para-

graph (a) and revising paragraph (b) to read as follows:

§ 404.608 When an application or written statement, request, or notice, is considered to have been filed; time and place of filing.

(a) *Date of receipt.* * * *

(6) A DD Form 1300 (Report of Casualty) prepared by a service department with respect to a serviceman missing in action after August 4, 1964, and filed in accordance with § 404.619 and which meets the requirements of § 404.613 shall be considered to be an application for benefits under title II of the Act filed with the Administration as of the date such form was prepared by the service department.

(b) *Date of mailing.* If the application, statement, request, or notice, is deposited in and transmitted by the U.S. mail and the fixing of the date of delivery as the date of filing would result in the loss or impairment of rights, it is considered received as of the date of mailing except in cases described in subparagraphs (3), (4), (5), and (6) of paragraph (a) of this section. The date appearing on the postmark (when available and legible) shall be prima facie evidence of the date of mailing. If there is no postmark or it is not legible, other evidence may be used to establish the mailing date.

2. Paragraph (b) of § 404.613 is revised to read as follows:

§ 404.613 When written statement considered an application.

(b) *Written statement filed by person on behalf of another.*

A written statement filed by a person that indicates an intention to claim on behalf of another person monthly benefits, a lump-sum death payment, special payments for uninsured individuals at age 72, entitlement to hospital insurance benefits, or to establish a period of disability (or the written statement referred to in § 404.619), is, unless otherwise indicated, considered to be the filing of an application for such purposes, provided:

(1) The written statement bears the signature (or mark properly witnessed) of the person filing the statement;

(2) The statement is filed by

(i) The spouse of the individual on whose behalf the statement is being filed, or

(ii) A proper party to execute an application on a prescribed form on behalf of a claimant as determined by § 404.603, or

(iii) A person acting on behalf of an inpatient of a title XVIII provider of hospital services (see § 404.618), or

(iv) A service department official acting on behalf of a serviceman missing in action during the "Vietnam era" beginning August 5, 1964, such serviceman's dependents, or, if such serviceman is deceased, his survivors (see § 404.619).

3. Section 404.619 is added to read as follows:

§ 404.619 DD Form 1300 (Report of Casualty) prepared by service department in missing-in-action cases and transmitted to the Administration as written intention to claim benefits.

In the case where a serviceman is reported to be missing in action during the "Vietnam era" which began August 5, 1964, and an official of the appropriate service department prepares and transmits to the Administration a DD Form 1300 (Report of Casualty) indicating such missing-in-action status, such DD Form 1300 will be considered a written statement filed with the Administration for the purpose of establishing entitlement to benefits under title II of the Act on behalf of the serviceman and any dependents (or survivors) eligible for benefits on his earnings record. The provisions of § 404.613 shall thereafter apply to such statement. The statement, when received by the Administration, will be considered filed as of the date it was prepared by the service department (see § 404.608(a)(6)).

(Secs. 202, 205, 216, 223, and 1102 of the Social Security Act, as amended, 49 Stat. 623, as amended, 53 Stat. 1368, as amended, 68 Stat. 1080, as amended, 70 Stat. 815, as amended, 49 Stat. 647, as amended, 79 Stat. 290, as amended; section 5 of Reorganization Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 402, 405, 416, 423, and 1302)

4. *Effective date.* The foregoing regulations shall become effective upon publication in the FEDERAL REGISTER.

Dated: April 10, 1970.

ROBERT M. BALL,
Commissioner of Social Security.

Approved: June 10, 1970.

JOHN G. VENEMAN,
Acting Secretary of Health,
Education, and Welfare.

[F.R. Doc. 70-7422; Filed, June 16, 1970;
8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER J—BRIDGES

[CGFR 70-44a]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Okeechobee Waterway, Fla.

1. The Florida State Road Department requested the Commander, Seventh Coast Guard District to revise the operation regulations for its five bridges across the Okeechobee Waterway at Olga, Alva, Fort Denaud, La Belle, and Moore Haven. A public notice dated March 17, 1969, setting forth the proposed revision of the regulations governing this drawbridge was issued by the Commander, Seventh Coast Guard District, and was made available to all persons known to have an interest in

this subject. The Commandant also published these proposals in the FEDERAL REGISTER of April 11, 1970 (35 F.R. 6010).

2. After consideration of all known factors in this case this proposal is accepted. Accordingly, 33 CFR 117.245(1) (1-a) is added and reads as follows:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of drawtenders is not required.

(1) *Waterways discharging into Gulf of Mexico east of Mississippi River.*

(1-a) Florida State Road Department Bridges at Olga, Alva, Fort Denaud, La Belle, and Moore Haven. The draws shall be opened promptly on signal from 6 a.m. to 10 p.m. At least 3 hours' advance notice is required from 10 p.m. to 6 a.m.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 60 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5))

Effective date. This revision shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

Dated: June 8, 1970.

C. R. BENDER,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 70-7594; Filed, June 16, 1970;
8:51 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 5A—Federal Supply Service, General Services Administration

NOTICE OF AWARD RECEIPTS AND DELIVERY CLAUSES

Chapter 5A of Title 41 is amended as follows:

PART 5A-1—GENERAL

Subpart 5A-1.3—General Policies

1. Section 5A-1.316-4 is revised to read as follows:

§ 5A-1.316-4 Terms.

(a) *Definite quantity contracts.* For definite quantity type contracts, other than small purchases of \$2,500 or less, where the delivery period begins upon receipt of the notice of award by the contractor, one of the following methods, as appropriate, shall be used to provide evidence of the actual date the notice of award was received:

(1) Mail the notice of award using certified mail with return receipt requested (see § 1-1.316-4(e) of this title).

(2) Forward GSA Form 2497, Contractual Document Transmittal Receipt

(see § 5A-16.950-2497 of this title), with the notice of award for completion and return by the contractor.

(3) Deliver the notice of award to the contractor (for example, by Contracting Officer or QC representative) and obtain a receipt therefor.

(b) *Requirements contracts for stock replenishment. Federal Supply Schedule and other term contracts (1) Basic contract.* To provide evidence of the actual date of receipt by the contractor of the notice of award on the contract, one of the methods in paragraph (a) of this section shall be used.

(2) *Delivery orders placed under the term contract.* Usually, separately documented evidence of the date of receipt by the contractor of delivery orders placed against term contracts is not required. However, if it is believed that circumstances warrant obtaining a receipt, one of the methods in paragraph (a) of this section, as appropriate, may be utilized to provide the Government with the actual date of receipt of the delivery order.

2. Section 5A-1.316-5 is revised to read as follows:

§ 5A-1.316-5 Time of delivery clauses.

Specific examples of time of delivery clauses are set forth below. Under special circumstances where a need exists for a different time of delivery clause, appropriate language may be developed on a case by case basis.

(a) *Definite quantity contracts with a single time of delivery.*

TIME OF DELIVERY*

Delivery is required within _____ days after receipt of notice of award.

(b) *Definite quantity contracts with scheduled deliveries.*

TIME OF DELIVERY*

Delivery is required within the number of days after receipt of notice of award as shown in the following schedule.

Item No.	Quantity	Required Delivery Time (Days)
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(c) *Requirements contracts for stock replenishment.*

TIME OF DELIVERY*

Delivery is required within _____ days after receipt of order.

(d) *Federal Supply Schedule Contracts for supplies.*

TIME OF DELIVERY

(1) The time of delivery for each item means the time required after receipt of an order (i) to make delivery to destination in the case of delivered prices, or (ii) to place shipment in transit in the case of f.o.b. shipping point prices.

(2) Delivery is required to be made at the point(s) specified within _____ days after receipt of order.

*Where time of shipment is to be used, substitute, "Shipment" for "Delivery." For example, "time of shipment" is preferable for use in contracts for stock items which involve multiple destinations.

(e) *Contracts for services.* Due to the wide number of variables existing in this area no specific clause is provided for service contracts.

PART 5A-16—PROCUREMENT FORMS

The table of contents is amended to include the following:

Sec.
5A-16.950-2497 GSA Form 2497, Contractual Document Transmittal Receipt.

PART 5A-73—FEDERAL SUPPLY SCHEDULE PROGRAM

Subpart 5A-73.1—Production and Maintenance

The text of § 5A-73.116(b) is deleted and the section number is reserved.

§ 5A-73.116 Time of delivery.

(b) [Reserved]

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c); 41 CFR 5-1.101(c))

Effective date. This amendment is effective 60 days following publication in the FEDERAL REGISTER, however, it may be observed sooner if forms are available.

Dated: May 25, 1970.

H. A. ABERSFELLER,
Commissioner,
Federal Supply Service.

[F.R. Doc. 70-7520; Filed, June 16, 1970; 8:45 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[Tariff Circular No. 3]

[Exemption Application No. 4]

PART 531—PUBLICATION, POSTING, AND FILING OF FREIGHT AND PASSENGER RATES, FARES, AND CHARGES IN THE DOMESTIC OFFSHORE TRADE

Exemption; Carriage of Miscellaneous Cargoes Between Seattle, Wash., and Prudhoe Bay on the Arctic Coast of Alaska

On April 18, 1970, as amended on April 25, 1970, the Federal Maritime Commission published in the FEDERAL REGISTER, 35 F.R. 6348 and 35 F.R. 6677 an application for exemption from the Intercoastal Shipping Act, 1933 and the Shipping Act, 1916, and regulations applicable thereto, for miscellaneous cargoes, including liquid in bulk, transported between Seattle, Wash., on the one hand and on the other the Arctic Coast of Alaska between Beechy Point and Tigvariak Island (Prudhoe Bay), via the Gulf of Alaska, the Bering Sea, and the

Arctic Ocean. The application is filed by Puget Sound Tug & Barge Co. and Alaska Barge & Transport, Inc.

The effect of such an exemption would be to permit movements by barge to the area involved with freedom from tariff filing requirements and regulation with respect to the reasonableness of rates.

A protest filed by Sea-Land Service, Inc. was received relative to the granting of the application. Sea-Land is concerned because it operates a land/water route between Seattle and Prudhoe Bay which may be competitive with the barge route for which exemption is sought. Sea-Land operates under joint through rates filed with a different regulatory agency over which this Commission has no effective control. It is not a direct vessel service such as proposed here and the cargo handled by Sea-Land is apparently limited, by the nature of Sea-Land's service, to containerizable cargoes. The barge service involved here is concerned primarily with bulk cargoes which do not lend themselves to containerization. The requirements of the shippers using the barge transportation appear to be radically different than the requirements of shippers who would choose to use the combination sea/water route of Sea-Land. Consequently, we do not think that the competition is significant. Sea-Land has not shown that the proposed exemption would be detrimental to the commerce nor that it would substantially impair effective regulation by the Commission or be unjustly discriminatory. If Sea-Land chooses to initiate a direct vessel service, such has been proposed in this application, and the conditions are similar to the conditions set forth in the instant application, its application will expeditiously be handled and considered.

The proposed operations are radically different from that usually associated with common carriage. No sailing schedules can be maintained because of the timing operations dictated by the ice conditions in Prudhoe Bay. Much of the operation will be in the nature of proprietary carriage since in most instances the full capacity of a given barge will be chartered by a single company. The specialized outfit of the vessels designed for certain cargoes will make it impractical for the carriers to provide uniform service for all shippers. Finally, special contracts as to the risk of loss and damage will be required due to the extraordinary hazards involved.

The conditions under which the operation is conducted make rate and tariff regulation an unnecessary and undue burden. However, as the building of the North Slope progresses there may be a demand for a fully diversified type of common carrier service which will require full regulatory surveillance by this Commission. In view of this, the exemption is limited to the 1970 season.

Because of the fact that this is an unusual cargo movement and the further fact that this exemption is somewhat different from any which have been previously granted, the Commission, in order to be more fully informed with respect to the exempted carriage directs

that 30 days after the barge flotilla commences the voyage, the carriers furnish a copy of each contract of carriage entered into between the carriers and the shippers, indicating the services provided by the carriers and the charges assessed; any contractual arrangements and charges therefor not included in such contracts for other services to shippers, such as storage, warehousing, handling charges, or any other special services provided to the shippers in connection with the movement of this cargo; any additional contractual arrangements for liability for loss or damage and responsibility for insurance coverage; an identification of all commodities carried, the tonnage for each commodity, and the names of shippers of such commodity; and an indication of the amount of barge space contracted to each shipper, i.e., was he chartered full reach of a barge or merely part capacity of the barge.

Other carriers have indicated a desire to perform a service similar to that proposed by the applicants. Such carriers may file similar applications for exemption which will be expeditiously considered.

The exemption will not substantially impair effective regulation by the Federal Maritime Commission, be unjustly discriminatory or be detrimental to commerce. Therefore, pursuant to section 4 of the Administrative Procedure Act, 5 U.S.C. 553 and sections 35 and 43 of the Shipping Act, 1916, 46 U.S.C. 833 (a), and 841(a); Part 531 of Title 46 CFR is amended as follows:

Section 531.26 is amended by the addition of a new paragraph (c), reading as follows:

§ 531.26 Exemptions.

(c) The provisions of the Intercoastal Shipping Act, 1933 and the Shipping Act, 1916 as amended shall not apply to direct service by water between Seattle, Wash., and Prudhoe Bay, Alaska, of miscellaneous cargoes including liquid in bulk provided by Puget Sound Tug & Barge Co. and Alaska Barge & Transport, Inc., during 1970; *Provided*, That the carriers furnish to the Federal Maritime Commission, 30 days after the exempted carriage has commenced, (1) a copy of each contract of carriage entered into between the carriers and the shippers, indicating the services provided by the carriers and the charges assessed; (2) any contractual arrangements and charges therefor not included in such contracts for other services to shippers, such as storage, warehousing, handling charges, or any other special services provided to the shippers in connection with the movement of this cargo; (3) any additional contractual arrangements for liability for loss or damage and responsibility for insurance coverage; (4) an identification of all commodities carried, the tonnage for each commodity, and the names of shippers of such commodity; and (5) an indication of barge space contracted to each shipper, i.e., whether the shipper chartered full reach

of a barge or merely part capacity of a barge. This exemption proviso shall expire December 31, 1970.

Effective date. The exemption granted herein shall become effective upon publication of this order in the FEDERAL REGISTER.

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[P.R. Doc. 70-7544; Filed, June 16, 1970;
8:47 a.m.]

Title 49—TRANSPORTATION

Chapter II—Federal Railroad Administration, Department of Transportation

[Docket No. FRA-Signal-1]

PART 236—INSTALLATION, INSPECTION, MAINTENANCE, AND REPAIR OF SYSTEMS, DEVICES, AND APPLIANCES

Standards and Instructions for Signal Systems

On pages 2412 and 2413 of the FEDERAL REGISTER of February 3, 1970, there was published a notice of proposed rule making to amend § 236.21 by removing the present requirement that roadway signals be located over or to the right of the tracks they govern and requiring instead that signals merely be positioned and aligned so that they are clearly associated with the tracks they govern and provide a maximum unobstructed preview to approaching trains. A number

of comments were received supporting or opposing the proposed rule.

On April 17, 1970, pursuant to a delegation of authority from the Federal Railroad Administrator dated March 31, 1970, Examiner Boyd issued a decision and order which would have amended § 236.21 effective May 18, 1970, to read as follows:

"Each roadway signal shall be located so that it can be readily associated with the track on which it governs movements."

On May 1, 1970, pursuant to a delegation of authority from Federal Railroad Administrator dated March 31, 1970, the Railroad Safety Board stayed Examiner Boyd's decision and order. Consequently, it did not become effective and was not published as a final rule in the FEDERAL REGISTER.

The Brotherhood of Railroad Signalmen timely filed a petition for reconsideration of Examiner Boyd's decision and order. It submits that if § 236.21 is to be revised, the revised rule should contain the following additional requirements:

"Signals governing movements in the same direction on adjacent tracks at the same location shall have red-light-out protection provided to prevent display of a clear signal on one track with a red-light-out on the other."

After considering the record in this proceeding including the petition for reconsideration filed by the Brotherhood of Railroad Signalmen, the Board finds that, except as set forth below, the findings of the Examiner are proper and correct in all material respects and hereby adopts them.

The Board further finds that safety of operation does not require roadway sig-

nals to be placed only to the right or above the tracks governed in single-track territory but that, to prevent confusion and assure safety of operation, roadway signals should continue to be placed only to the right or above the tracks governed in other than single-track territory. Relief from this requirement may be granted pursuant to § 236.16 upon adequate showing by an individual carrier.

With respect to the proposal contained in the petition for reconsideration filed by the Brotherhood of Railroad Signalmen that red-light-out protection also be required to prevent display of a clear signal on one track when a red light is out of commission on an adjacent track at the same location, the Board finds this provision is not necessary to assure safety since the final rule will only allow the installation of left-hand signals in single track territory.

In consideration of the foregoing § 236.21 is hereby amended, effective July 1, 1970 to read as follows:

§ 236.21 Location of roadway signals.

Each roadway signal must be (a) positioned and aligned so that the indication it displays can be clearly associated with the track it governs and (b) located over or to the right of the track it governs in other than single-track territory.

(Sec. 12, 24 Stat. 383; sec. 441, 41 Stat. 498; sec. 6, 80 Stat. 939, 940; 49 U.S.C. 12, 26, 1655)

Issued in Washington, D.C., on June 11, 1970.

ROBERT LEE KESSLER,
Chairman,
Railroad Safety Board.

[P.R. Doc. 70-7525; Filed, June 16, 1970;
8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 1, 301]

ADJUSTMENT OF OVERPAYMENT OF ESTIMATED INCOME TAX BY CORPORATION

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form in the attached appendix 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 written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601 (b) may be inspected by any person upon written request. 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.

In order to conform the Income Tax Regulations (26 CFR Part 1) and the Regulations on Procedure and Administration (26 CFR Part 301) to section 103 (d) of the Revenue and Expenditure Control Act of 1968 (Public Law 90-364, 82 Stat. 262) such regulations are amended as follows:

INCOME TAX REGULATIONS [26 CFR PART 1]

PARAGRAPH 1. Section 1.1502-78 is amended by changing the title of such section and the title of paragraph (a) of such section and by adding a new paragraph (d). The amended provisions read as follows:

§ 1.1502-78 Tentative carryback adjustments and adjustments of overpayments of estimated income tax.

(a) General rule for tentative carryback adjustments. . . .

(d) *Adjustments of overpayments of estimated income tax.* If a group paid its estimated income tax on a consolidated basis, then any application under section 6425 for an adjustment of overpayment of estimated income tax shall be made by the common parent corporation. If the members of a group paid estimated income taxes on a separate basis, then any application under section 6425 shall be made by the member of the group which claims an overpayment on a separate basis. Any refund allowable under an application under section 6425 shall be made directly to and in the name of the corporation filing the application.

PAR. 2. There are inserted immediately following § 1.6414-1, the following new sections:

§ 1.6425 Statutory provisions; adjustment of overpayment of estimated income tax by corporation.

Sec. 6425. *Adjustment of overpayment of estimated income tax by corporation—(a) Application for adjustment—(1) Time for filing.* A corporation may, after the close of the taxable year and on or before the 15th day of the third month thereafter, and before the day on which it files a return for such taxable year, file an application for an adjustment of an overpayment by it of estimated income tax for such taxable year. An application under this subsection shall not constitute a claim for credit or refund.

(2) *Form of application, etc.* An application under this subsection shall be verified in the manner prescribed by section 6065 in the case of a return of the taxpayer, and shall be filed in the manner and form required by regulations prescribed by the Secretary or his delegate. The application shall set forth—

(A) The estimated income tax paid by the corporation during the taxable year.

(B) The amount which, at the time of filing the application, the corporation estimates as its income tax liability for the taxable year.

(C) The amount of the adjustment, and (D) Such other information for purposes of carrying out the provisions of this section as may be required by such regulations.

(b) *Allowance of adjustment—(1) Limited examination of application.* Within a period of 45 days from the date on which an application for an adjustment is filed under subsection (a), the Secretary or his delegate shall make, to the extent he deems practicable in such period, a limited examination of the application to discover omissions and errors therein, and shall determine the amount of the adjustment upon the basis of the application and the examination; except that the Secretary or his delegate may disallow, without further action, any application which he finds contains material omissions or errors which he deems cannot be corrected within such 45 days.

(2) *Adjustment credited or refunded.* The Secretary or his delegate, within the 45-day period referred to in paragraph (1), may credit the amount of the adjustment against any liability in respect of an internal revenue tax on the part of the corporation and shall refund the remainder to the corporation.

(3) *Limitation.* No application under this section shall be allowed unless the amount of the adjustment equals or exceeds (A) 10 percent of the amount estimated by the cor-

poration on its application as its income tax liability for the taxable year, and (B) \$500.

(4) *Effect of adjustment.* For purposes of this title (other than section 6655), any adjustment under this section shall be treated as a reduction, in the estimated income tax paid, made on the day the credit is allowed or the refund is paid.

(c) *Definitions.* For purposes of this section and section 6655 (g) (relating to excessive adjustment)—

(1) The term "income tax liability" means the excess of—

(A) The tax imposed by section 11 or 1201 (a), or subchapter L of chapter 1, whichever is applicable, over

(B) The credits against tax provided by part IV of subchapter A of chapter 1.

(2) The amount of an adjustment under this section is equal to the excess of—

(A) The estimated income tax paid by the corporation during the taxable year, over

(B) The amount which, at the time of filing the application, the corporation estimates as its income tax liability for the taxable year.

(d) *Consolidated returns.* If the corporation seeking an adjustment under this section paid its estimated income tax on a consolidated basis or expects to make a consolidated return for the taxable year, this section shall apply only to such extent and subject to such conditions, limitations, and exceptions as the Secretary or his delegate may by regulations prescribe.

[Sec. 6425 as added by sec. 103(d), Revenue and Expenditure Control Act 1968 (82 Stat. 262)]

§ 1.6425-1 Adjustment of overpayment of estimated income tax by corporation.

(a) *In general.* Any corporation which has made an overpayment of estimated income tax for a taxable year beginning after December 31, 1967, may file an application for an adjustment of such overpayment. The right to file an application for an adjustment of overpayment of estimated income tax is limited to corporations.

(b) *Contents of application.* (1) The application for an adjustment of overpayment of estimated income tax shall be filed on Form 4466. The application shall be filled out in accordance with the instructions accompanying the form, and all information required by the form and instructions must be furnished by the corporation. The application shall be verified in the manner prescribed by section 6065 as in the case of a return of the corporation.

(2) An application for an adjustment of overpayment of estimated income tax does not constitute a claim for credit or refund. If such application is disallowed by the district director, or director of a service center, in whole or in part, no suit may be maintained in any court for the recovery of any tax based on such application. The filing of an application for an adjustment of overpayment of estimated income tax will not constitute the filing of a claim for credit or refund

within the meaning of section 6511 for the purpose of determining whether a claim for refund was filed prior to the expiration of the applicable period of limitation. The corporation, however, may file a claim for credit or refund under section 6402 at any time prior to the expiration of the applicable period of limitation and may maintain a suit based on such claim if it is disallowed or if the district director, or director of a service center, does not act on the claim within 6 months from the date it is filed. Such claim may be filed before, simultaneously with, or after the filing of the application for the adjustment of overpayment of estimated tax. A claim for credit or refund under section 6402 filed after the filing of an application for an adjustment of overpayment of estimated income tax is not to be considered an amendment of such application. Such claim, however, in proper cases, may constitute an amendment to a prior claim filed under section 6402.

(c) *Time and place for filing application.* (1) The application for an adjustment of overpayment of estimated income tax shall be filed after the last day of the taxable year and on or before the 15th day of the third month thereafter, or before the date on which the corporation first files its income tax return for such taxable year (whether or not it subsequently amends the return), whichever is earlier.

(2) Except as provided in paragraph (b) (2) of § 301.6091-1 of this chapter (relating to hand-carried documents), the application on Form 4466 shall be filed with the internal revenue officer designated in instructions applicable to such form.

§ 1.6425-2 Computation of adjustment of overpayment of estimated tax.

(a) *Income tax liability defined.* For purposes of §§ 1.6425-1 through 1.6425-3 and § 1.6655-5, relating to excessive adjustment, the term "income tax liability" means the excess of—

(1) The tax imposed by section 11 or 1201(a), or subchapter L of chapter 1 of the Code, whichever is applicable, over

(2) The credits against tax provided by part IV of subchapter A of chapter 1 of the code.

(b) *Computation of adjustment.* The amount of an adjustment under section 6425 is an amount equal to the excess of the estimated income tax paid by the corporation during the taxable year over the amount which, at the time of filing Form 4466, the corporation estimates as its income tax liability for the taxable year.

§ 1.6425-3 Allowance of adjustments.

(a) *Limitation.* No application under section 6425 shall be allowed unless the amount of the adjustment is (1) at least 10 percent of the amount which, at the time of filing Form 4466 the corporation estimates as its income tax liability for the taxable year, and (2) at least \$500.

(b) *Time prescribed.* The Internal Revenue Service shall act upon an application for an adjustment of overpayment of estimated income tax within a period

of 45 days from the date on which such application is filed.

(c) *Examination.* Within the 45-day period described in paragraph (b) of this section, the Internal Revenue Service shall make, to the extent it deems practicable in such period, a limited examination of the application to discover omissions and errors therein. The Service shall calculate the adjustment, which calculation must be set forth in the application for such adjustment, in the manner provided in section 6425(c) (2) for the determination by the corporation of such adjustment. The Service, however, may correct any material error or omission that is discovered upon examination of the application. In determining the adjustment, the Service may correct any mathematical error appearing on the application, and it may likewise make any modification required by the law to correct the corporation's computation of the adjustment. If the required modification has not been made by the corporation and the Service has available the necessary information to make such modification within the 45-day period, it may make such modification. The examination of the application and the allowance of the adjustment shall not prejudice any right of the Service to claim later that the adjustment was improper.

(d) *Disallowance in whole or in part.* If the Internal Revenue Service finds that an application for an adjustment of overpayment of estimated tax contains material omissions or errors, the Service may disallow such application in whole or in part without further action. If, however, the Service deems that any omission or error can be corrected by it within the 45-day period, it may do so and allow the application in whole or in part. In the case of a disallowance or modification, the Service shall notify the corporation of such action. The Service's determination as to whether it can correct any omission or error shall be conclusive. Similarly, its action in disallowing, in whole or in part, any application for an adjustment of overpayment of estimated income tax shall be final and may not be challenged in any proceeding. The corporation in such case, however, may file a claim for credit or refund under section 6402, and may maintain a suit based on such claim if it is disallowed or if the Service does not act upon the claim within 6 months from the date it is filed.

(e) *Application of adjustment.* If the Internal Revenue Service allows the adjustment, it may first credit the amount of the adjustment against any liability in respect of an internal revenue tax on the part of the corporation which is due and payable on the date of the allowance of the adjustment before making payment of the balance to the corporation. In such a case, the Service shall notify the corporation of the credit, and refund the balance of the adjustment.

(f) *Effect of adjustment.* (1) For purposes of all sections of the Code except section 6655, relating to additions to tax for failure to pay estimated income tax, any adjustment under section 6425 is to

be treated as a reduction of prior estimated tax payments as of the date the credit is allowed or the refund is paid. For the purpose of section 6655 (a) through (f) credit or refund of an adjustment is to be treated as if not made in determining whether there has been any underpayment of estimated income tax and, if there is an underpayment, the period during which the underpayment existed. However, an excessive adjustment under section 6425 shall be taken into account in applying the addition to tax under section 6655(g).

(2) *Excessive adjustment.* For the effect of an excessive adjustment under section 6425, see § 1.6655-5.

PAR. 3. Section 1.6655 is amended by revising section 6655(b) (1), by revising section 6655(d) (1) and (3) (A), by revising section 6655(e), and by adding a new subsection (g) to section 6655, and by revising the historical note. The revised and added provisions read as follows:

§ 1.6655 Statutory provisions; failure by corporation to pay estimated tax.

Sec. 6655. *Failure by corporation to pay estimated income tax.* * * *

(b) *Amount of underpayment.* * * *

(1) The amount of the installment which would be required to be paid if the estimated tax were equal to 80 percent of the tax shown on the return for the taxable year or, if no such return was filed, 80 percent of the tax for such year, over

* * * * *

(d) *Exception.* * * *

(1) The tax shown on the return of the corporation for the preceding taxable year, if a return showing a liability for tax was filed by the corporation for the preceding taxable year and such preceding year was a taxable year of 12 months.

* * * * *

(3) (A) An amount equal to 80 percent of the tax for the taxable year computed by placing on an annualized basis the taxable income:

* * * * *

(e) *Definition of tax.*—(1) *In general.* For purposes of subsections (b) and (d), the term "tax" means the excess of—

(A) The tax imposed by section 11 or 1201(a), or subchapter L of chapter 1, whichever is applicable, over

(B) The sum of—

(i) The credits against tax provided by part IV of subchapter A of chapter 1,

(ii) In the case of a taxable year beginning after December 31, 1967, and before January 1, 1977, the amount of the corporation's temporary estimated tax exemption for such year, and

(iii) In the case of a taxable year beginning after December 31, 1967, and before January 1, 1972, the amount of the corporation's transitional exemption for such year.

(2) *Temporary estimated tax exemption.* For purposes of clause (ii) of paragraph (1) (B), the amount of a corporation's temporary estimated tax exemption for a taxable year equals the applicable percentage (determined under section 6154(c) (2) (B)) multiplied by the lesser of—

(A) An amount equal to 22 percent of the corporation's surtax exemption (as defined in section 11(d)) for such year, or

(B) The excess determined under paragraph (1) without regard to clauses (ii) and (iii) of paragraph (1) (B).

(3) *Transitional exemption.* For purposes of clause (iii) of paragraph (1) (B), the

amount of a corporation's transitional exemption for a taxable year equals the exclusion percentage (determined under section 6154(c)(3)(B)) multiplied by the lesser of—

(A) \$100,000, reduced by the amount of the corporation's temporary estimated tax exemption for such year, or

(B) The excess determined under paragraph (1) without regard to clause (iii) of paragraph (1)(B).

(4) *Special rule for subsection (d) (1) and (2).* In applying this subsection for purposes of subsection (d) (1) and (2), the applicable percentage and the exclusion percentage shall be the percentage for the taxable year for which the underpayment is being determined.

(g) *Excessive adjustment under section 6425—(1) Addition to tax.* If the amount of an adjustment under section 6425 made before the 15th day of the third month following the close of the taxable year is excessive, there shall be added to the tax under chapter 1 for the taxable year an amount determined at the rate of 6 percent per annum upon the excessive amount from the date on which the credit is allowed or the refund is paid to such 15th day.

(2) *Excessive amount.* For purposes of paragraph (1), the excessive amount is equal to the amount of the adjustment or (if smaller) the amount by which—

(A) The income tax liability (as defined in section 6425(c)) for the taxable year as shown on the return for the taxable year, exceeds

(B) The estimated income tax paid during the taxable year, reduced by the amount of the adjustment.

(Sec. 6655 as amended by sec. 122(c), Rev. Act 1964 (78 Stat. 28); sec. 103 (c), (d), (e), Revenue and Expenditure Control Act 1968 (82 Stat. 264).)

PAR. 4. There is inserted immediately after § 1.6655-3 the following new sections:

§ 1.6655-4 [Reserved].

§ 1.6655-5 Addition to tax on account of excessive adjustment under section 6425.

(a) *In general.* (1) Section 6655(g) imposes an addition to the tax under chapter 1 of the Code in the case of any excessive amount (as defined in subparagraph (3) of this paragraph) of an adjustment under section 6425 which is made before the 15th day of the third month following the close of a taxable year beginning after December 31, 1967. This addition to tax is imposed whether or not there was reasonable cause for an excessive adjustment.

(2) If the amount of an adjustment under section 6425 is excessive, there shall be added to the tax under chapter 1 for the taxable year an amount determined at the rate of 6 percent per annum upon the excessive amount from the date on which the credit is allowed or the refund paid to the 15th day of the third month following the close of the taxable year. A refund is paid on the date it is allowed under section 6407.

(3) The excessive amount is equal to the lesser of the amount of the adjustment or the amount by which (i) the income tax liability (as defined in section 6425(c) of the Code) for the taxable

year, as shown on the return for the taxable year, exceeds (ii) the estimated income tax paid during the taxable year, reduced by the amount of the adjustment.

(4) The computation of the addition to the tax imposed by section 6425 is made independently of, and does not affect the computation of, any addition to the tax which a corporation may otherwise owe for an underpayment of an installment of estimated tax.

(5) The provisions of section 6655 may be illustrated by the following example:

Example. Corporation A, a calendar year taxpayer, had an underpayment as defined in section 6655(b) for its fourth installment of estimated tax which was due on December 15, 1968, in the amount of \$10,000. Nevertheless, on January 1, 1969, corporation A filed an application for adjustment of overpayment of estimated income tax for 1968 in the amount of \$20,000. On February 15, 1969, the Internal Revenue Service in response to the application, refunded \$20,000 to Corporation A. On March 15, 1969, corporation A filed its 1968 tax return and made a payment in settlement of its total tax liability. Under section 6655(a), corporation A is subject to an addition to tax in the amount of \$150 ($\$10,000 \times 6 \text{ percent} \times \frac{1}{2}$) on account of corporation A's December 15, 1968 underpayment. Under section 6655(g) corporation A is subject to an addition to tax in the amount of \$100 ($\$20,000 \times 6 \text{ percent} \times \frac{1}{2}$) on account of corporation A's excessive adjustment under section 6425. In determining the amount of the addition to tax under section 6655(a) for failure to pay estimated income tax, the excessive adjustment under section 6425 is not taken into account.

(6) An adjustment is generally to be treated as a reduction of estimated income tax paid as of the date of the adjustment. However, for purposes of § 1.6655-1 through § 1.6655-3, the adjustment is to be treated as if not made in determining whether there has been any underpayment of estimated income tax and, if there is an underpayment, the period during which the underpayment existed.

REGULATIONS ON PROCEDURE AND ADMINISTRATION [26 CFR PART 301]

PAR. 5. There are inserted immediately following § 301.6423-1, the following new sections:

§ 301.6425 Statutory provisions; adjustment of overpayment of estimated income tax by corporation.

Sec. 6425. *Adjustment of overpayment of estimated income tax by corporation—(a) Application for adjustment—(1) Time for filing.* A corporation may, after the close of the taxable year and on or before the 15th day of the third month thereafter, and before the day on which it files a return for such taxable year, file an application for an adjustment of an overpayment by it of estimated income tax for such taxable year. An application under this subsection shall not constitute a claim for credit or refund.

(2) *Form of application, etc.* An application under this subsection shall be verified in the manner prescribed by section 6065 in the case of a return of the taxpayer, and shall be filed in the manner and form required by regulations prescribed by the Secretary or his delegate. The application shall set forth—

(A) The estimated income tax paid by the corporation during the taxable year,

(B) The amount which, at the time of filing the application, the corporation estimates as its income tax liability for the taxable year,

(C) The amount of the adjustment, and

(D) Such other information for purposes of carrying out the provisions of this section as may be required by such regulations.

(b) *Allowance of adjustment—(1) Limited examination of application.* Within a period of 45 days from the date on which an application for an adjustment is filed under subsection (a), the Secretary or his delegate shall make, to the extent he deems practicable in such period, a limited examination of the application to discover omissions and errors therein and shall determine the amount of the adjustment upon the basis of the application and the examination; except that the Secretary or his delegate may disallow, without further action, any application which he finds contains material omissions or errors which he deems cannot be corrected within such 45 days.

(2) *Adjustment credited or refunded.* The Secretary or his delegate, within the 45-day period referred to in paragraph (1), may credit the amount of the adjustment against any liability in respect of an internal revenue tax on the part of the corporation and shall refund the remainder to the corporation.

(3) *Limitation.* No application under this section shall be allowed unless the amount of the adjustment equals or exceeds (A) 10 percent of the amount estimated by the corporation on its application as its income tax liability for the taxable year, and (B) \$500.

(4) *Effect on adjustment.* For purposes of this title (other than section 6655), any adjustment under this section shall be treated as a reduction, in the estimated income tax paid, made on the day the credit is allowed or the refund is paid.

(c) *Definitions.* For purposes of this section and section 6655(g) (relating to excessive adjustment)—

(1) The term "income tax liability" means the excess of—

(A) The tax imposed by section 11 or 1201 (a), or subchapter L of chapter 1, which ever is applicable, over

(B) The credits against tax provided by part IV or subchapter A of chapter 1.

(2) The amount of an adjustment under this section is equal to the excess of—

(A) The estimated income tax paid by the corporation during the taxable year, over

(B) The amount which, at the time of filing the application, the corporation estimates as its income tax liability for the taxable year.

(d) *Consolidated returns.* If the corporation seeking an adjustment under this section paid its estimated income tax on a consolidated basis or expects to make a consolidated return for the taxable year, this section shall apply only to such extent and subject to such conditions, limitations, and exceptions as the Secretary or his delegate may by regulations prescribe.

[Sec. 6425 as added by sec. 103(d), Revenue and Expenditure Control Act 1968 (82 Stat. 262).]

§ 301.6425-1 Adjustment of overpayment of estimated income tax by corporation.

For regulations under section 6425, see §§ 1.6425-1 to 1.6425-3, inclusive, of this chapter (Income Tax Regulations).

PAR. 6. Section 301.6655 is amended by revising section 6655(b) (1), by revising section 6655(d) (1) and (3) (A), by revising section 6655(e), and by adding a new

subsection (g) to section 6655, and by revising the historical note. The revised and added provisions read as follows:

§ 301.6655 Statutory provisions; failure by corporation to pay estimated income tax.

Sec. 6655. Failure by corporation to pay estimated income tax. * * *

(b) Amount of underpayment. * * *

(1) The amount of the installment which would be required to be paid if the estimated tax were equal to 80 percent of the tax shown on the return for the taxable year or, if no such return was filed, 80 percent of the tax for such year, over * * *

(d) Exception. * * *

(1) The tax shown on the return of the corporation for the preceding taxable year, if a return showing a liability for tax was filed by the corporation for the preceding taxable year and such preceding year was a taxable year of 12 months.

(3) (A) An amount equal to 80 percent of the tax for the taxable year computed by placing on an annualized basis the taxable income:

(e) Definition of Tax—(1) In general. For purposes of subsections (b) and (d), the term "tax" means the excess of—

(A) The tax imposed by section 11 or 1201(a), or subchapter L of chapter 1, whichever is applicable, over

(B) The sum of—

(i) The credits against tax provided by part IV of subchapter A of chapter 1,

(ii) In the case of a taxable year beginning after December 31, 1967, and before January 1, 1977, the amount of the corporation's temporary estimated tax exemption for such year, and

(iii) In the case of a taxable year beginning after December 31, 1967, and before January 1, 1973, the amount of the corporation's transitional exemption for such year.

(2) Temporary estimated tax exemption. For purposes of clause (ii) of paragraph (1)(B), the amount of a corporation's temporary estimated tax exemption for a taxable year equals the applicable percentage (determined under section 6154(c)(2)(B)) multiplied by the lesser of—

(A) An amount equal to 22 percent of the corporation's surtax exemption (as defined in section 11(d)) for such year, or

(B) The excess determined under paragraph (1) without regard to clauses (ii) and (iii) of paragraph (1)(B).

(3) Transitional exemption. For purposes of clause (iii) of paragraph (1)(B), the amount of a corporation's transitional exemption for a taxable year equals the exclusion percentage (determined under section 6154(c)(3)(B)) multiplied by the lesser of—

(A) \$100,000, reduced by the amount of the corporation's temporary estimated tax exemption for such year, or

(B) The excess determined under paragraph (1) without regard to clause (iii) of paragraph (1)(B).

(4) Special rule for subsection (d) (1) and (2). In applying this subsection for purposes of subsection (d) (1) and (2), the applicable percentage and the exclusion percentage shall be the percentage for the taxable year for which the underpayment is being determined.

(g) Excessive adjustment under section 6425—(1) Addition to tax. If the amount of an adjustment under section 6425 made before the 15th day of the third month following the close of the taxable year is excessive, there shall be added to the tax under chapter 1 for the taxable year an amount deter-

mined at the rate of 6 percent per annum upon the excessive amount from the date on which the credit is allowed or the refund is paid to such 15th day.

(2) Excessive amount. For purposes of paragraph (1), the excessive amount is equal to the amount of the adjustment or (if smaller) the amount by which—

(A) The income tax liability (as defined in section 6425(c)) for the taxable year as shown on the return for the taxable year exceeds

(B) The estimated income tax paid during the taxable year, reduced by the amount of the adjustment.

[Sec. 6655 as amended by sec. 122(c), Rev. Act 1964 (78 Stat. 28); sec. 103 (c), (d), (e), Revenue and Expenditure Control Act 1968 (82 Stat. 264)]

PAR. 7. Section 301.6655-1 is amended to read as follows:

§ 301.6655-1 Failure by corporation to pay estimated income tax.

For regulations under section 6655, see §§ 1.6655-1 to 1.6655-3, inclusive, and § 1.6655-5, of this chapter (Income Tax Regulations).

[F.R. Doc. 70-7532; Filed, June 16, 1970; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 915]

HANDLING OF AVOCADOS GROWN IN FLORIDA

Notice of Proposed Rule Making With Respect to Approval of Expenses and Fixing of Rate of Assessment for the 1970-71 Fiscal Year

Consideration is being given to the following proposals submitted by the Avocado Administrative Committee, established under the marketing agreement, as amended, and order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(1) That expenses which are reasonable and likely to be incurred by the Avocado Administrative Committee, during the period from April 1, 1970, through March 31, 1971, will amount to \$14,600.

(2) That the rate of assessment for such period, payable by each handler in accordance with § 915.41 be fixed at \$0.04 per bushel of avocados.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for

public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: June 12, 1970.

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

[F.R. Doc. 70-7572; Filed, June 16, 1970; 8:49 a.m.]

[7 CFR Part 1050]

MILK IN THE CENTRAL ILLINOIS MARKETING AREA

Notice of Proposed Suspension of Certain Provisions of the Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension of certain provisions of the order regulating the handling of milk in the Central Illinois marketing area is being considered for the month of July 1970.

All persons who desire to submit written data, views, or arguments in connection with the proposed suspension should file the same with the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 7 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The provision proposed to be suspended is as follows:

In § 1050.14(b)(2) the provision "during the months of May and June and in any other month for not more than 8 days of production of producer milk of such producer".

Suspension of this provision would permit unlimited diversion of producer milk during the month of July.

The suspension action is requested by handlers who operate pool plants to accommodate the handling of reserve milk of the market. The handlers state that at a hearing held in Peoria, Ill., on May 13, 1970, concerning the Central Illinois order all parties of interest, both handlers and producers, supported revising the order to permit unlimited diversions during the month of July. Further, they state that the volume of reserve milk supplies which must be moved to manufacturing plants in July 1970 will exceed the quantities so moved in July 1968 and 1969 when suspension of the provision was granted.

Signed at Washington, D.C., on June 11, 1970.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 70-7523; Filed, June 16, 1970; 8:45 a.m.]

[9 CFR Part 328]

MEAT FOOD PRODUCTS

Definitions and Standards of Composition and Labeling of Meat Patties and Mixes

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553, that pursuant to the authority conferred by the Federal Meat Inspection Act (34 Stat. 1260, as amended by 81 Stat. 584, 21 U.S.C. sec. 601 et seq.), it is proposed to amend, as indicated below, Part 328 of the Meat Inspection Regulations (9 CFR Part 328).

Statement of considerations. The Department of Agriculture's standard for meat in the form of "Hamburger" prohibits the addition of extenders, such as cereals and meat byproducts. Hamburger must consist of meat that does not contain more than 30 percent fat. Only seasoning may be added. It has been found that meat patties containing meat byproducts, higher levels of fat, added water and various extenders, are sometimes sold to the public as "Hamburgers" at local outlets, such as retail stores, lunch counters and drive-ins. State and local food inspection officials have responsibility for preventing such deceptive practices. The Department believes that descriptive labeling of federally inspected meat patty products would help in controlling this problem.

The regulation would divide meat patty products into three distinct categories, based on composition, and establish rules for determining the product names that may be used in each category.

In general, the name would show the form of the product, such as "Patty" or, in the case of bulk product, "Patty Mix," and the kinds of meat or other ingredients used.

The first category would consist of products made only from seasoned, chopped raw meat with not more than 30 percent fat. These products would bear names showing the kind of meat used, such as "Beef Patty" or "Beef Patty Mix."

The second category would cover products containing chopped raw meat, seasoning, not more than 30 percent fat, not more than 3 percent added water and cereal adequate for binding. These products would bear names, such as "Beef Patty-Cereal and Water Added" or "Beef Patty Mix-Cereal and Water Added."

The last category would provide for labeling of patty products that do not meet the compositional restrictions of the first two with names that describe the kind of meat, meat byproducts, and other significant ingredients from which the product is made.

Part 328 of the Meat Inspection Regulations (9 CFR Part 328) would be amended by adding thereto a new § 328.4 to read as follows:

§ 328.4 Meat patties and meat patty mixes and similar products; labeling, definitions, and standards.

(a) *General label requirements.* The immediate containers of all products in

the form of patties or patty mixes shall be labeled so as to show in the product name the form of the products, i.e., patties or patty mixes and the kind or kinds of meat or other product used. All ingredients shall be shown in the ingredient statement on the label as required by § 317.2 and the labeling shall otherwise comply with this section and Part 317 of this chapter.

(b) *Definition and standard for products with unqualified kind name.* Patties or patty mixes which are labeled with the unqualified kind name, e.g., "Beef Patty" or "Beef and Veal Patty Mix," shall consist only of chopped raw meat of the kind or kinds indicated on the label and not more than 30 percent fat (which may include added fat) and condiments in amounts adequate for seasoning.

(c) *Definitions and standards for products with qualified kind name; special label requirements.* (1) Patties or patty mixes which contain chopped raw meat, not more than 30 percent fat (which may include added fat), condiments in amounts adequate for seasoning, and

(i) No more than 3 percent water; or
(ii) No more than 3 percent water and no more than 3½ percent, individually or collectively, of cereal, vegetable starch, starchy vegetable flour, soya flour, soya protein concentrate, nonfat dry milk, calcium reduced dried skim milk, or dried milk; or

(iii) No more than 3 percent water and no more than 2 percent, individually or collectively, of isolated soy protein concentrate or textured vegetable protein, shall be labeled to show, in the product name, the common name of any ingredients listed in subdivisions (i), (ii), or (iii) of this subparagraph contained in the products, e.g., "Beef and Veal Patty-Cereal and Water Added," in addition to other labeling information required by paragraph (a) of this section.

(2) Patties or patty mixes which contain any meat or other meat product but do not meet the compositional requirements of paragraph (b) or subparagraph (1) of this paragraph (c) of this section shall be labeled so as to show in the product name the common name of each significant ingredient in the descending order of the proportion in which it is present in the product, e.g., "Patties-Beef, beef spleen, water, soya flour and nonfat dry milk" or "Patty Mix-Beef, beef spleen, water, soya flour, and nonfat dry milk." In addition, the label shall show other labeling information required by paragraph (a) of this section.

(d) If patties are cooked or partially cooked products, the composition of the raw mix from which they were prepared shall be used in determining whether they meet the requirements of paragraph (b) or (c) (1) of this section.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendments may do so by filing them in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, within 30 days after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice

will be made available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Done at Washington, D.C., on June 11, 1970.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 70-7524; Filed, June 16, 1970; 8:46 a.m.]

DEPARTMENT OF
TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 70-SW-36]

CONTROL ZONE AND TRANSITION
AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter controlled airspace in the Deming, N. Mex., terminal area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as herein-after set forth.

(1) In § 71.171 (35 F.R. 2054), the Deming, N. Mex., control zone is amended to read:

DEMING, N. MEX.

Within a 5-mile radius of Deming Municipal Airport (lat. 32°15'40" N., long. 107°43'10" W.).

(2) In § 71.181 (35 F.R. 2134), the Deming, N. Mex., transition area 700-foot portion is amended to read:

DEMING, N. MEX.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Deming Municipal Airport (lat. 32°15'40" N., long. 107°43'10" W.).

The Deming VOR is currently being relocated to lat. 32°16'33" N., long. 107°38'18" W. The new site is approximately two nautical miles west of the old site. Notice of the proposed relocation was issued July 25, 1969 (nonrulemaking airspace case 69-SW-6-NR). Relocation of the VOR and application of Terminal Instrument Procedures (TERPs) and current airspace criteria requires alteration of the Deming, N. Mex., control zone and transition area as proposed herein to provide controlled airspace protection to aircraft executing approach/departure procedures at the Deming Municipal Airport.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Fort Worth, Tex., on June 4, 1970.

A. L. COULTER,
Acting Director, Southwest Region.

[P.R. Doc. 70-7591; Filed, June 16, 1970;
8:51 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-SW-23]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration and Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter the control zone and designate a 700-foot transition area at McAllen, Tex.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for exami-

nation at the Office of the Chief, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

(1) In § 71.171 (35 F.R. 2054), the McAllen, Tex., control zone is amended to read:

McALLEN, TEX.

Within a 5-mile radius of Miller International Airport (lat. 26°10'40" N., long. 98°14'25" W.), within 3 miles each side of the McAllen VOR 095° radial extending from the 5-mile radius zone to 8 miles east of the VOR, and within 1.5 miles each side of the McAllen VOR 324° radial extending from the 5-mile radius zone to the Tacos Intersection, excluding the portion outside the United States.

(2) In § 71.181 (35 F.R. 2134), the following transition area is added:

McALLEN, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Miller International Airport (lat. 26°10'40" N., long. 98°14'25" W.), within 3.5 miles each side of the McAllen VOR 095° radial extending from the 5-mile radius area to 11.5 miles east of the VOR, and within 3.5 miles each side of the McAllen VOR 324° radial extending from the 5-mile radius area to 11.5 miles northwest of the Tacos Intersection, excluding the portion outside the United States.

This amendment is required to provide controlled airspace for aircraft executing revised instrument approach procedures to the Miller International Airport at McAllen, Tex., and to conform the controlled airspace to current criteria.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Fort Worth, Tex., on June 4, 1970.

A. L. COULTER,
Acting Director, Southwest Region.

[P.R. Doc. 70-7592; Filed, June 16, 1970;
8:51 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-SO-42]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Marathon, Fla., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Area Manager, Miami Area Office, Air Traffic Branch, Post Office Box 2014, AMF Branch, Miami, Fla. 33159. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences

with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 724, 3400 Whipple Street, East Point, Ga.

The Marathon transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Marathon Flight Strip (lat. 24°43'10" N., long. 81°03'05" W.); within 3 miles each side of the 255° bearing from Marathon, RBN, extending from the 6.5-mile radius area to 8.5 miles west of the RBN; excluding the airspace outside the continental limits of the United States.

The proposed designation is required to provide controlled airspace protection for IFR operations in climb from 700 to 1,200 feet above the surface and in descent from 1,500 to 1,000 feet above the surface. A prescribed instrument approach procedure to Marathon Flight Strip, utilizing the Marathon RBN, is proposed in conjunction with the designation of this transition area.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on June 5, 1970.

GORDON A. WILLIAMS, Jr.,
Acting Director, Southern Region.

[P.R. Doc. 70-7593; Filed, June 16, 1970;
8:51 a.m.]

INTERSTATE COMMERCE
COMMISSION

[49 CFR Part 1048]

[No. MC-C-258 (Sub-No. 2)]

KANSAS CITY, MO.-KANSAS CITY,
KANS.

Commercial Zone

JUNE 12, 1970.

Redefinition of the limits of the Kansas City, Mo.-Kansas City, Kans., commercial zone heretofore defined in No. MC-C-238 (Sub-No. 1), Kansas City, Mo.-Kansas City, Kans., Commercial Zone 111 M.C.C. 131, Petitioners: Olathe, Kans., Chamber of Commerce Patrons State Bank & Trust Co., Petitioners' representatives: James E. Grier and Charles D. Horner, 2715 Commerce Tower, Post Office Box 13367, Kansas City, Mo. 64199.

By petition filed June 4, 1970, the above-named petitioners request the

Commission to reopen the above proceeding for the purpose of redefining the limits of the Kansas City, Mo.-Kansas City, Kans., commercial zone, which were most recently defined on February 4, 1970, in *Kansas City, Mo.-Kansas City, Kans., Commercial Zone*, 111 M.C.C. 131, at pages 132-134 (49 CFR 1048.7), so as to include therein an area in and about Olathe, Kans., as specifically described below.

Petitioner requests the Commission to redefine the zone limits so as to include within the zone an area bounded by a line as follows: Beginning at the junction of 103d Street and Quivera Road (the corporate boundary of Lenexa, Kans.), a point on the presently defined commercial limits, thence along the eastern and southern boundaries of Lenexa to Black Bob Road, thence south along Black Bob Road to 119th Street, thence east along 119th Street to Pflumm Road (the corporate boundary of Olathe, Kans.), thence south along the said corporate boundary of Olathe to

Martin City Road (Kansas Highway 150), thence west along Martin City Road to Mur-Len Road, thence south along Mur-Len Road to the Morse Olathe Road (the southern corporate boundary of Olathe, Kans.), thence west along the southern corporate boundary of Olathe to the intersection with U.S. Highway 56, thence north along U.S. Highway 56 to the northern corporate boundary of Olathe, thence along the northern corporate boundary of Olathe to Pickering Road, thence north along Pickering Road to 107th Street (the corporate boundary of Lenexa, Kans.), thence along the western and northern boundaries of Lenexa to Pflumm Road, a point on the presently defined commercial zone limits, thence easterly along the presently defined commercial zone limits to the point of beginning.

No oral hearing is contemplated at this time, but any person (including petitioner), wishing to make representations in favor of, or against, the above-

proposed revision of the limits of the Kansas City, Mo.-Kansas City, Kans., commercial zone, may do so by submission of written data, views, or arguments. An original and seven copies of such data, views, or arguments shall be filed with the Commission on or before August 3, 1970. Each such statement should include a statement of position with respect to the proposed revision, and a copy thereof should be served upon petitioner's representative.

Notice to the general public of the matter herein under consideration will be given by depositing a copy of this notice in the Office of the Secretary of the Commission for public inspection and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-7564; Filed, June 16, 1970; 8:49 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

LARGE POWER TRANSFORMERS FROM FRANCE

Antidumping Proceeding Notice

JUNE 9, 1970.

On March 11, 1970, information was received in proper form pursuant to §§ 53.26 and 53.27, Customs Regulations (19 CFR 53.26, 53.27) indicating a possibility that large power transformers from France are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 53.29 of the Customs Regulations (19 CFR 53.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows: The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 53.30 of the Customs Regulations (19 CFR 53.30).

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

[F.R. Doc. 70-7526; Filed, June 16, 1970;
8:46 a.m.]

LARGE POWER TRANSFORMERS FROM ITALY

Antidumping Proceeding Notice

JUNE 9, 1970.

On March 11, 1970, information was received in proper form pursuant to §§ 53.26 and 53.27, Customs Regulations (19 CFR 53.26, 53.27) indicating a possibility that large power transformers from Italy are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 53.29 of the Customs Regulations (19 CFR 53.29) and having determined as a result thereof that there are grounds for so doing, the

Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows: The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 53.30 of the Customs Regulations (19 CFR 53.30).

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

[F.R. Doc. 70-7527; Filed, June 16, 1970;
8:46 a.m.]

LARGE POWER TRANSFORMERS FROM JAPAN

Antidumping Proceeding Notice

JUNE 9, 1970.

On March 11, 1970, information was received in proper form pursuant to §§ 53.26 and 53.27, Customs Regulations (19 CFR 53.26, 53.27) indicating a possibility that large power transformers from Japan are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 53.29 of the Customs Regulations (19 CFR 53.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows: The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 53.30 of the Customs Regulations (19 CFR 53.30).

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

[F.R. Doc. 70-7528; Filed, June 16, 1970;
8:46 a.m.]

LARGE POWER TRANSFORMERS FROM SWEDEN

Antidumping Proceeding Notice

JUNE 9, 1970.

On March 11, 1970, information was received in proper form pursuant to

§§ 53.26 and 53.27, Customs Regulations (19 CFR 53.26, 53.27) indicating a possibility that large power transformers from Sweden are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 53.29 of the Customs Regulations (19 CFR 53.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows: The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 53.30 of the Customs Regulations (19 CFR 53.30).

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

[F.R. Doc. 70-7529; Filed, June 16, 1970;
8:46 a.m.]

LARGE POWER TRANSFORMERS FROM SWITZERLAND

Antidumping Proceeding Notice

JUNE 9, 1970.

On March 11, 1970, information was received in proper form pursuant to §§ 53.26 and 53.27, Customs Regulations (19 CFR 53.26, 53.27) indicating a possibility that large power transformers from Switzerland are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 53.29 of the Customs Regulations (19 CFR 53.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows: The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 53.30 of the Customs Regulations (19 CFR 53.30).

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.
[F.R. Doc. 70-7530; Filed, June 16, 1970;
8:46 a.m.]

**LARGE POWER TRANSFORMERS
FROM THE UNITED KINGDOM**
Antidumping Proceeding Notice

JUNE 9, 1970.

On March 11, 1970, information was received in proper form pursuant to §§ 53.26 and 53.27, Customs Regulations (19 CFR 53.26, 53.27) indicating a possibility that large power transformers from the United Kingdom are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 53.29 of the Customs Regulations (19 CFR 53.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows: The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 53.30 of the Customs Regulations (19 CFR 53.30).

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.
[F.R. Doc. 70-7531; Filed, June 16, 1970;
8:46 a.m.]

POST OFFICE DEPARTMENT
UNIFORM QUALITY CONTROL
PROGRAM

Caps, Neckties, and Raingear
Correction

In F.R. Doc. 70-7273 appearing at page 9034 in the issue for Thursday, June 11, 1970, in the last paragraph, the date "July 1, 1970" should read "July 1, 1971".

DEPARTMENT OF THE INTERIOR

Bureau of Land Management
[Montana 15779]

MONTANA

Notice of Proposed Withdrawal and
Reservation of Lands

JUNE 9, 1970.

The Department of Transportation,
Federal Aviation Administration, on be-

half of the Montana Aeronautics Commission, has filed application, M15779, for the withdrawal of national forest lands described below, from location and entry under the mineral leasing and general mining laws, subject to existing valid claims.

The land is being used for the West Yellowstone Airport, and the applicant wants the land protected from any activities that would interfere with its use for airport purposes.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 316 North 26th Street, Billings, Mont. 59101.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

PRINCIPAL MERIDIAN, MONTANA

- T. 13 S., R. 5 E.,
Sec. 10, lots 1, 2, 3, and 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
SW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 15, lot 1, N $\frac{1}{2}$ lot 2 (20 acres), SW $\frac{1}{4}$ lot
2 (10 acres), NW $\frac{1}{4}$ lot 3 (10 acres), and
W $\frac{1}{2}$;
Sec. 16, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 21, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 22, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ lot 2
(10 acres);
Sec. 28, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 29, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 32, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, and
E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 33, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 14 S., R. 5 E.,
Sec. 5, NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, and
W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 6, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$
NE $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.

The area described aggregates approximately 2,870 acres in Gallatin County.

EUGENE H. NEWELL,
Land Office Manager.

[F.R. Doc. 70-7521; Filed, June 16, 1970;
8:45 a.m.]

Office of the Secretary
**BISCAYNE NATIONAL MONUMENT,
FLORIDA**

Notice of Establishment

Whereas, the Act of October 18, 1968 (82 Stat. 1188), authorizes the Secretary of the Interior to establish the Biscayne National Monument within so much of the area in the State of Florida as generally depicted on the drawing entitled "Biscayne National Monument Boundary Map," numbered NM-BIS 7101, and dated May 1966, as lies north of the north boundary of the channel easement shown thereon, and

Whereas, section 3 of that act provides that the Secretary may declare the Biscayne National Monument established when the State has transferred or agreed to transfer to the United States its right, title, and interest in and to its lands within the boundaries of said national monument, and

Whereas, the State has agreed to make the aforesaid transfer comprising approximately 76,157 acres, and 15,297.86 acres of lands and waters within the boundaries of the national monument are in Federal ownership;

Now, therefore, notice is given that the Biscayne National Monument is hereby established.

Dated: June 12, 1970.

WALTER J. HICKEL,
Secretary of the Interior.

[F.R. Doc. 70-7549; Filed, June 16, 1970;
8:48 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services
Administration

CATHOLIC UNIVERSITY ET AL.

Notice of Applications for Duty-Free
Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Scientific Instrument Evaluation Division, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this

notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the October 14, 1969, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00707-01-77040. Applicant: The Catholic University of America, Seventh and Michigan Avenue NE., Washington, D.C. 20017. Article: Mass spectrometer, Model CH-5, and accessories. Manufacturer: Varian MAT, West Germany. Intended use of article: The article will be used as an analytical tool for measurement of molecular weights, scanning of ion fragmentation spectra, analyses of trace components of mixtures in the research programs of the organic, biochemical, and physical chemists, observation of metastable ions, determination of ions produced by photoionization methods and analysis of complex mixtures in conjunction with gas chromatographic separation methods. The article will also be used as a training instrument for both graduate and undergraduate instruction in organic and analytical chemistry. Application received by the Commissioner of Customs: May 14, 1970.

Docket No. 70-00708-01-77030. Applicant: St. Olaf College, Northfield, Minn. 55057. Article: NMR spectrometer, Model JNM-C-60HL. Manufacturer: Japan Electron Optics Lab. Co., Ltd., Japan. Intended use of article: The article will be used in a variety of undergraduate student and faculty research projects in chemistry. One study concerns alkyl-diazonium cation intermediates in the reactions of aliphatic amines with nitrous acid and reactions of aliphatic diazocompounds which require H⁺ and F⁻ spectra at very low temperatures since alkyl-diazonium cations are very unstable species. Also, the article will be used in undergraduate chemistry courses. Application received by the Commissioner of Customs: May 14, 1970.

Docket No. 70-00709-33-46040. Applicant: University of Hawaii School of Medicine, Department of Pathology, c/o Leahi Hospital, Young 5, 3675 Kilauea Avenue, Honolulu, Hawaii 96816. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics NVD, The Netherlands. Intended use of article: The article will be used in a research project to further develop the earlier research effort which was designed to study the immunochemical characteristics of leukocytic catalase in normal and leukemic individuals and to attempt the isolation and characterization of heretofore apparently unrecognized avian oncogenic agent of a postulated viral nature, associated with a spontaneous malignant lymphoma observed in the Japanese quail. Application received by the Commissioner of Customs: May 14, 1970.

Docket No. 70-00710-33-46040. Applicant: Stanford University, Purchasing Department, 820 Quarry Road, Palo Alto,

Calif. 94304. Article: Electron microscope, Model Elmiskop IA. Manufacturer: Siemens A.G., West Germany. Intended use of article: The article will be used for the study of a wide range of ultrastructural features of the skin in disease and under experimental conditions. An ultrastructural approach to the study of psoriasis will include the examination of the detailed internal structure of the epidermal cells in lesions of the disease. The Department of Dermatology will use the article in a training program for research fellows and residents. Application received by the Commissioner of Customs: May 14, 1970.

Docket No. 70-00711-01-77040. Applicant: North Carolina State University, Department of Chemistry—NCSU, Raleigh, N.C. 27607. Article: Mass spectrometer, Model MS-1201. Manufacturer: Associated Electrical Industries, Ltd., United Kingdom. Intended use of article: "The article will be used for research studying the mechanism of the transmission of electronic effects in the adamantane skeleton; for a study of the solvolytic behavior of the isomeric 2-substituted compounds to attempt an elucidation of the mass spectral behavior of these compounds; and for quantitative analysis of complex gaseous mixtures. Application received by the Commissioner of Customs: May 14, 1970.

Docket No. 70-00713-16-61800. Applicant: Tunkhannock Area School District, Philadelphia Avenue, Tunkhannock, Pa. 18657. Article: Planetarium, Model Mercury. Manufacturer: Goto Optical Co., Japan. Intended use of article: The article will be used for precision sky and apparent sky motions simulation for educational and public programs including astronomy and navigation instruction. Application received by the Commissioner of Customs: May 15, 1970.

Docket No. 70-00714-33-90000. Applicant: Princeton University, Purchasing Department, Post Office Box 33, Princeton, N.J. 08540. Article: X-ray equipment, Model CX-6. Manufacturer: Elliott Electronic Tubes Ltd., United Kingdom. Intended use of article: The article will be used in X-ray diffraction investigations into the structure of biological materials such as viruses, nucleic acids, and proteins. Application received by the Commissioner of Customs: May 15, 1970.

Docket No. 70-00715-33-46040. Applicant: Veterans Administration Hospital, Albany, N.Y. 12208. Article: Electron microscope, Model JEM 100-B. Manufacturer: Japan Electron Optics Lab. Co., Ltd., Japan. Intended use of article: The article will be used for research in experimental neuropathology concerning the application of ultrastructural techniques to the study of the responses of neurons to axon section; for a study of the ultrastructure of selected human autopsy and biopsy material from central and peripheral nervous systems; and to train personnel in electron microscopy. Application received by the Commissioner of Customs: May 15, 1970.

Docket No. 70-00716-01-77030. Applicant: Valparaiso University, Valparaiso, Ind. 46383. Article: NMR spectrometer, Model JNM-C-60HL. Manufacturer:

Japan Electron Optics Lab. Co., Ltd., Japan. Intended use of article: The article will be used for research by faculty and by faculty directed students. Relative strengths of Lewis acids and bases will be determined by NMR measurements. In this approach the strengths of acids and bases are measured by changes in chemical shift upon interaction. The article will also be used in two courses in Organic Chemistry and in Physical Chemistry for professional chemistry majors. Application received by the Commissioner of Customs: May 15, 1970.

Docket No. 70-00717-16-61800. Applicant: St. Aloysius High School, 2003 Clay Street, Vicksburg, Miss. 39130. Article: Planetarium, Model Apollo, and auxiliary projectors. Manufacturer: Goto Optical Co., Japan. Intended use of article: The article, which may be operated manually or automatically, will be used for instruction in Grades 1 through 12. The subjects to be covered include astronomy, the solar system, forecasting, navigation, water cycles, weather, and earth-space relationship. Application received by the Commissioner of Customs: May 15, 1970.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[P.R. Doc. 70-7534; Filed, June 16, 1970; 8:47 a.m.]

CITY OF HOPE MEDICAL CENTER

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 8(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 P.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00362-33-46040. Applicant: City of Hope Medical Center, 1500 East Duarte Road, Duarte, Calif. 91010. Article: Electron microscope, Model HU-11E-1. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used to study normal and neoplastic nerve cells and tissue culture; normal and spinal cord of a variety of species of animals; tissues of mice and humans suffering from various genetic and acquired disorders of the nervous system; the nervous systems of *Drosophila*; animal tumors with special emphasis on the localization of oncogenic viruses.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended

to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly manufactured by the Radio Corp. of America (RCA), and which is presently being supplied by the Forgy Corp. The Model EMU-4B has a specified resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.)

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated April 28, 1970, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used.

We, therefore, find that the Model EMU-4B is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-7535; Filed, June 16, 1970; 8:47 a.m.]

COMMUNITY COLLEGE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00505-98-26000. Applicant: Community College, 711 Allegheny Building, Pittsburgh, Pa. 15219. Article: Dr. Clemenz Standard Construction Device, Model EG 2A/ZT. Manufacturer: Dr. Clemenz, West Germany.

Intended use of article: The article will be used for teaching the basic theory of electricity.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a means of demonstrating electrical phenomena to students, through construction by the students of alternating and direct current generators, three-phase motors, etc.

We are advised by the National Bureau of Standards (NBS) in its memorandum dated May 11, 1970, that it knows of no instrument or apparatus being manufactured in the United States, which is capable of fulfilling the purposes for which the foreign article is intended to be used.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-7536; Filed, June 16, 1970; 8:47 a.m.]

EMORY UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00430-33-46040. Applicant: Emory University, Atlanta, Ga. 30322. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics NVD, The Netherlands.

Intended use of article: The article will be used for research and teaching. Studies are in progress concerning the induction of polykaryocytosis in cultured cells Newcastle disease virus (NVD); the interaction of NVD and polyene antibiotics; the role of viral envelope in the infectious process; the "toxic" effects of poxviruses; the mechanism of blood clotting by staphylocoagulase; and the mechanism of liver damage resulting from antigen-antibody complexes. A course in electron microscopy for graduate students will be developed.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly manufactured by the Radio Corp. of America (RCA), and which is presently being supplied by the Forgy Corp. The Model EMU-4B has a specified re-

solving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.)

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated May 6, 1970, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used.

We, therefore, find that the Model EMU-4B is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-7537; Filed, June 16, 1970; 8:47 a.m.]

MAYO FOUNDATION ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Scientific Instrument Evaluation Division, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the October 14, 1969 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00697-33-46040. Applicant: Mayo Foundation, 200 First Street SW., Rochester, N.Y. 55901. Article: Electron microscope, Model HU 12. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for high resolution examination of biological material. Peripheral nerve tissue from experimental animals and from man will be prepared by the best

available methods for discriminating research work on ultrastructure. Application received by the Commissioner of Customs: May 12, 1970.

Docket No. 70-00698-33-46040. Applicant: Washington State University, Pullman, Wash. 99163. Article: Electron microscope, Model HU-125E. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for research on the development and fine cell structure of the myxomycete swarm cell; studies on phylogeny of insect and vertebrate enzymes; microbiological ecology of the Snake River; control of carbon dioxide fixation; mechanisms of active ion transport across membranes; and osmotic regulation and the function of regulatory organs. Application received by the Commissioner of Customs: May 12, 1970.

Docket No. 70-00699-88-46070. Applicant: University of Delaware, Newark, Del. 19711. Article: Scanning electron microscope, Model Mark IIA. Manufacturer: Cambridge Instrument Co., Ltd., United Kingdom. Intended use of article: The article will be used for research on microfossils, minerals, metals and biological materials. Investigation concerns the detailed microstructure and topography of these specimens. The article will also be used for instruction in the fields of micropaleontology and mineralogy. Application received by the Commissioner of Customs: May 12, 1970.

Docket No. 70-00700-60-70000. Applicant: Texas A. & M. University Agricultural, Research and Extension Center, Post Office Box 537, Weslaco, Tex. 78596. Article: Miniature net radiometers, two each, and accessories. Manufacturer: Middleton & Co. Pty. Ltd., Australia. Intended use of article: The article will be used during citrus frost protection research (nighttime) to measure alternately and accurately the net resultant longwave radiation flux and the unidirectional flux of radiant energy. Application received by the Commissioner of Customs: May 12, 1970.

Docket No. 70-00701-33-46040. Applicant: Research Foundation, State University of New York, Upstate Medical Center, 766 Irving Avenue, Syracuse, N.Y. 13210. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics NVD, The Netherlands. Intended use of article: The article will be used for studies of diseased human and animal kidneys; on blood cells and blood vessels in a group of diseases characterized by intravascular coagulation; on ultrastructure of liver related to investigations of mechanisms of hypertrophy, protein synthesis, and lipid metabolism in the liver; of human liver and intestinal disease using human biopsy material; and for studies on nervous tissue responses to injury, particularly related to neuronal changes in axonal injury. Application received by the Commissioner of Customs: May 12, 1970.

Docket No. 70-00702-33-86500. Applicant: William Marsh Rice University, Chemical Engineering Department, Post Office Box 1892, Houston, Tex. 77001. Article: Weissenberg rheogoniometer,

Model D. Manufacturer: Sangamo Controls, Ltd., United Kingdom. Intended use of article: The article will be used for education and research on the viscosity of fluids. Application received by the Commissioner of Customs: May 12, 1970.

Docket No. 70-00703-01-77040. Applicant: Georgetown University, Department of Chemistry, 37th and O Streets, NW., Washington, D.C. 20007. Article: Mass spectrometer, Model MS-1201. Manufacturer: Associated Electrical Industries, Ltd., United Kingdom. Intended use of article: The article will be used for studies on isotope ratios; for spectra studies of organic compounds and volatile inorganics; for rapid magnetic scan spectra of both known compounds and compounds whose structures must be determined; and for spectra on "fractionated" mixtures, to attempt identification of complex mixtures such as hair, skin, and body fluids for crime detection, and macerated tissues for the trace analyses of volatile drugs. Besides undergraduate and graduate students use, in chemistry courses, the article will be in operation in the Institute for Advanced Analytical Chemistry. Application received by the Commissioner of Customs: May 12, 1970.

Docket No. 70-00704-01-77030. Applicant: College of the Holy Cross, Worcester, Mass. 01610. Article: NMR spectrometer, Model R-20. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for research in a program to be carried out to a large degree by undergraduate and graduate students. Experiments concern kinetic studies of the decomposition of iodo cyclopropanes; determination of the structure of electrolyte solutions; and determination of conformational equilibria and kinetics in substituted cyclohexane systems. As a teaching tool, the article will be used in four chemistry courses in the undergraduate program and in the master's degree program. Application received by the Commissioner of Customs: May 13, 1970.

Docket No. 70-00705-33-46500. Applicant: Loyola University, 6363 St. Charles Avenue, New Orleans, La. 70118. Article: Ultramicrotome, Model OmU2. Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article will be used to cut ultrathin sections of plastic-embedded biological materials. These include embryonic chick tissues and a variety of cancer tissues, animal and human. Special attention will be given to the cell surface material. Application received by the Commissioner of Customs: May 13, 1970.

Docket No. 70-00706-79-50600. Applicant: Texas A. & M. University, Radiological Safety Office, College Station, Tex. 77843. Article: Foot monitor and hand monitor. Manufacturer: Nuclear Enterprises Ltd., United Kingdom. Intended use of article: The article will be used at the Texas A. & M. Variable Energy Cyclotron where large quantities of radioactive materials are produced which constitute a contamination hazard to research workers. Frequent checks for contaminated shoes, clothing and hands are

necessary in order to assure the safety of personnel and the unimpeded pursuit of research goals. Application received by the Commissioner of Customs: May 14, 1970.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[P.R. Doc. 70-7538; Filed, June 18, 1970; 8:47 a.m.]

MEMORIAL HOSPITAL, NEW YORK

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 P.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00469-33-46040. Applicant: Memorial Hospital, 444 East 68th Street, New York, N.Y. 10021. Article: Electron Microscope, Model Elmiskop 101. Manufacturer: Siemens A.G., West Germany. Intended use of article: The article will be used by the Pathology Department for research and teaching purposes. The principal use is for study of human tumors, both rare and common, benign and malignant. Many of these tumors contain specific organelles and inclusions with a very fine and complicated substructure. Other studies concern human oncocytomas; extracellular substances produced by certain tumors; and a program for the study of macromolecules (DNA and proteins) extracted from various diseased tissues.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was for of America (RCA), and which is presently being supplied by the Forgflo Corp. The Model EMU-4B has a specified resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.)

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated May 11, 1970, that the additional resolving capability of the foreign article is pertinent to the

purposes for which the foreign article is intended to be used.

We, therefore, find that the Model EMU-4B is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[P.R. Doc. 70-7539; Filed, June 16, 1970; 8:47 a.m.]

VETERANS ADMINISTRATION HOSPITAL, CALIF.

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00375-33-46040. Applicant: Veterans Administration Hospital, 4150 Clement Street, San Francisco, Calif. 94121. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, The Netherlands.

Intended use of article: The article will be used to study experimental virus diseases of the nervous system. In addition studies of the ultrastructure of virus particles and an investigation of a variety of diseases of the human central and peripheral nervous system are planned.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a continuous magnification from 220 to 550,000 magnifications, without changing the pole-piece. The most closely comparable domestic instrument is the Model EMU-4B which was formerly manufactured by the Radio Corp. of America (RCA), and which is presently being supplied by the Forgiro Corp. (Forgiro). The Model EMU-4B, with its standard pole-piece, has a specified range from 1,400 to 240,000 magnifications. For survey and scanning, the lower end of this range can be reduced to 400 magnifications or

less. But, the continued reduction of magnification induces an increasingly greater distortion. The domestic manufacturer suggests in its literature on the Model EMU-4B that for highest quality, low magnification electron micrographs in the magnification range between 500 and 70,000 magnifications, an optional low magnification pole-piece should be used. Changing the pole-piece on the Model EMU-4B requires a break in the vacuum of the column, beam realignment and specimen removal.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated April 6, 1970, that the applicant requires the capability of taking high-quality micrographs at low magnifications in order to achieve the purposes for which the foreign article is intended to be used.

HEW further advises that breaking the vacuum in the column induces the danger of contamination and removal of the specimen risks loss of the area of interest, both of which would very likely lead to the failure of the experiment.

Therefore, the capability of moving from 220 to 550,000 magnifications without changing pole-pieces, while at the same time providing high-quality micrographs at low magnifications, is considered to be a pertinent characteristic.

For these reasons, we find that the Model EMU-4B is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[P.R. Doc. 70-7540; Filed, June 16, 1970; 8:47 a.m.]

UNIVERSITY OF CALIFORNIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00384-33-46040. Applicant: University of California, San Diego, La Jolla, Calif. 92037. Article: Electron microscope, Model Elmiskop 101. Manufacturer: Siemens A.G., West Germany.

Intended use of article: The article will be used in an investigation of human and experimental demyelinating diseases. This research is directed to elucidate alterations of myelin lamellae during their formation, maintenance, and destruction. Myelin lamellae are formed by the fusion and transformation of the plasma membranes of myelin supporting cells. Faulty formation results in abnormal sheaths that cannot be maintained. Another study concerns the demonstration of the sequence of morphologic changes that occur during the digestion of myelin within macrophages.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly manufactured by the Radio Corp. of America (RCA), and which is presently being supplied by the Forgiro Corp. The Model EMU-4B has a specified resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.)

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated April 6, 1970, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used.

We, therefore, find that the Model EMU-4B is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[P.R. Doc. 70-7541; Filed, June 16, 1970; 8:47 a.m.]

UNIVERSITY OF WASHINGTON

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the

Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00295-33-46040. Applicant: University of Washington, School of Medicine, Division of Gastroenterology, Seattle, Wash. 98105. Article: Electron microscope, Model EM 6B. Manufacturer: Associated Electrical Industries, Ltd., United Kingdom.

Intended use of article: The article will be used for faculty members research and for the education of graduate students. Research in four areas are currently being conducted: Studies of white blood cell phagocytosis of bacteria and viruses, studies of xanthomas of the skin, studies in the structure and function of the small bowel, and studies in pathological material where the intestinal tissue has been damaged by radiation or infection.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a continuous magnification from 300 to 250,000 magnifications, without changing the pole-piece. The most closely comparable domestic instrument is the Model EMU-4B which was formerly manufactured by the Radio Corp. of America (RCA), and which is presently being supplied by the Forgiro Corp. (Forgiro). The Model EMU-4B, with its standard pole-piece, has a specified range from 1,400 to 240,000 magnifications. For survey and scanning, the lower end of this range can be reduced to 400 magnifications or less. But, the continued reduction of magnification induces an increasingly greater distortion. The domestic manufacturer suggests in its literature on the Model EMU-4B that for highest quality, low magnification electron micrographs in the magnification range between 500 and 70,000 magnifications, an optional low magnification pole-piece should be used. Changing the pole-piece on the Model EMU-4B requires a break in the vacuum of the column.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated April 28, 1970, that the applicant requires the capability of taking high-quality micrographs at low magnifications in order to achieve the purposes for which the foreign article is intended to be used. HEW further advises that breaking the vacuum in the column induces the danger of contamination which would very likely lead to the failure of the experiment.

Therefore, the capability of moving from 300 to 250,000 magnifications without changing pole-pieces, while at the same time providing high-quality micrographs at low magnifications, is considered to be a pertinent characteristic.

For these reasons, we find that the Model EMU-4B is not of equivalent scientific value to the foreign article for

such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-7542; Filed, June 16, 1970; 8:47 a.m.]

MASSACHUSETTS GENERAL HOSPITAL

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00459-33-43780. Applicant: The Massachusetts General Hospital, Fruit Street, Boston, Mass. 02114. Article: Total hip joint replacements, four each. Manufacturer: Protek Ltd., Switzerland.

Intended use of article: The purposes for which the articles are intended to be used are for a study and scientific assessment of hip reconstructions, using total hip replacement in contrast to previously existing modes of reconstructive hip surgery.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The article is a combination of the Charney apparatus which combines a metal femoral head prosthesis with a head diameter of 32 millimeters and a high density polyethylene acetabulum which accepts only this sized head, and the Mueller apparatus which has a larger femoral head size and an acetabular component made of metal but with three polyethylene bearing points in the cup.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated May 6, 1970, that the combination of characteristics described above is pertinent to the purposes for which the article is intended to be used. HEW further advises that it knows of no equivalent prosthesis which is being manufactured in the United

States which provides this combination of characteristics.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-7585; Filed, June 16, 1970; 8:49 a.m.]

NEW HAVEN COLLEGE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00199-01-77030. Applicant: New Haven College, 300 Orange Avenue, West Haven, Conn. 06505. Article: Nuclear magnetic resonance spectrometer, Model JNM-C-60H and attachments. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used for the following studies:

- Study of the chemical nature of the nucleus and the spatial position of neighboring nuclei.
- Low temperature studies of various organic compounds.
- Study of intermolecular interactions and their relationship to chemical shifts and spin-spin coupling.
- Spin decoupling by field sweep spin decoupling or frequency sweep decoupling may be used to study more complicated spectra.
- Study of the electronic structure of molecules and the theory of spin-spin coupling, requiring the determination of the relative signs of coupling constants.
- The high-temperature study of polymer solutions.
- Instructional use in connection with Analytical Chemistry and/or Instrumental Analysis, Organic Chemistry, and Physics Laboratory courses.
- The study of other nuclei such as F^{19} and C^{13} at some future date.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time

the initial application for duty-free entry was received (Nov. 27, 1967).

Reasons: Captioned application is a resubmission of Docket No. 68-00250-01-77030 which was received on November 27, 1967, and which was denied without prejudice to resubmission due to informational deficiencies in the original application. The foreign article provides a combined internal-external lock capability in one instrument. Varian Associates (Varian) have recently introduced two new nuclear magnetic resonance (NMR) spectrometers, the Model XL-100-15 which became available September 1969 and the Model XL-60-15 which became available October 1969. Both of these models provide combined internal-external locking in the same instrument. However, at the time the original application was received, the most closely comparable domestic instrument was the Varian Model HA 60 which provided either an internal or external locking capability, but not both locking facilities in the same instrument.

We are advised by the Department of Health, Education, and Welfare (HEW) in a memorandum dated January 30, 1970, and by the National Bureau of Standards (NBS) in a memorandum dated May 14, 1970, that the availability of both the internal and external locking capability in the same instrument is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the Varian Model HA 60 with either external or internal locking capability is not of equivalent scientific value to the foreign article for those purposes for which the foreign article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the original application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[P.R. Doc. 70-7566; Filed, June 16, 1970; 8:49 a.m.]

NORTHEASTERN UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00302-99-46040. Applicant: Northeastern University, 360 Huntington Avenue, Boston, Mass. 02115. Article: Electron microscope, Model EM 9A. Manufacturer: Carl Zeiss Inc., West Germany. Intended use of article: The article will be used for teaching purposes and as a transitional instrument to bridge the gap between light microscopy and electron microscopy. The courses which are offered to graduate students and the academic community using electron microscopy as a research method will enable them to produce quality electron micrographs. Several research programs are also planned.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly being manufactured by the Radio Corp. of America (RCA), and which is currently being supplied by the Forgflo Corp. (Forgflo). The Model EMU-4B electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated April 29, 1970, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes.

We, therefore, find that the Model EMU-4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[P.R. Doc. 70-7567; Filed, June 16, 1970; 8:49 a.m.]

UNIVERSITY OF SOUTHERN CALIFORNIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of

the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00463-99-46040. Applicant: University of Southern California, University Park, Los Angeles, Calif. 90007. Article: Electron microscope, Model EM 9A. Manufacturer: Carl Zeiss, West Germany.

Intended use of article: The main use of the article is for educational purposes to teach and train dental students, graduate dentists in residency programs (pedodontics, oral pathology, periodontics, etc.) Ph. D. candidates, postdoctoral fellows and visiting fellows electron microscopy. The purpose of the trainee program in the Biology of Connective Tissue is to train future dental research people. The article will also be used for research purposes. The primary objectives of the research program is to investigate the structure, synthesis and inter-relationships of the various cellular and extracellular components of connective tissue.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly being manufactured by the Radio Corp. of America (RCA), and which is currently being supplied by the Forgflo Corp. (Forgflo). The Model EMU-4B electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated April 29, 1970, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes.

We, therefore, find that the Model EMU-4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article

is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[P.R. Doc. 70-7568; Filed, June 16, 1970; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

SOCIAL SECURITY ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

Part 8 (Social Security Administration) of the Statement of Organization, Functions, and Delegations of Authority¹ of the Department of Health, Education, and Welfare (33 P.R. 5828 et seq., Apr. 16, 1968), is hereby amended as follows:

8-B Office of Information (OI) through the Division of Public Inquiries, OI, is superseded by the following:

Office of Public Affairs (OPA)—Plans and directs SSA's nationwide public affairs program. Assesses public affairs needs and opportunities, and develops programs to promote the public's understanding of its protection, rights, and responsibilities under social security. Establishes and evaluates SSA public affairs policies and standards. Advises the Office of the Secretary, Commissioner, and SSA components on public affairs aspects of SSA programs, and acts for the Commissioner on public affairs matters. Engages in cooperative public affairs activities with the Office of the Secretary and other government agencies. Plans, coordinates and evaluates public affairs activities in the field, assuring SSA's responsiveness to public needs and interests. Reviews all materials distributed to the public. Provides technical guidance, materials, and training to SSA personnel. Establishes and evaluates policies and standards for, and provides technical direction to, SSA components on public inquiry and correspondence activities and prepares replies to much of SSA's high priority correspondence.

Editorial Staff (OPA)—Conducts editorial reviews of all public informational and other materials designed for public use, approving content, format, style, and all-around quality. Is responsible for final clearances before printing. Reviews existing materials for current accuracy and acceptance before reprinting. Establishes printing specifications in conjunction with the requesting unit, the Office of Administration, GPO, etc. Coordinates printing of materials. Possesses staff capability to serve as mobile, high-quality task force carrying out important short-term and special projects, such as,

preparation of special publications, activities which ordinarily would be the responsibility of several different groups, development of major stories which involve use of all media, organization of community meetings, and development of administrative issuances.

Field Liaison (OPA)—Provides coordination, consultative, and advisory services to the Assistant Commissioner for Public Affairs in matters pertaining to public information and public relations activities being carried on in the field. Maintains liaison with branch and division chiefs within OPA, and information staffs of other bureaus, to coordinate top-level aspects of the public information, public affairs, and correspondence management programs. Maintains liaison with the regional offices, keeping them informed on up-to-date SSA and HEW public information policy and alert to current situations, while keeping informed on trends and needs in the field.

Management Staff (OPA)—Conducts Office of Public Affairs general administration, personnel, budgetary, procurement, and related activities; is principal liaison with components of the Office of Administration. With Planning and Evaluation Staff, relates budget allocation to office components' work plans. Maintains all official fiscal records and negotiates contracts and purchases. Controls final approval in OPA of all purchases and expenditures. Maintains general accounts of the office, including current status of the account of each component. With Editorial Staff, plans distribution of all materials; directs distribution and maintains usage records. Prepares administrative reports for the office, Administration, and Department.

Program Planning, Evaluation and Training Staff (OPA)—Analyzes regulations, policies, procedures, and proposed changes thereto, in terms of public understanding and support, and other public affairs implications. Suggests appropriate changes. Defines public affairs research goals and projects. Conducts studies, analyzes results and participates in applying findings. Prepares OPA work plans, relates same to budget, frequently reviewing for necessary adjustments. Evaluates completed OPA projects, relating accomplishments to plans. Evaluates public affairs implications of materials and activities originating in other components. Directs public affairs training for SSA and OPA staff. Coordinates other training for OPA staff. Arranges pretests of communications materials and projects.

Group Activities Staff (OPA)—For public information purposes, analyzes the feasibility of enlisting the support of national organizations and special interest groups in explaining the social security program to their members and the groups they serve; recommends methods of securing assistance and cooperation of national groups and organizations; and maintains continuing liaison and contacts with national organizations and special interest groups. Organizes and operates a tour program at the

national headquarters. Carries out a wide range of community relations programs and projects to promote accomplishment of social security objectives through improved public understanding and cooperation. Recommends production of materials for special purposes and groups.

Publications Staff (OPA)—Studies the law, regulations, and procedures in relation to the audiences to be reached, and decides what elements can be presented effectively and economically through social security publications. Drafts copy for publications and secures necessary cooperation and assistance from other offices, Bureaus, and Agencies. Plans and schedules publications and coordinates fully with other units engaged in distribution planning, research design, and printing.

Division of Public Inquiries (OPA)—Establishes, promulgates, and assesses SSA policy governing public and Congressional correspondence. Provides advice and assistance to SSA officials and liaison with the Department on public correspondence matters. Conducts training programs in district offices, payment centers, and central office to improve correspondence with the public. Receives, analyzes, and controls high priority written and telephone inquiries. Replies to many of these inquiries and reviews all written replies to such inquiries prepared elsewhere in SSA.

Audiovisual Staff (OPA)—Plans and carries out a program of creation, clearance, and production of a wide variety of audiovisual materials, e.g., radio and TV spots, film strips, motion pictures, posters, and exhibits, etc., to inform the public of their rights and responsibilities under the program. Participates in contracting production of audiovisual materials and oversees completion of contracts. Provides graphics and visuals guidance and support to other Office of Public Affairs components. Advises all SSA components on technical audiovisual matters.

Press Staff (OPA)—Guides and coordinates all SSA press activities. Prepares and issues news items for national release and for release through district offices. Maintains contacts with members of the working press. Responds to requests for information and assistance from newspapers, radio and TV network news departments, news and general magazines, and the specialized press. Prepares the Daily Press Service, for the Executive Staff and Regional Commissioners. Analyzes press coverage of social security and medicare programs to assess public reaction. Prepares news and feature stories for the Baltimore press on headquarter's events and programs of community interest and on the accomplishments and activities of employees.

(Sec. 6, Reorganization Plan No. 1 of 1953)

Dated: June 12, 1970.

ROBERT H. FINCH,
Secretary.

[P.R. Doc. 70-7548; Filed, June 16, 1970; 8:48 a.m.]

¹ Organizational chart filed as part of original document.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ACTING ASSISTANT REGIONAL AD- MINISTRATOR FOR MODEL CITIES, ATLANTA REGIONAL OFFICE

Designation To Serve in Acting Capacity

The officials appointed to, or designated to serve in an acting capacity in, the following listed positions and the following named employees in the Atlanta Regional Office are designated to serve as Acting Assistant Regional Administrator for Model Cities, with all the powers, functions, and duties delegated or assigned to the Assistant Regional Administrator for Model Cities: *Provided*, That no official is authorized to serve as Acting Assistant Regional Administrator for Model Cities unless all other officials whose titles precede his in this designation are unable to serve by reason of absence:

1. Deputy Assistant Regional Administrator for Model Cities.
2. Michael Janis, Program Management Director.
3. Wallace Cheatwood, Program Management Director.
4. Manpower and Economic Development Advisor.

(Delegation of authority effective May 4, 1962 (27 F.R. 4319, May 4, 1962); Dept. Interim Order II (31 F.R. 815, Jan. 21, 1966))

Effective as of the 17th day of June 1970.

EDWARD H. BAXTER,
Regional Administrator, Region III.

[F.R. Doc. 70-7569; Filed, June 16, 1970;
8:49 a.m.]

ASSISTANT REGIONAL ADMINISTRATOR FOR EQUAL OPPORTUNITY, PHILADELPHIA REGIONAL OFFICE

Redelegation of Authority With Respect to Fair Housing

SECTION A. Authority with respect to fair housing. The Assistant Regional Administrator for Equal Opportunity is authorized to exercise the power and authority of the Secretary of Housing and Urban Development under title VIII (Fair Housing) of the Civil Rights Act of 1968, Public Law 90-284 (42 U.S.C. 3601-3619), except the authority to:

1. Issue a subpoena or an interrogatory under section 811 of the Act (42 U.S.C. 3611).
2. Make studies and publish reports under section 808(e) of the Act (42 U.S.C. 3608(d)).
3. Issue rules and regulations.

Sec. B. Authority to redelegate. The Assistant Regional Administrator for Equal Opportunity is further authorized to redelegate to subordinate employees the authority of the Secretary to administer oaths under section 811(a) of the Act (42 U.S.C. 3611(a)).

Sec. C. Superseding; continuation in effect of redelegation. This redelegation

of authority supersedes the redelegation published at 34 F.R. 6664, April 18, 1969.

The redelegation of authority by the Assistant Regional Administrator for Equal Opportunity published at 35 F.R. 4417, March 12, 1970, is continued in effect as if issued under this redelegation of authority unless and until expressly modified or revoked.

(Redelegation of authority by Assistant Secretary for Equal Opportunity effective Apr. 30, 1970, 35 F.R. 6877, Apr. 30, 1970)

Effective date. This redelegation of authority shall be effective upon publication in the FEDERAL REGISTER.

DOUGLAS E. CHAFFIN,
Acting Regional Administrator,
Philadelphia Regional Office.

[F.R. Doc. 70-7570; Filed, June 16, 1970;
8:49 a.m.]

FEDERAL AVIATION ADMINISTRATION

ALASKA

Notice of Closing of Services to Public

Notice is hereby given that on or about June 10, 1970, services to the public formerly provided by the Office of the Area Manager at McGrath, Alaska, for the lower Kuskokwim Valley (including Bethel and Aniak) will be provided by the Office of the Area Manager at King Salmon, Alaska. Services to the public in the remainder of the former McGrath Area (including McGrath, Farewell, and Minchumina) formerly provided by the Office of the Area Manager, McGrath, will be provided by the Office of the Area Manager, Anchorage, Alaska.

This information will be reflected in the Alaskan Region supplement to the FAA organization statement the next time it is issued.

(Sec. 313(a), 72 Stat. 752, 49 U.S.C. 1354)

Issued in Anchorage, Alaska, on June 3, 1970.

LYLE K. BROWN,
Director, Alaskan Region.

[F.R. Doc. 70-7584; Filed, June 16, 1970;
8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-336]

CONNECTICUT LIGHT AND POWER CO. ET AL.

Notice of Availability of Applicants' Environmental Statement and Re- quest for Comments From State and Local Agencies

The Connecticut Light and Power Co., The Hartford Electric Light Co., Western Massachusetts Electric Co. and The Millstone Point Co.

Pursuant to the National Environmental Policy Act of 1969 and the Atomic Energy Commission's regulations in Ap-

pendix D to 10 CFR Part 50, notice is hereby given that a document entitled "Environmental Statement—Millstone Nuclear Power Station Unit No. 2" and filed in this proceeding by The Millstone Point Co., acting for itself and on behalf of The Connecticut Light and Power Co., The Hartford Electric Light Co., and Western Massachusetts Electric Co., is being placed in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. This proceeding involves the application by The Millstone Point Co. et al. for a construction permit for the proposed Millstone Nuclear Power Station Unit No. 2, to be located on an approximately 500-acre site on Long Island Sound, in the town of Waterford, Conn. A notice of the receipt of the application by the Commission was published in the FEDERAL REGISTER on March 21, 1969 (34 F.R. 5514).

The Commission requests, within 60 days of publication of this notice in the FEDERAL REGISTER, comments on the proposed action and on the Environmental Statement from State and local agencies of any affected State (with respect to matters within their jurisdiction) which are authorized to develop and enforce environmental standards. If any such State or local agency fails to provide the Commission with comments within 60 days of publication of this notice in the FEDERAL REGISTER, it will be presumed that the agency has no comments to make. Copies of the Environmental Statement and the comments thereon of Federal agencies whose comments have been requested by the Commission will be supplied to such State and local agencies upon request addressed to the Director, Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Bethesda, Md., this 15th day of June 1970.

For the Atomic Energy Commission,

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 70-7637; Filed, June 16, 1970;
8:51 a.m.]

CIVIL SERVICE COMMISSION

MINIMUM RATES AND RATE RANGES

Notice of Adjustment

Under authority of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has adjusted the minimum rates and rate ranges for occupations and grade levels for which special salary rates under this authority were in effect no later than April 19, 1970, as follows:

Effective dates. (1) For occupations for which special rates were in effect as of December 27, 1969, new special rate ranges are effective the first day of the first pay period beginning on or after December 27, 1969;

(2) For occupations for which special rates were in effect as of December 27, 1969, but adjusted on or before April 19,

1970, special rate ranges as indicated under subparagraph (1) above are further increased as of the effective date of the adjustment;

(3) For occupations for which special rates were initially established during the period December 27, 1969 to April 19, 1970, new special rate ranges are effective as of the date of initial establishment.

Refer to the tables shown below for specific effective dates for each occupation.

Conversion of employees' pay. The pay of employees on the rolls will be converted to the appropriate step rate in the applicable new special rate range in each case in accordance with paragraph

530.307(b) of the Commission's regulations. The applicable part of the section reads as follows:

(b) When an employee was receiving a special rate immediately before the effective date of a statutory pay increase, he shall receive on that effective date the rate of basic pay for: (1) The numerical rank in the new special rate range for his grade or level that corresponds with the numerical rank of the special rate he was receiving immediately before that effective date; * * *

Special salary rate tables. The following tables contain the basic special salary rate information for each occupation and grade level for which special rates are authorized. Only the special minimum and special maximum rate (i.e., 10th step

for GS grades and 12th, 11th, or 10th step for PFS levels as appropriate) are shown; however a full special rate range is authorized for each occupation and grade level specified. The full range of special rates for each grade can be prepared by successively adding the amount of the within grade increase, as shown for each grade, beginning with the special minimum rate, to produce a rate for each step up to the special maximum rate.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant
to the Commissioners.

GS-000 MISCELLANEOUS OCCUPATIONS GROUP

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date		
GS-081 Firefighter (General)* Firefighter (Structural)* Firefighter (Airfield)* Fire protection Inspector* Fire Chief *Note: Covers both non-supervisory and supervisory positions at applicable grade levels.	San Francisco and 35-mile radius extended to include Travis Air Force Base near Fairfield, Calif.	GS-3	\$6,278	\$8,344	\$174	12-28-69		
		GS-4	7,608	9,363	195			
		GS-5	8,074	10,036	218			
		GS-6	8,509	10,696	243			
		GS-7	9,178	11,608	270			
		GS-8	9,853	12,544	299			
		GS-9	10,529	13,500	329			
		GS-10	11,231	14,489	362			
		GS-11	12,302	15,875	397			
		GS-081 Firefighter (General) Firefighter (Structural) Firefighter (Airfield)	Naval Training Center, Great Lakes, Ill., and Federal Installations within a 22-mile radius of the center.	GS-3	\$6,082	\$7,648	\$174	12-28-69
				GS-4	6,633	8,288	195	
GS-5	7,202			8,914	218			
GS-6	7,789			9,607	243			
GS-7	8,368			10,300	270			

GS-100 SOCIAL SCIENCE, PSYCHOLOGY, AND WELFARE GROUP

GS-180 Psychology Series	Worldwide	GS-11	\$13,493	\$17,066	\$397	12-28-69
		GS-12	14,665	18,922	473	

GS-300 GENERAL ADMINISTRATIVE, CLERICAL, AND OFFICE SERVICES GROUP

GS-301 Police Cadet	District of Columbia Metropolitan Police Department	GS-2	\$5,545	\$6,931	\$154	12-28-69
		GS-3	6,052	7,445	174	
GS-312 Shorthand Reporter	New York, N.Y.	GS-9	\$10,210	\$13,171	\$329	12-28-69
GS-343 GAO Management Auditor	Worldwide	GS-7	\$9,178	\$11,608	\$270	12-28-69
		GS-9	10,539	13,500	329	
GS-356 Card Punch Operation Series	City of Sacramento and 15-mile radius, California	GS-3	\$5,500	\$7,126	\$174	12-28-69
		GS-4	6,045	7,803	195	
GS-356 Card Punch Operation Series	San Francisco-Oakland Standard Metropolitan Statistical Area (includes Alameda, Contra Costa, Marin, San Francisco, and San Mateo Counties); Santa Clara County; Solano County; Los Angeles County; Orange County; and Government Activities at Edwards AFB in Kern County, Calif.	GS-3	\$5,734	\$7,300	\$174	12-28-69
		GS-4	6,243	7,908	195	
		GS-5	6,799	8,728	218	
GS-356 Card Punch Operation Series, grade 3 only.	Juneau Election District, Alaska	GS-3	\$5,386	\$6,952	\$174	12-28-69
GS-359 Electric Accounting Machine Operating Series, grades 3 and 4.		GS-4	6,438	8,193	195	
GS-362 Electric Accounting Machine Project Planning Series, grade 7 only.		GS-7	8,368	10,798	270	

GS-400 BIOLOGICAL SCIENCES GROUP

Occupational series coverage	Geographic coverage	Grade	1st step rate	Maximum step rate ¹	Within grade increase	Effective date
GS-405 Microbiology Series	Nationwide	GS-5	\$7,420	\$9,382	\$218	12-28-69
		GS-7	8,368	10,798	270	

GS-600 ACCOUNTING AND BUDGET GROUP

GS-610 Accounting Series; GS-612 Internal Revenue Agent Series	Worldwide	GS-5	\$7,858	\$9,818	\$218	12-28-69
		GS-6	8,509	10,696	243	
		GS-7	9,178	11,608	270	
		GS-8	9,854	12,545	299	
		GS-9	10,539	13,500	329	

PFS-500 ACCOUNTING AND BUDGET GROUP

Occupational series coverage	Geographic coverage	Grade	1st step rate	Maximum step rate ¹	Within grade increase	Effective date
PFS-510 Accountants and Auditors	Nationwide	PFS-6	\$8,021	\$10,617	\$236	12-27-69
		PFS-8	9,373	12,133	276	
		PFS-10	10,611	13,599	322	

¹ PFS-1 through PFS-7=12th step rate; PFS-8=11th step rate; PFS-9 through PFS-17=10th step rate.

GS-600 MEDICAL, HOSPITAL, DENTAL, AND PUBLIC HEALTH GROUP

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date			
GS-602 Medical Officer Series	Worldwide.	GS-11	\$15,478	\$19,051	\$397	12-28-69			
		GS-12	18,449	22,706	473				
		GS-13	21,232	26,263	559				
		GS-14	22,918	28,813	625				
		GS-15	24,411	31,278	763				
GS-610 Nurse Series GS-615 Public Health Nurse Series	Galveston, Tex.	GS-4	\$7,218	\$8,973	\$195	12-28-69			
		GS-5	7,638	9,600	218				
		GS-6	7,780	9,967	243				
GS-610 Nurse Series GS-615 Public Health Nurse Series	Galveston, Tex.	GS-4	\$7,218	\$8,973	\$195	4-19-70			
		GS-5	7,638	9,600	218				
		GS-6	7,780	9,967	243				
GS-610 Nurse Series GS-615 Public Health Nurse Series	State of California (excluding San Diego County and Division of Indian Health Nurses).	GS-4	\$7,218	\$8,973	\$195	12-28-69			
		GS-5	7,638	9,600	218				
		GS-6	8,023	10,210	243				
GS-610 Nurse Series GS-615 Public Health Nurse Series	San Diego County, Calif.	GS-4	\$6,633	\$8,388	\$195	12-28-69			
		GS-5	7,202	9,164	218				
		GS-6	7,537	9,724	243				
GS-610 Nurse Series GS-615 Public Health Nurse Series	State of California (excluding San Francisco, Calif. and 35-mile radius extended to include Travis Air Force Base; San Diego County; and Division of Indian Health Nurses).	GS-4	\$7,608	\$9,363	\$195	1-11-70			
		GS-5	8,074	10,036	218				
		GS-6	8,266	10,453	243				
		GS-7	8,638	11,068	270				
		GS-8	9,255	11,946	299				
GS-610 Nurse Series GS-615 Public Health Nurse Series	San Francisco, Calif., and 35-mile radius extended to include Travis Air Force Base.	GS-4	\$7,608	\$9,363	\$195	1-11-70			
		GS-5	8,510	10,472	218				
		GS-6	8,995	11,182	243				
		GS-7	9,448	11,878	270				
		GS-8	10,152	12,843	299				
		GS-9	10,808	13,829	329				
		GS-10	11,593	14,851	362				
		GS-11	12,302	15,875	397				
		GS-610 Nurse Series GS-615 Public Health Nurse Series	San Diego County, Calif.	GS-4	\$7,218		\$8,973	\$195	1-11-70
				GS-5	7,638		9,600	218	
				GS-6	7,780		9,967	243	
GS-610 Nurse Series GS-615 Public Health Nurse Series	State of Alaska.	GS-4	\$7,218	\$8,973	\$195	12-28-69			
		GS-5	7,638	9,600	218				
		GS-6	7,780	9,967	243				
		GS-7	8,368	10,798	270				
GS-610 Nurse Series	Division of Indian Health, Public Health Service, Continental United States; Ellsworth Air Force Base, Rapid City, S. Dak.; Albuquerque, N. Mex., including Kirtland Air Force Base and Sandia Base Military Reservation; Fort Sill, Okla.; Job Corps centers at Lydick Lake, Minn., and Box Elder, S. Dak.	GS-4	\$7,023	\$8,778	\$195	12-28-69			
		GS-5	7,420	9,382	218				
		GS-6	7,780	9,967	243				
GS-610 Nurse Series	Pierce County (Includes Tacoma), Wash.	GS-4	\$7,218	\$8,973	\$195	12-28-69			
		GS-5	7,638	9,600	218				
		GS-6	7,780	9,967	243				
GS-610 Nurse Series GS-615 Public Health Nurse Series	State of Nevada (Excluding Division of Indian Health Nurses).	GS-4	\$7,218	\$8,973	\$195	12-28-69			
		GS-5	7,638	9,600	218				
		GS-6	8,023	10,210	243				
		GS-7	8,368	10,798	270				
GS-610 Nurse Series GS-615 Public Health Nurse Series	Seattle and Bremerton, Wash.	GS-4	\$6,828	\$8,583	\$195	12-28-69			
		GS-5	7,202	9,164	218				
		GS-6	7,537	9,724	243				
GS-610 Nurse Series GS-615 Public Health Nurse Series	Philadelphia, Pa.	GS-4	\$7,218	\$8,973	\$195	12-28-69			
		GS-5	7,638	9,600	218				
		GS-6	7,780	9,967	243				
GS-610 Nurse Series GS-615 Public Health Nurse Series	New Orleans, La.	GS-4	\$6,438	\$8,193	\$195	12-28-69			
		GS-5	6,984	8,940	218				
GS-610 Nurse Series GS-615 Public Health Nurse Series	Baltimore, Md., Standard Metropolitan Statistical Area:	GS-4	\$7,218	\$8,973	\$195	12-28-69			
		GS-5	7,856	9,818	218				
		GS-6	8,023	10,210	243				
		GS-7	8,368	10,798	270				
GS-610 Nurse Series GS-615 Public Health Nurse Series	Boston, Mass., Standard Metropolitan Statistical Area and Fort Devens, Mass.	GS-4	\$7,023	\$8,778	\$195	12-28-69			
		GS-5	7,420	9,382	218				
		GS-6	7,780	9,967	243				

GS-600 Medical, Hospital, Dental, and Public Health Group—Continued

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date
GS-610 Nurse Series	Boston, Mass., Standard Metropolitan Statistical Area and Fort Devens, Mass.	GS-4	\$7,608	\$9,363	\$195	4-5-70
GS-615 Public Health Nurse Series		GS-5	8,074	10,030	218	
		GS-6	8,266	10,453	243	
		GS-7	8,638	11,098	270	
		GS-8	9,255	11,940	299	
GS-615 Public Health Nurse	Washington, D.C. Standard Metropolitan Statistical Area.	GS-5	\$8,292	\$10,254	\$218	12-28-69
		GS-6	8,500	10,696	243	
		GS-7	8,908	11,338	270	
GS-610 Nurse Series	Washington, D.C. Standard Metropolitan Statistical Area including the D.C. Government's Children's Center, Laurel, Md., and the U.S. Marine Corps Base, Quantico, Va.	GS-4	\$7,218	\$8,973	\$195	12-28-69
		GS-5	7,856	9,818	218	
		GS-6	8,023	10,210	243	
		GS-7	8,368	10,798	270	
GS-610 Nurse Series	Washington, D.C. Standard Metropolitan Statistical Area including the D.C. Government's Children's Center, Laurel, Md., and the U.S. Marine Corps Base, Quantico, Va.	GS-4	\$7,998	\$9,363	\$195	2-8-70
		GS-5	8,292	10,254	218	
		GS-6	8,500	10,696	243	
		GS-7	8,638	11,098	270	
		GS-8	9,255	11,940	299	
GS-610 Nurse Series	New York, N.Y.	GS-4	\$7,608	\$9,363	\$195	12-28-69
		GS-5	8,292	10,254	218	
		GS-6	8,752	10,930	243	
		GS-7	9,178	11,698	270	
		GS-8	9,853	12,544	299	
		GS-9	10,539	13,500	329	
	GS-10	11,231	14,489	362		
GS-621 Nursing Assistant	City of Palo Alto and Federal Installations within a 10-mile radius, California.	GS-2	\$5,237	\$6,623	\$154	12-28-69
		GS-3	5,560	7,126	174	
		GS-4	6,048	7,803	195	
		GS-5	6,766	8,728	218	
GS-631 Occupational Therapists GS-633 Physical Therapists	Washington, D.C., Standard Metropolitan Statistical Area.	GS-6	\$7,780	\$9,967	\$243	12-28-69
		GS-7	8,368	10,798	270	
GS-644 Medical Technologist	Washington, D.C., Standard Metropolitan Statistical Area.	GS-5	\$7,638	\$9,600	\$218	3-23-70
GS-644 Medical Technologist	Omaha, Nebr., Standard Metropolitan Statistical Area.	GS-5	\$7,638	\$9,600	\$218	3-23-70
GS-644 Medical Technologist Series	Ann Arbor, Mich., Standard Metropolitan Statistical Area.	GS-5	\$8,510	\$10,472	\$218	3-23-70
		GS-7	8,908	11,338	270	
GS-644 Medical Technologist Series	New Orleans, La.	GS-5	\$7,420	\$9,382	\$218	12-28-69
GS-644 Medical Technologist	Milwaukee, Wis.	GS-5	\$8,074	\$10,036	\$218	12-28-69
		GS-6	8,509	10,606	243	
		GS-7	8,908	11,338	270	
		GS-8	9,554	12,245	299	
		GS-9	10,210	13,171	329	
GS-644 Medical Technologist Series	Baltimore, Md., Standard Metropolitan Statistical Area.	GS-5	\$7,638	\$9,600	\$218	12-28-69
		GS-6	7,780	9,967	243	
GS-644 Medical Technologist Series	State of California.	GS-5	\$8,510	\$10,472	\$218	12-28-69
		GS-6	8,908	11,182	243	
		GS-7	9,718	12,148	270	
		GS-8	10,152	12,845	299	
		GS-9	10,539	13,500	329	
		GS-10	11,231	14,489	362	
GS-647 Medical Radiology Technician	New York City	GS-4	\$7,023	\$8,778	\$195	12-28-69
		GS-5	7,638	9,600	218	
		GS-6	8,266	10,453	243	
		GS-7	8,908	11,338	270	
		GS-8	9,554	12,245	299	
		GS-9	10,210	13,171	329	
GS-647 Medical Radiology Technician	San Francisco, Calif., and Federal Installations within a 35-mile radius.	GS-5	\$7,638	\$9,600	\$218	12-28-69
		GS-6	8,266	10,453	243	
		GS-7	8,908	11,338	270	
		GS-8	9,554	12,245	299	
		GS-9	10,210	13,171	329	
GS-660 Pharmacist	State of California	GS-9	\$11,855	\$14,816	\$329	12-28-69
		GS-10	12,679	15,937	362	
		GS-11	13,493	17,066	397	
		GS-12	14,665	18,922	473	
GS-660 Pharmacist	Indianapolis, Ind., Standard Metropolitan Statistical Area.	GS-9	\$10,210	\$13,171	\$329	12-28-69
GS-665 Speech Pathology and Audiology Series	Worldwide	GS-11	\$13,493	\$17,066	\$397	12-28-69
		GS-12	14,665	18,922	473	
GS-688 Podiatrist	Washington, D.C., Standard Metropolitan Statistical Area.	GS-9	\$11,855	\$14,816	\$329	12-28-69
		GS-10	13,041	16,299	362	
		GS-11	14,287	17,890	387	
GS-682 Dental Hygienist	Minneapolis-St. Paul, Minn., Standard Metropolitan Statistical Area.	GS-5	\$7,292	\$9,164	\$218	12-28-69
GS-682 Dental Hygienist	Norfolk and Newport News-Hampton, Va., Standard Metropolitan Statistical Areas.	GS-4	\$7,908	\$9,363	\$195	3-8-70
		GS-5	8,510	10,472	218	
GS-682 Dental Hygienist	States of California and Nevada	GS-4	\$7,218	\$8,973	\$195	4-19-70
		GS-5	8,074	10,036	218	
		GS-6	8,509	10,606	243	
		GS-7	9,178	11,698	270	

GS-600 Medical, Hospital, Dental, and Public Health Group—Continued

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date
GS-600 Industrial Hygiene Series	Worldwide	GS-5	\$8,292	\$10,254	\$218	12-28-69
		GS-6	9,238	11,423	243	
		GS-7	10,258	12,088	270	
		GS-8	10,750	13,441	299	
		GS-9	11,526	14,487	329	
		GS-10	12,317	15,575	362	
GS-11	13,096	16,669	397			

PFS-600 MEDICAL, HOSPITAL, DENTAL, AND PUBLIC HEALTH GROUP

Occupational series coverage	Geographic coverage	Grade	1st step rate	Maximum step rate ¹	Within grade increase	Effective date
PFS-600 Postal Field Service Medical Officer	Nationwide	PFS-13	\$17,196	\$21,165	\$441	12-27-69
		PFS-14	19,105	23,513	490	
		PFS-15	21,224	26,130	544	
		PFS-16	22,978	28,423	605	
		PFS-17	24,856	30,904	672	
PFS-610 Postal Field Service Nurse	State of California (excluding San Diego County)	PFS-6	\$7,785	\$10,381	\$236	12-27-69
		PFS-7	8,415	11,220	255	
		PFS-8	9,097	11,857	276	
PFS-610 Postal Field Service Nurse	San Francisco, Calif., and 35-mile radius extended to include Travis Air Force Base.	PFS-6	\$8,493	\$11,089	\$236	1-11-70
		PFS-7	9,180	11,985	255	
		PFS-8	9,925	12,685	276	
PFS-610 Postal Field Service Nurse	State of California (remaining portion of State excluding San Francisco, Calif., and 35-mile radius extended to include Travis Air Force Base; San Diego County).	PFS-6	\$8,921	\$10,617	\$236	1-11-70
		PFS-7	9,615	11,220	255	
		PFS-8	10,367	11,857	276	
PFS-610 Postal Field Service Nurse	Chicago, Ill.	PFS-6	\$7,549	\$10,145	\$236	3-21-70
		PFS-7	8,160	11,220	255	
		PFS-8	8,821	11,857	276	
PFS-610 Postal Field Service Nurse	Seattle and Bremerton, Wash.	PFS-6	\$7,313	\$9,909	\$236	12-27-69
		PFS-7	7,905	10,710	255	
		PFS-8	8,545	11,305	276	
PFS-610 Postal Field Service Nurse	Philadelphia, Pa.	PFS-6	\$7,549	\$10,145	\$236	12-27-69
		PFS-7	8,160	10,965	255	
		PFS-8	8,821	11,581	276	
PFS-610 Postal Field Service Nurse	New York, N.Y.	PFS-6	\$8,493	\$11,089	\$236	12-27-69
		PFS-7	9,180	11,985	255	
		PFS-8	9,925	12,685	276	
PFS-610 Postal Field Service Nurse	Washington, D.C., Standard Metropolitan Statistical Area	PFS-6	7,785	10,381	236	12-27-69
		PFS-7	8,415	11,220	255	
		PFS-8	9,097	11,857	276	
PFS-610 Postal Field Service Nurse	Baltimore, Md., Standard Metropolitan Statistical Area	PFS-6	7,785	10,381	236	12-27-69
		PFS-7	8,160	10,965	255	
		PFS-8	8,821	11,581	276	
PFS-610 Postal Field Service Nurse	Boston, Mass., Standard Metropolitan Statistical Area and Fort Devens, Mass.	PFS-6	7,549	10,145	236	12-27-69
		PFS-7	8,160	10,965	255	
		PFS-8	8,821	11,581	276	
PFS-610 Postal Field Service Nurse	Boston, Mass., Standard Metropolitan Statistical Area and Fort Devens, Mass.	PFS-6	7,785	10,381	236	4-5-70
		PFS-7	8,415	11,220	255	
		PFS-8	9,097	11,857	276	

¹ PFS-1 through PFS-7—12th step rate; PFS-8—11th step rate; PFS-9 through PFS-17—10th step rate.

GS-700 VETERINARY MEDICAL SCIENCE GROUP

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date
GS-701 Veterinarian Series	Worldwide	GS-9	\$10,539	\$13,500	\$329	12-28-69

GS-800 ENGINEERING AND ARCHITECTURE GROUP

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date		
GS-800—All Professional Series in the Engineering and Architecture Group. Professional Series in the GS-800 Group are:	Worldwide	GS-5	\$8,510	\$10,472	\$218	12-28-69		
		GS-6	9,481	11,668	243			
		GS-7	10,528	12,958	270			
		GS-8	11,049	13,740	299			
		GS-9	11,855	14,816	329			
		GS-10	12,679	15,937	362			
		GS-11	13,493	17,066	397			
		GS-12	14,665	18,922	473			
		GS-801 General						
		GS-803 Safety						
		GS-804 Fire Prevention						
		GS-806 Materials						
GS-807 Landscape Architecture								
GS-808 Architecture								
GS-810 Civil								
GS-819 Sanitary								
GS-830 Mechanical								
GS-840 Nuclear								
GS-850 Electrical								
GS-855 Electronic								
GS-861 Aerospace								
GS-870 Marine								
GS-871 Naval Architecture								
GS-880 Mining								
GS-881 Petroleum								
GS-890 Agriculture								
GS-892 Ceramic								
GS-893 Chemical								
GS-894 Welding								
GS-896 Industrial								

GS-800 ENGINEERING AND ARCHITECTURE GROUP

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date
GS-818 Engineering Draftsman	Point Mugu and Point Huemul in Ventura County, Calif.	GS-3	\$5,908	\$7,474	\$174	12-28-69
		GS-4	6,633	8,388	195	
		GS-5	7,202	9,164	218	
		GS-6	7,780	9,967	243	
		GS-7	8,368	10,798	270	

PFS-800 ENGINEERING AND ARCHITECTURE GROUP

Occupational series coverage	Geographic coverage	Grade	1st step rate	Maximum step rate ¹	Within grade increase	Effective date
Professional Series in the PFS-800 Group as follows:	Nationwide	PFS-12	\$13,403	\$17,066	\$367	12-27-69
PFS-801 General Engineer		PFS-13	14,550	18,519	441	
PFS-802 Safety Engineer		PFS-14	15,185	19,595	460	
PFS-806 Materials Engineer						
PFS-808 Architect						
PFS-830 Mechanical Engineer						
PFS-850 Electrical Engineer						
PFS-855 Electronic Engineer						
PFS-896 Industrial Engineer						

¹ PFS-1 through PFS-7=12th step rate; PFS-8=11th step rate; PFS-9 through PFS-17=10th step rate.

GS-1100 BUSINESS AND INDUSTRY GROUP

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date
GS-1160 Revenue Officer	State of California	GS-5	\$7,430	\$9,382	\$218	12-28-69
		GS-7	8,368	10,798	270	

GS-1200 COPYRIGHT, PATENT, AND TRADE-MARK GROUP

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date
GS-1221 Patent Adviser GS-1223 Patent Classifying GS-1224 Patent Examining	Worldwide	GS-5	\$8,510	\$10,472	\$218	12-28-69
		GS-6	9,448	11,698	243	
		GS-7	10,528	12,958	270	
		GS-8	11,049	13,740	299	
		GS-9	11,855	14,810	329	
		GS-10	12,679	15,937	362	
		GS-11	13,493	17,066	397	
		GS-12	14,665	18,922	473	

GS-1300 PHYSICAL SCIENCES GROUP

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date
GS-1301.1 Physical Science Subseries	Worldwide	GS-5	\$8,510	\$10,472	\$218	12-28-69
		GS-6	9,448	11,698	243	
		GS-7	10,528	12,958	270	
		GS-8	11,049	13,740	299	
		GS-9	11,855	14,810	329	
		GS-10	12,679	15,937	362	
		GS-11	13,493	17,066	397	
		GS-12	14,665	18,922	473	

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date	
Certain Series in the GS-1300 Group as follows:	Worldwide	GS-5	\$8,202	\$10,254	\$218	12-28-69	
GS-1306 Health Physics		GS-6	9,238	11,425	243		
GS-1310 Physics		GS-7	10,288	12,688	270		
GS-1313 Geophysics		GS-8	10,790	13,441	299		
GS-1315 Hydrology		GS-9	11,526	14,487	329		
GS-1320 Chemistry		GS-10	12,317	15,575	362		
GS-1321 Metallurgy		GS-11	13,096	16,669	397		
GS-1330 Astronomy and Space Science							
GS-1340 Meteorology							
GS-1360 Oceanography							
GS-1372 Geodesy							
GS-1380 Forest Products Technology							
GS-1386 Photographic Technology							

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date
GS-1350 Geology Series	Worldwide	GS-5	8,510	10,472	218	12-28-69
		GS-7	9,448	11,878	270	
		GS-9	10,530	13,500	329	

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date
GS-1370 Cartographer Series GS-1391 Physical Scientist Series	Cartographer, GS-1370, in grades GS-5 through 10, in the St. Louis, Mo., Standard Metropolitan Statistical Area, and the Washington, D.C. SMSA. (2) Physical Scientists, GS-1391, in grades GS-7 through 10 at the Air Force Aeronautical Chart and Information Center in the St. Louis, Mo. Standard Metropolitan Statistical Area. (Incumbents of these positions perform professional work in cartography in combination with professional work in at least one other recognized scientific occupation, such as geodesy. Such positions are normally filled by reassignment or promotion from positions of cartographer.)	GS-5	\$7,638	\$9,660	\$218	12-28-69
		GS-6	8,509	10,696	243	
		GS-7	9,448	11,878	270	
		GS-8	9,853	12,544	299	
		GS-9	10,530	13,500	329	
		GS-10	11,231	14,489	362	

GS-1500 MATHEMATICS AND STATISTICS GROUP

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date
GS-1510 Actuary GS-1515 Operations Research GS-1529 Mathematical Statistics	Worldwide	GS-5	\$8,074	\$10,036	\$218	12-28-69
		GS-6	8,752	10,939	243	
		GS-7	9,718	12,148	270	
		GS-8	10,451	13,142	299	
		GS-9	11,526	14,487	329	
		GS-10	12,317	15,575	362	
		GS-11	13,096	16,669	397	
GS-1520 Mathematics Series	Worldwide	GS-5	\$7,850	\$9,818	\$218	12-28-69
		GS-6	8,752	10,939	243	
		GS-7	9,718	12,148	270	
		GS-8	10,451	13,142	299	
		GS-9	11,526	14,487	329	
		GS-10	12,317	15,575	362	
		GS-11	13,096	16,669	397	

GS-1600 EQUIPMENT, FACILITIES, AND SERVICE GROUP

Occupational series coverage	Geographic coverage	Grade	1st step rate	10th step rate	Within grade increase	Effective date
GS-1654 Printing Management Series	Nationwide	GS-5	\$8,510	\$10,472	\$218	12-28-69
		GS-7	9,178	11,608	270	

(Note: Eligibility for these special rates is limited to employees who have at least a Baccalaureate Degree with a major in printing management.)

GS-1800 INVESTIGATION GROUP

GS-1811 Criminal Investigator (Limited to positions of Special Agent (Intelligence) in the Internal Revenue Service)	Nationwide	GS-5	\$7,856	\$9,818	\$218	12-28-69
		GS-6	8,599	10,696	243	
		GS-7	9,178	11,608	270	
		GS-8	9,554	12,245	299	
		GS-9	10,539	13,500	329	
GS-1825 Certain Air Carrier Operations Inspectors and Specialists ²	Worldwide	GS-13	\$18,437	\$23,468	\$500	12-28-69
		GS-14	21,698	27,903	655	
		GS-15	23,648	30,515	763	
GS-1825 Aviation Operations Specialist, Grade 15 only ^{1,2} Washington, D.C.		GS-15	\$23,648	\$30,515	\$763	12-28-69

² (Note: Eligibility for these special rates is limited to incumbents of positions cited whose duties require them to be type rated on one or more turbojet aircraft used by commercial airlines, and to maintain their proficiency by recurrent training.)

(Comprehensive table showing the correct dollar amount for each possible step for each grade which may be used in the various special schedules.)

Grade	Statutory range ¹										Extended range for special rates										Within grade increases	Grade
GS-1	\$4,125	\$4,202	\$4,339	\$4,536	\$4,673	\$4,810	\$4,947	\$5,084	\$5,221	\$5,358	\$5,495	\$5,632	\$5,769	\$5,906	\$6,043	\$6,180	\$6,317	\$6,454	\$6,591	137	GS-1	
GS-2	4,621	4,775	4,929	5,083	5,237	5,391	5,545	5,699	5,853	6,007	6,161	6,315	6,469	6,623	6,777	6,931	7,085	7,239	7,393	154	GS-2	
GS-3	5,212	5,386	5,560	5,734	5,908	6,082	6,256	6,430	6,604	6,778	6,952	7,126	7,300	7,474	7,648	7,822	7,996	8,170	8,344	174	GS-3	
GS-4	5,853	6,048	6,243	6,438	6,633	6,828	7,023	7,218	7,413	7,608	7,803	7,998	8,193	8,388	8,583	8,778	8,973	9,168	9,363	195	GS-4	
GS-5	6,548	6,766	6,984	7,202	7,420	7,638	7,856	8,074	8,292	8,510	8,728	8,946	9,164	9,382	9,600	9,818	10,036	10,254	10,472	218	GS-5	
GS-6	7,294	7,537	7,780	8,023	8,266	8,509	8,752	8,995	9,238	9,481	9,724	9,967	10,210	10,453	10,696	10,939	11,182	11,425	11,668	243	GS-6	
GS-7	8,098	8,368	8,638	8,908	9,178	9,448	9,718	9,988	10,258	10,528	10,798	11,068	11,338	11,608	11,878	12,148	12,418	12,688	12,958	270	GS-7	
GS-8	8,956	9,255	9,554	9,853	10,152	10,451	10,750	11,049	11,348	11,647	11,946	12,245	12,544	12,843	13,142	13,441	13,740	14,039	14,338	299	GS-8	
GS-9	9,881	10,210	10,539	10,868	11,197	11,526	11,855	12,184	12,513	12,842	13,171	13,500	13,829	14,158	14,487	14,816	15,145	15,474	15,803	329	GS-9	
GS-10	10,889	11,261	11,633	12,005	12,377	12,749	13,121	13,493	13,865	14,237	14,609	14,981	15,353	15,725	16,097	16,469	16,841	17,213	17,585	362	GS-10	
GS-11	11,965	12,382	12,799	13,216	13,633	14,050	14,467	14,884	15,301	15,718	16,135	16,552	16,969	17,386	17,803	18,220	18,637	19,054	19,471	397	GS-11	
GS-12	14,192	14,665	15,138	15,611	16,084	16,557	17,030	17,503	17,976	18,449	18,922	19,395	19,868	20,341	20,814	21,287	21,760	22,233	22,706	473	GS-12	
GS-13	16,790	17,319	17,878	18,437	18,996	19,555	20,114	20,673	21,232	21,791	22,350	22,909	23,468	24,027	24,586	25,145	25,704	26,263	26,822	559	GS-13	
GS-14	19,643	20,298	20,953	21,608	22,263	22,918	23,573	24,228	24,883	25,538	26,193	26,848	27,503	28,158	28,813	29,468	30,123	30,778	31,433	655	GS-14	
GS-15	22,885	23,648	24,411	25,174	25,937	26,700	27,463	28,226	28,989	29,752	30,515	31,278	32,041	32,804	33,567	34,330	35,093	35,856	36,619	763	GS-15	

¹ Effective as of the first day of the first pay period beginning on or after Dec. 27, 1969.

[P.R. Doc. 70-7458; Filed, June 16, 1970; 8:45 a.m.]

FEDERAL MARITIME COMMISSION

LION FERRY A/B AND BONNIERFORETAGEN A/B

Notice of Issuance of Casualty Certificate

Security for the protection of the public; financial responsibility to meet liability incurred for death or injury to passengers or other persons on voyages.

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility to Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages pursuant to the provisions of section 2, Public Law 89-777 (80 Stat. 1356, 1357) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540):

Lion Ferry A/B and Bonnierforetagen A/B, Halmstad, Sweden.

Dated: June 11, 1970.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-7545; Filed, June 16, 1970;
8:47 a.m.]

LION FERRY A/B AND BONNIERFORETAGEN A/B

Notice of Issuance of Performance Certificate

Security for the protection of the public; indemnification of passengers for nonperformance of transportation.

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540):

Lion Ferry A/B and Bonnierforetagen A/B, Halmstad, Sweden.

Dated: June 11, 1970.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-7546; Filed, June 16, 1970;
8:47 a.m.]

SKIBS A/S SKYTTEREN ET AL.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary,

Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Edward D. Ransom, Esq., Lillick, McHose, Wheat, Adams and Charles, 311 California Street, San Francisco, Calif. 94104.

Agreement No. 9871 between Skibs A/S Skytteren, A/S Borgestad, and Silver Line Ltd., would establish a joint service to be known as the "HBS Group" from:

- A. United Kingdom ports to U.S. Pacific Coast ports;
- B. U.S. Pacific Coast ports to Far Eastern ports;
- C. Far Eastern ports to U.S. gulf ports;
- D. U.S. gulf ports to the United Kingdom, Eire, and the Continent.

Dated: June 11, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-7547; Filed, June 16, 1970;
8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI70-396 etc.]

H. H. PHILLIPS, JR., ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund; Correction

MAY 28, 1970.

In the order providing for hearing on and suspension of proposed changes in rates, and allowing rate changes to become effective subject to refund, issued October 30, 1969 and published in the FEDERAL REGISTER November 11, 1969, 34 F.R. 18146, Appendix A, first line, Docket No. RI70-396, *H. H. Phillips, Jr., et al.*, under column headed "Supp. No." change "3" to read "12". Appendix A, Docket No. RI70-399, *Sun Oil Company*: Under column headed "Respondent" change "Shell Oil Company" to read "Sun Oil Company" and delete the address shown in its entirety.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-7522; Filed, June 16, 1970;
8:45 a.m.]

[Docket No. RI70-952 etc.]

CHAMPLIN PETROLEUM CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates; Correction

MAY 28, 1970.

In the order providing for hearing on and suspension of proposed changes in rates, issued December 31, 1969, and published in the FEDERAL REGISTER January 10, 1970, 35 F.R. 388, Appendix A, Docket No. RI70-978, *Leonard W. Phillips, et al.* (Opposite Rate Schedule Nos. 3 and 4) under column headed "Date Suspended Until" change "6-1-70" to read "6-3-70" under each rate schedule.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-7510; Filed, June 16, 1970;
8:45 a.m.]

[Docket No. RI70-890 etc.]

GLASSCOCK OIL CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates; Correction

MAY 28, 1970.

In the order providing for hearings on and suspension of proposed changes in rates, issued December 24, 1969, and published in the FEDERAL REGISTER January 14, 1970, 35 F.R. 492, Appendix A, Docket No. RI70-905, *Humble Oil & Refining Company* (Opposite Rate Schedule No. 248) under column headed "Proposed Increased Rate" change "20.5" to read "20.51".

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-7511; Filed, June 16, 1970;
8:45 a.m.]

[Docket No. G-3719 etc.]

GETTY OIL CO. ET AL.

Findings and Order; Correction

MAY 28, 1970.

In the findings and order after statutory hearing issuing certificates of public convenience and necessity, canceling docket number, amending orders issuing certificates, permitting and approving abandonment of service, terminating certificates, making successors co-respondents, redesignating proceedings, requiring filing of agreements and undertakings for filing and accepting related rate schedules and supplements for filing, issued December 17, 1968, and published in the FEDERAL REGISTER January 3, 1969, 34 F.R. 79, footnote 36: Change "Pan American's FPC Grs No. 316" to "Pan American's FPC GRS No. 516".

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-7512; Filed, June 16, 1970;
8:45 a.m.]

[Docket No. G-6404 etc.]

KANRAN GAS CO. ET AL.**Findings and Order; Correction**

MAY 28, 1970.

In the findings and order after statutory hearing issuing certificates of public convenience and necessity, amending orders issuing certificates, permitting and approving abandonment of service, terminating certificates, severing proceedings, terminating proceedings, making successors correspondents, redesignating proceedings, accepting surety bond for filing, requiring filing of agreement and undertaking, and accepting related rate schedules and supplements for filing, issued April 7, 1970, and published in the FEDERAL REGISTER April 18, 1970, 35 F.R. 6348, second column: Delete "(DX Division)" from Applicant's name relating to Docket No. CI69-600. Fifth column: Change FPC Gas Rate Schedule No. "297" to read FPC Gas Rate Schedule No. "472" relating to Docket No. CI69-600.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-7513; Filed, June 16, 1970;
8:45 a.m.]

[Docket No. RI70-1195 etc.]

W. M. LYLE, ET AL.**Order Providing for Hearings on and Suspension of Proposed Changes in Rates; Correction**

MAY 28, 1970.

In the order providing for hearings on and suspension of proposed changes in rates, issued February 20, 1970, and published in the FEDERAL REGISTER March 3, 1970, 35 F.R. 4027, Appendix A, Docket No. RI70-1208, *Humble Oil & Refining Company* (Opposite Rate Schedule No. 202) under column headed "Proposed Increased Rate" change "18.815" to read "18.615".

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-7514; Filed, June 16, 1970;
8:45 a.m.]

[Docket No. CP70-290]

EL PASO NATURAL GAS CO.**Notice of Application**

JUNE 8, 1970.

Take notice that on May 28, 1970, El Paso Natural Gas Co. (applicant), Post Office Box 1492, El Paso, Tex. 79999, filed in Docket No. CP70-290 an application pursuant to section 7(b) of the Natural Gas Act for an order of the Commission granting permission and approval to abandon certain natural gas service and facilities, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

Applicant states that it has been advised by Pecos Growers Gas Co. and Pecos Systems Corp., Pioneer Natural Gas Co., and E. G. Rodman that they no longer require natural gas service in rural areas of Pecos and Reeves Coun-

ties, Tex., Crane County, Tex., and Ector County, Tex., respectively. Applicant proposes to abandon such service and related sales facilities, which consist of a tap and meter for Pecos Growers Gas Co. and Pecos Systems Corp., a tap and meter for Pioneer Natural Gas Co., and a tap and valve for E. G. Rodman.

The total cost of the proposed abandonment is estimated to be \$950.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 29, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-7515; Filed, June 16, 1970;
8:45 a.m.]

[Dockets Nos. CP70-288, CP70-289]

INTER-CITY MINNESOTA PIPELINES, LTD., INC. AND ICG TRANSMISSION LTD.**Notice of Applications**

JUNE 8, 1970.

Take notice that on May 26, 1970, Inter-City Minnesota Pipelines, Ltd., Inc. (Inter-City), 612 Cloquet Avenue, Cloquet, Minn. 55720, filed in Docket No. CP70-288 an application pursuant to Executive Order No. 10485 for a permit authorizing the construction, operation, and maintenance of natural gas facilities on the international boundary between the United States and Canada, and ICG transmission Ltd. (ICG), 203 Portage Avenue, Winnipeg 2, Canada,

filed in Docket No. CP70-289 an application pursuant to section 3 of the Natural Gas Act for authorization to export and import natural gas from the United States to Canada and from Canada to the United States, all as more fully set forth in the applications which are on file with the Commission and open for public inspection.

Pursuant to Executive Order No. 10485, dated September 3, 1953, Inter-City filed in Docket No. CP70-288 an application for a permit to authorize the construction, operation, and maintenance of sections of a 12 $\frac{3}{4}$ -inch O.D. gas transmission line which will cross the international boundary near Sprague, Manitoba, again near Baudette, Minn., and again near International Falls, Minn.

Pursuant to section 3 of the Natural Gas Act, ICG filed in Docket No. CP70-289 an application seeking authorization for the following:

(a) To import natural gas at the international boundary near Sprague for consumption in the United States, covering a daily volume of up to 1,634 Mcf and an annual volume of up to 337,000 Mcf;

(b) To import and export natural gas which would constitute a transfer between Sprague and Rainy River, Ontario, via the United States covering a daily volume of up to 36,366 Mcf, and an annual volume of up to 12,144,000 Mcf; and

(c) To import natural gas at the international boundary near International Falls for consumption in the United States covering a daily volume of up to 22,023 Mcf, and an annual volume of up to 7,715,000 Mcf.

The total estimated cost of Inter-City's proposed 48 miles of facilities which will connect with those of ICG are \$2,263,000, which will be financed by a first mortgage on the facilities.

Any person desiring to be heard or to make any protest with reference to said applications should on or before June 29, 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). 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. 70-7516; Filed, June 16, 1970;
8:45 a.m.]

[Docket No. RP70-35]

NATURAL GAS PIPELINE COMPANY OF AMERICA**Notice of Proposed Changes in Rates and Charges**

JUNE 8, 1970.

Take notice that Natural Gas Pipeline Company of America (Natural) on

May 28, 1970, tendered for filing proposed changes in its FPC Gas Tariff, Second Revised Volume No. 1, to become effective on July 1, 1970. The proposed changes would increase charges for jurisdictional sales and transportation services by \$44,852,666.16 annually based on estimated volumes related to firm contract demands to be effective on December 1, 1970. The proposed increase would be applicable to all of Natural's jurisdictional rate schedules except Schedule I-2 which is sought to be canceled and Schedule CD-2 which Natural states it intends to seek to cancel effective December 1, 1970, in a filing to be made approximately 30 days prior thereto.

Natural states the principal reasons for the proposed rate increase are increased revenue requirements which are not limited to any category of expense or allowance, but instead reflect the general increase in cost levels in this Nation and in the natural gas industry. The claimed rate of return sought is 8.75 percent, calculated by including accumulated deferred income taxes in capitalization at a zero cost.

Natural's filing consists of two alternate sets of revised tariff sheets, the first of which contains a proposed new section to be included in the general terms and conditions of the tariff, providing for monthly billing adjustments to reflect current changes in Natural's unit cost of purchased gas. Natural asks that the Commission waive the provisions of its regulations to the extent necessary for purposes of accepting for filing proposed tariff sheets incorporating such proposed purchased gas adjustment provisions. In the event the Commission will not waive such regulations for such purposes, then Natural requests that the Commission accept for filing the alternate set of revised tariff sheets, which does not contain a purchased gas adjustment provision.

Copies of the filing were served on Natural's customers and interested State commissions.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 24, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). 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 protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[P.R. Doc. 70-7517; Filed, June 16, 1970;
8:45 a.m.]

MUNICIPAL LIGHT BOARDS OF READING AND WAKEFIELD, MASS.

Order Granting Intervention

JUNE 5, 1970.

Municipal Light Boards of Reading and Wakefield, Mass., Complainant, v. Boston Edison Co., Respondent, Docket No. E-7400; Norwood Municipal Light Department, Norwood, Mass., Complainant, v. Boston Edison Co., Respondent, Docket No. E-7517; Boston Edison Co., Dockets Nos. E-7485 and E-7533.

By order issued April 29, 1970, the Commission, inter alia, consolidated the above-entitled proceedings for the purposes of hearing and decision. Timely petitions to intervene were filed by the following Petitioners:

Petitioner and date filed

Boston Gas Co., May 13, 1970.
New England Power Co., May 15, 1970.
Municipal Light Board and Department of Reading, Mass., May 15, 1970.
Municipal Light Board and Department of Wakefield, Mass., May 15, 1970.
Town of Concord, Mass., May 18, 1970.
Town of Norwood, Mass., May 18, 1970.
Town of Wellesey, Mass., May 18, 1970.

Each petitioner purchases electric power at wholesale from Boston Edison Co. (Edison). No answers to those petitions has been filed objecting to the participation of any petitioner in this consolidated proceeding.

The Commission finds: Participation by each of the aforementioned petitioners in this consolidated proceeding may be in the public interest.

The Commission orders: Each of the aforementioned petitioners is hereby permitted to intervene in this consolidated proceeding subject to the rules and regulations of the Commission: *Provided, however*, That participation of such intervenor shall be limited to the matters affecting asserted rights and interests specifically set forth in its petition to intervene: *And provided, further*, That the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved by any order or orders entered in this consolidated proceeding.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[P.R. Doc. 70-7518; Filed, June 16, 1970;
8:45 a.m.]

[Docket No. CP69-71]

TENNESSEE GAS PIPELINE CO.

Notice of Petition To Amend

JUNE 8, 1970.

Take notice that on May 25, 1970, Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Petitioner), Post Office Box 2511, Houston, Tex. 77001, filed in Docket No. CP69-71 a petition to amend the order of the Commission issued pursuant to section 7(c) of the Natural Gas Act on November 1, 1968, to authorize

the separation of natural gas service to two of its existing customers which are presently interconnected, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner is authorized to sell and deliver up to 4,500 Mcf of natural gas per day to the city of Booneville and the town of Baldwin, both in Mississippi. Petitioner states that it has been advised by said customers that it would be to their economic benefit to operate their separate distribution systems independently of each other with Baldwin receiving deliveries from the existing southern sales meter station and Booneville from the northern. Petitioner further states that it has been requested to serve each under separate gas sales contracts reflecting a division of the 4,500 Mcf of natural gas per day into 3,000 Mcf per day for Booneville and 1,500 Mcf per day for Baldwin.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before June 29, 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.

[P.R. Doc. 70-7519; Filed, June 16, 1970;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[811-883]

CENTENNIAL FUND, INC.

Notice of Filing of Application for
Order Declaring That Company Has
Ceased To Be an Investment
Company

JUNE 11, 1970.

Notice is hereby given that Centennial Fund, Inc. (Applicant), 2400 First National Bank Building, Denver, Colo., a Delaware corporation registered as an open-end diversified management investment company under the Investment Company Act of 1940 (Act), has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred

to the application on file with the Commission for a statement of the representations therein, which are summarized below.

On May 25, 1959, Applicant registered as an investment company under the Act. The board of directors of Applicant first approved the sale of assets of Applicant to Gryphon Fund, Inc., a registered open-end diversified investment company, on January 26, 1968. On June 19, 1968, the Applicant received an order (Investment Company Act Release No. 5407) of the Commission, exempting the proposed sale from a previous order of the Commission and from the provisions of 17 (a) and 17(d) of the Act. On July 25, 1968, the requisite percentage of shares of Applicant approved the sale of assets and plan of liquidation. On July 26, 1968, the Board of both Applicant and Gryphon reaffirmed their approval of the sale of assets of Gryphon. On July 31, 1968, the sale took place with Applicant transferring assets having a value of \$9,509,210 to Gryphon, retaining assets of \$870,687 to pay liabilities and receiving in exchange for the assets transferred 484,669 shares of Gryphon, which were immediately transferred to a trustee for shareholders of Applicant. The assets retained were used to pay all liabilities, and the balance was distributed as a final liquidating distribution to shareholders on August 30, 1968.

Applicant represents that by June 5, 1969, all of the outstanding shares of Applicant had been exchanged by shareholders for shares of Gryphon. Applicant was subsequently dissolved by filing a certificate of dissolution with the Secretary of State of Delaware on August 13, 1969. Applicant states that as a result of the sale of assets transaction, the distribution to its shareholders of Gryphon shares and the payment of its liabilities, Applicant no longer has any assets, creditors, or shareholders and has ceased to be an investment company.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order shall cease to be in effect.

Notice is further given that any interested person may, not later than July 2, 1970, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be

filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 70-7580; Filed, June 16, 1970;
8:50 a.m.]

[811-1000]

FIFTY STATES MUTUAL FUND, INC.

Notice of Filing of Application for Order Declaring That Company Has Ceased To Be an Investment Company

JUNE 11, 1970.

Notice is hereby given that Fifty States Mutual Fund, Inc. (now Nationwide Transport, Inc.) 246 High Street, Columbus, Ohio 43216, hereinafter referred to as "Applicant," an Ohio corporation registered as an open-end, diversified management investment company under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

On September 30, 1969, all of the shareholders of Applicant resolved to amend its Articles of Incorporation in several respects including the removal of the authority of applicant to engage in the business of an investment company as defined in the Act from the purpose clause of such Articles and the change of its name to Nationwide Transport, Inc. The Articles as so amended were filed with the Secretary of State of Ohio on the same date. Applicant represents that it thereupon ceased all activities as an investment company.

Applicant represents that as of February 28, 1970, its assets of about \$920,000, were represented almost exclusively by an aircraft valued at \$924,500 less \$39,000 of accumulated depreciation. All of the outstanding voting securities of Applicant are now owned by Nationwide Mutual Insurance Company of Columbus, Ohio, and Applicant represents that it is not making and does not presently propose to make any public offering of its shares and it will not carry on the

business of an investment company as defined in the Act.

Section 3(a)(1) of the Act defines as an investment company any issuer which is or holds itself out as being engaged primarily, or proposed to engage primarily, in the business of investing, reinvesting, or trading in securities.

Section 3(a)(3) of the Act further defines as an investment company any issuer which is engaged or proposes to engage in the business of investing, reinvesting, owning, holding, or trading in securities, and owns or proposes to acquire investment securities having a value exceeding 40 per centum of the value of such issuer's total assets (exclusive of Government securities and cash items) on an unconsolidated basis. The term "investment securities" includes all securities except Government securities, securities issued by employees' securities companies, and securities issued by majority-owned subsidiaries of the owner which are not investment companies.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than July 1, 1970, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 70-7581; Filed, June 16, 1970;
8:50 a.m.]

[811-981]

SECOND CENTENNIAL FUND, INC.**Notice of Filing of Application for Order Declaring That Company Has Ceased To Be an Investment Company**

JUNE 11, 1970.

Notice is hereby given that Second Centennial Fund, Inc. ("Applicant"), 2400 First National Bank Building, Denver, Colo., a Maryland corporation registered as an open-end, diversified management investment company under the Investment Company Act of 1940 ("Act") has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

On September 13, 1960, Applicant registered as an investment company under the Act. On January 26, 1968, the Board of Directors of the Applicant approved a plan to sell the assets of Applicant to Gryphon Fund, Inc. ("Gryphon"), a registered open-end diversified management investment company. On June 19, 1968, the Commission issued an order exempting the proposed sale of assets from the provisions of sections 17(a) and 17(d) of the Act (Investment Company Act Release No. 5407). On July 25, 1968, at a special meeting of the stockholders of Applicant, the holders of the requisite percentage of shares approved the sale to Gryphon and a plan of liquidation of Applicant.

On July 26, 1968, the Board of Directors of both Applicant and Gryphon reaffirmed their approval of the sale of assets, and the sale was consummated on July 31, 1968, at which time Applicant transferred assets having a value of \$6,687,543 to Gryphon and retained assets of \$208,505 to pay liabilities. In exchange, Applicant received 340,853 shares of Gryphon having a net asset value on July 31, 1968, of \$19.62 per share. The assets retained by Applicant were used to pay its liabilities and the balance was distributed in cash to shareholders of Applicant as a final liquidating distribution on August 30, 1968.

On August 26, 1968, Applicant forwarded to its Maryland agent Articles of Dissolution for filing with the Secretary of State of Maryland, and Applicant was dissolved on October 8, 1968. Applicant represents that by January 9, 1970, all shareholders of Applicant had surrendered their shares in exchange for shares of Gryphon. Applicant states that as a result of the sale of assets transaction, the distribution to its shareholders of Gryphon shares and the payment of its liabilities, Applicant no longer has any assets, creditors, or shareholders and has ceased to be an investment company.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so

declare by order, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than July 2, 1970, at 5:30 a.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 70-7582; Filed, June 16, 1970;
8:50 a.m.]

[File No. 1-5765]

FOUR SEASONS NURSING CENTERS OF AMERICA, INC.**Order Suspending Trading**

JUNE 11, 1970.

The Common stock, 50 cents par value, of Four Seasons Nursing Centers of America, Inc., being listed and registered on the American Stock Exchange and having unlisted trading privileges on the Philadelphia - Baltimore - Washington Stock Exchange and the Boston Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Four Seasons Nursing Centers of America, Inc., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the above mentioned

exchanges and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 12, 1970 through June 21, 1970, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 70-7583; Filed, June 16, 1970;
8:50 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-C—San Antonio, Tex., Disaster 768]

MANAGER, SAN MARCOS, TEX., DISASTER BRANCH OFFICE**Delegations Relating to Financial Assistance Functions**

1. Pursuant to the authority delegated to the District Director by Delegation of Authority No. 30-C, 35 F.R. 5440, the following authority is hereby redelegated to the position as indicated herein:

A. *Manager, San Marcos Disaster Branch Office.* 1. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) \$50,000 per household for repairs or replacement of the home and/or not to exceed an additional \$10,000 allowable for household goods and personal items, but in no event may the money loaned 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 (b) \$350,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; to approve disaster guaranteed loans up to \$350,000, and to decline disaster guaranteed loans in any amount.

2. To execute loan authorizations for central, regional, and district office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

Name, Administrator,
By _____
Manager,
Disaster Branch Office.

3. To cancel, reinstate, modify, and amend authorizations for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undischursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein to a specific position may be exercised by an SBA employee designated as acting in that position.

Effective date, May 19, 1970.

W. E. WOODMAN,
District Director, San Antonio, Tex.

[F.R. Doc. 70-7574; Filed, June 16, 1970;
8:50 a.m.]

[Delegation of Authority No. 30-G]

REGIONAL DIRECTOR, REGION IV**Delegation of Authority To Conduct Program Activities in the Field Offices**

Pursuant to the authority vested in the Administrator by the Small Business Act, 72 Stat. 384, as amended; the Small Business Investment Act of 1958, 72 Stat. 689, as amended; title IV of the Economic Opportunity Act of 1964, 78 Stat. 526, as amended; and the Disaster Relief Act of 1969, 83 Stat. 125, the following authority is hereby delegated:

I. Regional Director, Region IV—A. Financing Program. 1. To approve or decline business loans not exceeding \$350,000 (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 household 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) \$500,000 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 \$1 million, and to decline them in any amount.

b. To approve displaced business loans not exceeding \$1 million (SBA share) and to decline them in any amount.

3. To enter into business, economic opportunity and disaster loan participation agreements with banks.

4. To execute loan authorizations for Central Office approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,
By _____
(Name)
Regional Director.

5. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity, and disaster 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. To establish disaster field offices upon receipt of advice of the designation of a disaster area; to advise on the making of disaster loans; to appoint as a processing representative any bank in the disaster area; and to close disaster field offices when no longer advisable to maintain such offices.

9. To approve or reject the request of an applicant to file for a disaster loan after the period for acceptance under the

original disaster declaration, or extension thereof, has expired.

10. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in section 120.2(e) of SBA Loan Policy Regulations.

B. Community Economic Development Program. 1. To approve or decline section 501 State development company loans without dollar limitation and section 502 local development company loans up to \$350,000 (SBA share).

2. To extend the disbursement period on sections 501 and 502 loan authorizations or undisbursed portions of sections 501 and 502 loans.

3. To execute sections 501 and 502 loan authorizations for Central Office approved loans and for loans approved under delegated authority, said execution to read, as follows:

(Name), Administrator,
By _____
(Name)
Regional Director.

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. To approve or decline applications for the direct guarantee of payment of rent not to exceed \$1 million.

7. To issue and modify commitment letters, said issuance to read as follows:

(Name), Administrator,
By _____
(Name)
Regional Director.

8. To disburse approved EDA Loans, as authorized.

C. Loan Administration Program. 1. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans, with the exception of those loans classified as in litigation; 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, 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, except as to loans classified as in litigation.

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, except as to loans classified as in litigation.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

d. To advertise regarding the public sale of (a) collateral in connection with the nonjudicial liquidation of loans, and (b) acquired property.

e. Except: (a) To sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (b) 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. To take all necessary action in liquidating Economic Development Administration (EDA) loans which are not classified as in litigation and acquired collateral, when and as authorized by EDA.

3. To service claims arising under all lease insurance policies issued in the region, approving the payment, or recommending denial of such claims.

4. To take all actions necessary to mitigate losses from lease guaranties.

D. Procurement and Management Assistance Program. **1. To approve applications for Certificates of Competency up to but not exceeding \$250,000 bid value received from small business concerns which are located within the geographical jurisdiction of his regional office, with the exception of re-referred cases.

**2. To deny an application for a Certificate of Competency when the regional director agrees with an adverse survey report as to production or credit, unless application for an SBA loan is being filed, which, if approved, might change the credit aspects of the case.

E. Administrative. 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. attorneys in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits; and (d) issue Government bills of lading.

3. In connection with the establishment of disaster loan offices, to obligate Small Business Administration to reimburse General Services Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this administration.

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 financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

H. *Legal Services.* 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 the liquidation of all loans classified as in litigation; 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, 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, as to loans classified as in litigation.

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 loans classified as in litigation.

c. Except: (a) To sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (b) 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.

5. To take all necessary action in liquidating Economic Development Administration (EDA) loans which are classified as in litigation, when and as authorized by EDA.

II. The specific authority in the subsections (except subsections I.D.1 and I.D.2) may be redelegated.

III. All authority delegated herein may be exercised by any Small Business Administration employee designated as acting regional director, Region IV.

Effective date: June 1, 1970.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-7575; Filed, June 16, 1970;
8:50 a.m.]

[Declaration of Disaster Loan Area 772]

UTAH

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of May 1970, because of the effects of certain disasters, damage resulted to residences and business property located in Davis County, Utah;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in the aforesaid county, suffered damage or destruction resulting from high winds occurring on May 23, 1970.

OFFICE

Salt Lake City District Office, 125 South State Street, Salt Lake City, Utah 84111.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to December 31, 1970.

Dated: June 5, 1970.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-7576; Filed, June 16, 1970;
8:50 a.m.]

NEW YORK AND SOUTHEASTERN AREAS AND OFFICES THEREIN

Notice of Redesignation

Notice is hereby given of the redesignation of the New York and Southeastern Areas as Regions II and IV, respectively.

1. The designation "New York Area" is changed to Region II. The New York Area Office located in New York, N.Y., also is hereby redesignated as the Region II Office and contains within its jurisdiction the States of New York and New Jersey, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands. Regional offices within the States, the Commonwealth and the islands comprising Region II are redesignated as district offices and are under the jurisdiction of the Region II regional office located in New York, N.Y.

2. The designation "Southeastern Area" is changed to Region IV. The Southeastern Area Office located in Atlanta, Ga., also is hereby redesignated as the Region IV Office and contains within its jurisdiction the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee. Regional offices within the States comprising Region IV are redesignated as district offices and are under the jurisdiction of the Region IV regional office located in Atlanta, Ga. Notice was given in the FEDERAL REGISTER published on April 4, 1970 (34 F.R. 5600) of the transfer of the State of Kentucky and the Louisville, Ky., Regional Office under the jurisdiction of the former Southeastern Area Office.

Effective Date: (a) June 1, 1970, for the establishment of Region IV; (b) June 29, 1970, for the establishment of Region II.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-7577; Filed, June 16, 1970;
8:50 a.m.]

INTERSTATE COMMERCE COMMISSION

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JUNE 12, 1970.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. Case MT 2381, filed April 27, 1970. Applicant: LIBERTY-MIDDLETOWN EXPRESS, INC., 196 Sprague Avenue, Liberty, N.Y. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y. 12207. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *General commodities*, between all points in the territory comprised of the counties of Broome and Sullivan. Both intrastate and interstate authority sought.

HEARING: Not yet assigned. Requests for procedural information, including the

time for filing protests, concerning this application should be addressed to the New York State Public Service Commission, 44 Holland Avenue, Albany, N.Y. 12208, and should not be directed to the Interstate Commerce Commission.

State Docket No. MC 4725 (Sub-No. 6), filed April 28, 1970. Applicant: CHICKASAW MOTOR LINE, INC., 531 Woodcrest Avenue, Nashville, Tenn. Applicant's representative: Clarence Evans, 1800 Third National Bank Building, Nashville, Tenn. 37219. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *General commodities*, except household goods and commodities in bulk, (a) from Nashville via Interstate 40 to Jackson, and return over the same route, serving all points within 10 miles of Jackson; (b) from the junction of Interstate Highway 40 and Tennessee Highway 22 to the intersection of Tennessee Highways 22 and 20 at Lexington, and thence via Tennessee Highway 20 to Jackson, Tenn., and return over the same route, serving all intermediate points; (c) from Jackson, Tenn., via U.S. Highway 45 to its junction with Tennessee Highway 18 south of Jackson, thence via Tennessee Highway 18 to its junction with Tennessee Highway 10, and return over the same route, serving all intermediate points. Each of the foregoing routes is to be used in conjunction with the others, and also in conjunction with all of applicant's existing authority. Both intrastate and interstate authority sought.

HEARING: Wednesday, July 15, 1970, at 9:30 a.m., C-1-110 Cordell Hull Building, Nashville, Tenn. Requests for procedural information, including the time for filing protests concerning this application should be addressed to the Tennessee Public Service Commission, Cordell Hull Building, Nashville, Tenn. 37219, and should not be directed to the Interstate Commerce Commission.

State Docket No. MC 4884 (Sub-No. 1), filed February 25, 1970. Applicant: DAYTON MOTOR EXPRESS, INC., 123 Market Street, Dayton, Tenn. Applicant's representative: William H. Lassiter, Jr., 24th Floor, Life and Casualty Tower, Nashville, Tenn. 37219. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *General commodities*, except used household goods, commodities in bulk, in tank, or hopper vehicles, explosives and commodities requiring special equipment, between Dayton, Tenn., and Chattanooga, Tenn., to the south of Dayton and between Dayton, Tenn., and Spring City, Tenn., to the north of Dayton. The route being more particularly described as follows: Open door rights at all points from Dayton, Tenn., via U.S. Highway 27 to Chattanooga, Tenn., or alternately via U.S. Highway 27 to its junction with Tennessee Highway 153; thence via said Highway to its junction with Tennessee Highway 58; thence via said Highway to Chattanooga and return over same routes; and in addition open door rights at all points from Dayton, Tenn., to

Spring City, Tenn., via U.S. Highway 27 and return over same route; with authority to serve off-line points located within 5 miles of the above-mentioned routes. This authority is to be used in conjunction with existing authority, both in interstate and intrastate commerce.

HEARING: Tuesday, July 7, 1970 at 9:30 a.m., at the Commission's Court Room, C-1 Cordell Hull Building, Nashville, Tenn. Requests for procedural information, including the time for filing protests concerning this application should be addressed to the Tennessee Public Service Commission, Cordell Hull Building, Nashville, Tenn. 37219, and should not be directed to the Interstate Commerce Commission.

State Docket No. MC-5406, filed April 27, 1970. Applicant: JACKSON EXPRESS, INC., 73 Wallace Road, Jackson, Tenn. 38301. Applicant's representative: Jerry Ross (same address as above). Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, except household goods, classes A and B explosives, commodities in bulk, and commodities requiring special equipment, over following routes: (1) Between Nashville, Tenn., and points in Madison County, Tenn., via Interstate Highway 40 between Nashville and Madison County line, and via all roads and highways in Madison County, serving all points in Madison County, but serving no intermediate points between Nashville and Madison County line, and (2) between Memphis, Tenn., and points in Madison County, Tenn., via Interstate Highway 40 between Memphis and Madison County line, and via all roads and highways in Madison County, serving all points in Madison County, but serving no intermediate points between Memphis and Madison County line. Restriction: Restricted against tacking of Routes (1) and (2). Both intrastate and interstate authority sought.

HEARING: Wednesday, July 8, 1970, at 9:30 a.m., at the Commission's courtroom, C-1 Cordell Hull Building, Nashville, Tenn. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Tennessee Public Service Commission, Cordell Hull Building, Nashville, Tenn. 37219, and should not be directed to the Interstate Commerce Commission.

State Docket No. 8683-A, filed May 28, 1970. Applicant: DAKOTA TRANSFER CO., Aberdeen, S. Dak. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *Grain, flaxseed, millet, and soybeans*, to, from, and between, Zell, Rockham, Miranda, Faulkton, Burkmere, Seneca, and Lebanon, S. Dak., on the one hand, and Aberdeen and Conde S. Dak., on the other. Both intrastate and interstate authority sought.

HEARING: Monday, June 22, 1970, at 9:30 a.m., c.d.t., Public Utilities Commission Offices, Pierre, S. Dak. Requests for procedural information, including the

time for filing protests, concerning this application should be addressed to the South Dakota Public Utilities Commission, Capitol Building, Pierre, S. Dak. 57501, and should not be directed to the Interstate Commerce Commission.

State Docket No. 36555, filed May 18, 1970. Applicant: BRYAN TRUCK LINE INC., 610 East Wilson, Bryan, Ohio. Applicant's representatives: Sanborn, Brandon and Duvall, 79 East State Street, Columbus, Ohio. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, except commodities in bulk, household goods, those contaminating to other loading, those requiring special equipment to load, unload and transport, buildings, mobile homes, and livestock, from Edon, Ohio, to Hicksville, Ohio, over Ohio Highway 49; from Hicksville, Ohio, to Archbold, Ohio, over Ohio Highway 2; from Hicksville, Ohio, to Defiance, Ohio, over Ohio Highway 18; from Defiance, Ohio, to Fayette, Ohio, over Ohio Highway 66; from Fayette, Ohio, to Pioneer, Ohio, over U.S. Highway 20; from Pioneer, Ohio, to Bryan, Ohio, over Ohio Highway 15; from Bryan, Ohio, to junction U.S. Highway 127 and Ohio Highway 18 over U.S. Highway 127; from Edgerton, Ohio, to junction U.S. Highway 6 and Ohio Highway 66 over U.S. Highway 6; from Edon, Ohio, to Bryan, Ohio, over Ohio Highway 34; from Montpelier, Ohio, to junction Ohio Highway 576 and Ohio Highway 34 over Ohio Highway 576, from Bryan, Ohio, to junction U.S. Highway 127 and U.S. Highway 20 over U.S. Highway 127; from junction Ohio Highway 15 and Ohio Highway 107 to junction Ohio Highway 107 and Ohio Highway 49 over Ohio Highway 107; from Stryker, Ohio, to West Unity, Ohio, over Ohio Highway 191; from Bryan, Ohio, to Toledo, Ohio, over Ohio Highway 2; from Bryan, Ohio, to Toledo, Ohio, over Ohio Highway 34 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction U.S. Highway 24, thence over U.S. Highway 24, return over the same routes, serving all intermediate points. Restrictions: No shipments shall be transported from or to (1) Archbold; (2) Pettisville; (3) Wauseon; (4) Delta; (5) Swanton; (6) Crissy; (7) points on Ohio Highway 2 intermediate to Archbold and Toledo, Ohio; (8) Napoleon, Ohio; and (9) points on U.S. Highway 24 intermediate to Napoleon and Toledo, Ohio. Both intrastate and interstate authority sought.

HEARING: Not given. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Ohio Public Utilities Commission, 111 North High Street, Columbus, Ohio 43215, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 70-7551; Filed, June 16, 1970; 8:48 a.m.]

[Notice 9]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JUNE 12, 1970.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules—Motor Carriers of Passengers, 1969 (49 CFR 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 548), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio 44113, filed June 3, 1970. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From the junction of the New Jersey Turnpike and Interstate Highway 287, at Interchange No. 10, over Interstate Highway 287 to junction Interstate Highway 78, thence over Interstate Highway 78 to junction Interstate Highway 81, thence over Interstate Highway 81 to junction Interstate Highway 83, thence over Interstate Highway 83 to junction Interstate Highway 283, thence over Interstate Highway 283 to junction with the Pennsylvania Turnpike at Interchange No. 19, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From the Carlisle Interchange of the Pennsylvania Turnpike at Middlesex, Pa., over the Pennsylvania Turnpike to King of Prussia, Pa., thence over Pennsylvania Highway 23 to Philadelphia, Pa.; (2) from junction U.S. Highway 11 and U.S. Highway 15 over U.S. Highway 15 to junction with the Pennsylvania Turnpike at the Gettysburg Pike Interchange; (3) from junction U.S. Highway 30 and Pennsylvania Turnpike, near Irwin, Pa., over the Pennsylvania Turnpike to junction U.S. Highway 22 near Monroeville, Pa.; (4) from junction U.S. Highway 22 and Penn-Lincoln Parkway near Monroeville, Pa., over the Penn-Lincoln Parkway to Pittsburgh, Pa.; (5) from the Lincoln Tunnel Inter-

change over the New Jersey Turnpike to the Delaware Memorial Bridge Interchange;

(6) From junction U.S. Highway 22 and the Pennsylvania Turnpike near Monroeville, Pa., over the Pennsylvania Turnpike to the Pennsylvania-Ohio State line (Gateway Interchange), thence over Ohio Highway 617 to junction Ohio Highway 165, thence over Ohio Highway 165 to junction Ohio Highway 7 (also over Ohio Highway 170 to junction Ohio Highway 14; also over unnumbered access road to junction Ohio Highway 7 and 14); (7) from Pittsburgh, Pa., over U.S. Highway 19 to junction Pennsylvania Turnpike at the Perry Highway Interchange, near Warrendale, Pa.; (8) from junction U.S. Highway 1 and New Jersey Highway 3 over New Jersey Highway 3 via Lincoln Tunnel Interchange to the New Jersey Turnpike; (9) from New York, N.Y., through the Lincoln Tunnel to junction New Jersey Highway 3, thence over New Jersey Highway 3 to junction U.S. Highway 1 (Tonnel Avenue), thence over U.S. Highway 1 to junction U.S. Truck Highway 1 (formerly New Jersey Highway 1) at the traffic circle under the Pulaski Skyway in Jersey City, N.J.; (10) from junction of Northeast segment of the Pennsylvania Turnpike and the Pennsylvania Turnpike over the eastern extension of the Pennsylvania Turnpike via the Delaware River Bridge near Edgeley, Pa., and Florence, N.J., to junction connecting segment of the New Jersey Turnpike, thence over the connecting segment of the New Jersey Turnpike to the New Jersey Turnpike at Interchange No. 6, near Roebling, N.J.; and (11) from New York, N.Y., through the Holland Tunnel to Jersey City, N.J., thence over U.S. Highway 1 to Newark, N.J., thence over U.S. Highway 22 via Somerville, N.J., to Lewistown, Pa., thence over U.S. Highway 322 to Martha Furnace, Pa., and return over the same routes.

No. MC 2890 (Deviation No. 84), AMERICAN BUSLINES, INC., 1501 South Central Avenue, Los Angeles, Calif. 90021, filed June 3, 1970. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From Los Angeles, Calif., over Interstate Highway 5 to junction California Highway 7 (Long Beach Freeway), thence over California Highway 7 (Long Beach Freeway) to Long Beach, Calif., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Long Beach, Calif., over city streets to Long Beach Boulevard, thence over Long Beach Boulevard to Pacific Boulevard, thence over Pacific Boulevard to Huntington Park, Calif., thence over city streets to Los Angeles, Calif., and return over the same route.

No. MC-15317 (Deviation No. 1), CROWN TRANSIT LINES, INC., 1650 North 14th Street, Springfield, Ill. 62702,

filed May 26, 1970, amended June 1, 1970. Carrier's representative: John B. Hendricks, Ridgely Building, Springfield, Ill. 62701. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From the Crown Transit Lines, Inc., Bus Depot in Galesburg, Ill., over city streets to junction Interstate Highway 74, thence north over Interstate Highway 74 to junction Interstate Highway 80, thence west over combined Interstate Highways 70-80 to Moline, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: Between Galesburg, Ill., and Moline, Ill., over U.S. Highway 150.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.[P.R. Doc. 70-7552; Filed, June 16, 1970;
8:48 a.m.]

[Notice 20]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JUNE 12, 1970.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969 (49 CFR 1042.4(d)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(d)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(d)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 30605 (Deviation No. 14), THE SANTA FE TRAIL TRANSPORTATION COMPANY, 1413 Railway Exchange, 80 East Jackson Boulevard, Chicago, Ill. 60604, filed June 1, 1970. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Lamar, Colo., over U.S. Highway 287 to Kit Carson, Colo., thence over combined U.S. Highways 287 and 40 to Limon, Colo., thence over combined U.S. Highway 287 and 40 (Interstate Highway 70) to Denver, Colo., and return over the same route, for operating

convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From the Colorado-Kansas State line over U.S. Highway 50 to Pueblo, Colo., (2) from junction U.S. Highway 50 bypass and U.S. Highway 85 north of Pueblo, Colo., over U.S. Highway 50 bypass to junction U.S. Highway 50, (3) from Pueblo, Colo., over Colorado Highway 96 to Boone, Colo., thence over Colorado Highway 209 to junction U.S. Highway 50, and (4) from Denver, Colo., over U.S. Highway 85 to junction relocated U.S. Highway 85 near Crow, Colo., thence over relocated U.S. Highway 85 to junction U.S. Highway 85 south of Greenhorn, Colo., thence over U.S. Highway 85 via Rowe and Glorieta, N. Mex., to Albuquerque, N. Mex. (also from Denver as specified above to Rowe, N. Mex., thence over unnumbered highway via Pecos, N. Mex., to Glorieta, N. Mex., thence over U.S. Highway 85 to Albuquerque), and return over the same routes.

No. MC 52110 (Deviation No. 5), BRADY MOTOR FRATE, INC., 2150 Grand Avenue, Des Moines, Iowa 50312, filed June 1, 1970. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Kansas City, Mo., over Interstate Highway 70 to junction U.S. Highway 54, thence over U.S. Highway 54 to junction U.S. Highway 36 near Pittsfield, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Des Moines, Iowa, over Iowa Highway 90 to junction Interstate Highway 35, thence over Interstate Highway 35 to junction U.S. Highway 34, thence over U.S. Highway 34 to Osceola, Iowa, thence over U.S. Highway 69 to Kansas City, Mo., (2) from Omaha, Nebr., over U.S. Highway 6 to Council Bluffs, Iowa, thence over Iowa Highway 375 to junction Iowa Highway 92, thence over Iowa Highway 92 to junction U.S. Highway 59, thence over U.S. Highway 59 to Tarkio, Mo., thence over U.S. Highway 136 to Maryville, Mo., thence over U.S. Highway 71 to St. Joseph, Mo., thence over U.S. Highway 36 to Springfield, Ill., and (3) from St. Louis, Mo., over U.S. Highway 66 to Chicago, Ill., and return over the same routes.

No. MC 110325 (Deviation No. 22), TRANSCON LINES, 1206 South Maple Avenue, Los Angeles, Calif. 90015 (mailing address: Box 54005, Terminal Annex, Los Angeles, Calif. 90054), filed June 2, 1970. Carrier's representative: Wentworth E. Griffin, 1221 Baltimore Avenue, Kansas City, Mo. 64105. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Oklahoma City, Okla., over Interstate Highway 40 to junction Interstate Highway 81 east of Knoxville, Tenn., thence over Interstate Highway 81 to junction Interstate Highway 64 at or near Staunton, Va., thence over In-

terstate Highway 64 to junction Interstate Highway 95 at or near Richmond, Va., thence over Interstate Highway 95 to Richmond, Va., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Oklahoma City, Okla., over U.S. Highway 66 to Tulsa, Okla., thence over U.S. Highway 75 via Bartlesville, Okla., to Caney, Kans., thence over U.S. Highway 166 via Joplin, Mo., to junction U.S. Highway 66, thence over U.S. Highway 66 to St. Louis, Mo., thence over U.S. Highway 40 via Terre Haute, Ind., to Indianapolis, Ind., thence over U.S. Highway 40 to Richmond, Ind., thence over U.S. Highway 35 via Dayton, Chillicothe, and Gallipolis, Ohio, to Charleston, W. Va., thence over U.S. Highway 60 via Covington and Lexington, Va., to Richmond, Va., and return over the same route.

No. MC 110325 (Deviation No. 23), TRANSCON LINES, 1206 South Maple Avenue, Los Angeles, Calif. 90015 (mailing address: Box 54005, Terminal Annex, Los Angeles, Calif. 90054), filed June 2, 1970. Carrier's representative: Wentworth E. Griffin, 1221 Baltimore Avenue, Kansas City, Mo. 64105. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Dallas, Tex., over Interstate Highway 20 to junction Interstate Highway 10 east of Kent, Tex., thence over Interstate Highway 10 to Los Angeles, Calif., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Dallas, Tex., over U.S. Highway 80 to Fort Worth, Tex., thence over U.S. Highway 81 to Chickasha, Okla., thence over U.S. Highway 277 to junction U.S. Highway 62, west of Elgin, Okla., thence over U.S. Highway 62 to Snyder, Okla., thence over U.S. Highway 183 to Oklaunion, Tex., thence over U.S. Highway 70 to Las Cruces, N. Mex., thence over U.S. Highway 80 to Road Forks, N. Mex., thence over New Mexico Highway 14 via Steins, N. Mex., to the New Mexico-Arizona State line, thence over Arizona Highway 86 to Benson, Ariz., thence over U.S. Highway 80 to Tucson, Ariz., thence over Arizona Highway 84 to Picacho, Ariz., thence over Arizona Highway 87 to Mesa, Ariz., thence over U.S. Highway 60 to Los Angeles, Calif., and return over the same route.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-7553; Filed, June 16, 1970;
8:48 a.m.]

[Notice 54]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JUNE 12, 1970.

The following publications are governed by the new Special Rule 247 of the Commission's rules of practice, published

in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here notified will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING MOTOR CARRIERS OF PROPERTY

No. MC 94201 (Sub-No. 81) (Republication), filed November 14, 1969, published in the FEDERAL REGISTER, issue of December 11, 1969, and republished this issue. Applicant: BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, Gadsden, Ala. 35903. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203. The modified procedure has been followed in this proceeding, and an order of the Commission, Operating Rights Boards, dated May 25, 1970, and served June 10, 1970, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle over irregular routes, of flavoring syrup, flavoring compounds, and beverage preparations, in containers, between the plantsite and storage facilities of the Coca-Cola Co., Inc., at Atlanta, Ga., on the one hand, and, on the other, points in Alabama, Tennessee, and Florida; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in, and would be prejudiced by the lack of proper notice of the authority described in the findings in this report, a notice of the authority actually granted herein will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

TRANSFER APPLICATIONS UNDER SECTION 212(b) WHICH HAVE BEEN DESIGNATED FOR ORAL HEARING

No. MC-FC-71709. Authority sought by transferee, LUVENE MARCUSSON, 307 Oak Street, Red Oak, Iowa 51566, for purchase of the operating rights of transferor, LEE SCHAEFER, 62 South Saddle Road, Omaha, Nebr. 68106. Applicants' attorney: Jerry L. Snyder, 214 Sharp Building, Lincoln, Nebr. 68508. Operating rights sought to be transferred: Sand, gravel, dirt, rocks, and crushed limestone, in dump vehicles, between point in Nebraska and Iowa. The

subject application under section 212(b), Interstate Commerce Act, was granted by order of the Commission, Motor Carrier Board, entered December 11, 1969. A joint petition by Lowell Blanchard and Kapri Transportation Co. for reconsideration and oral hearing was filed January 9, 1970. By notice dated January 13, 1970, the said order was stayed. The proceeding is to be assigned for hearing at a time and place to be fixed for the purpose of determining the extent of dormancy, if any, of the operating rights; whether transferee or parties other than transferor have been operating under the rights; and whether the application otherwise conforms with the Rules and Regulations Governing Transfers of Rights to Operate as a Motor Carrier in Interstate or Foreign Commerce (49 CFR Part 1132). Interested persons have 30 days in which to file petitions for leave to intervene. Such petitions should set forth the reason for the proposed intervention, the place where the petitioner wishes the hearing to be held, the number of witnesses it expects to present, and the estimated time required to present its evidence.

APPLICATIONS UNDER SECTIONS 5 AND 210(a) (b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240.)

MOTOR CARRIERS OF PROPERTY

No. MC-F-10855. Authority sought for control and merger by NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Col. 80223, of the operating rights and property of ELLIS TRUCKING CO., INC., 1600 Oliver Avenue, Indianapolis, Ind. 46621, and for acquisition by UNITED TRANSPORTATION INVESTMENT COMPANY, and in turn by DAVID H. RATNER, both of 310 South Michigan Avenue, Chicago, Ill. 60604, of control of such rights and property through the transaction. Applicants' attorneys: Axelrod, Goodman, Steiner and Bazelon, 39 South La Salle Street, Chicago, Ill. 60603, and Kirkwood Yockey, 501 Union Federal Building, Indianapolis, Ind. 46204. Operating rights sought to be controlled and merged: *General commodities*, excepting, among others, dangerous explosives, household goods, and commodities in bulk, as a *common carrier*, over regular routes, between Bay City, Mich., and Detroit, Mich., between Flint, Mich., and Indianapolis, Ind., serving certain intermediate points, and intermediate and off-route points in Marion County, Ind., between Flint, Mich., and Jackson, Mich., between Detroit, Mich., and Battle Creek, Mich., between Charlotte, Mich., and Battle Creek, Mich., serving all intermediate points in Michigan except those on Michigan Highway 78 between Flint and the junction of Michigan Highways 78 and 47, between Vincennes,

Ind., and Lawrenceville, Ill., between Evansville, Ind., and Crossville, Ill., serving no intermediate points, between South Bend, Ind., and Memphis, Tenn., serving certain intermediate points and the off-route point of Vincennes, Ind., and intermediate and off-route points in Marion County, Ind., between Evansville, Ind., and Terre Haute, Ind., serving the intermediate point of Vincennes, Ind., between Fort Wayne, Ind., and Baer Field, Ind. (about 10 miles south of Fort Wayne), serving no intermediate points;

Between Indianapolis, Ind., and Cincinnati, Ohio, serving the intermediate and off-route points of Dayton, Ohio, the site of the Feeds Materials Production Center of the U.S. Atomic Energy Commission near Fernald, Ohio, points on U.S. Highway 25 between Dayton, Ohio, and Cincinnati, Ohio, and those in Ohio and Kentucky within 10 miles of Fountain Square, Cincinnati, between junction Indiana Highways 101 and 48 (approximately 4 miles south of Sunman, Ind.), and junction Indiana Highway 101 and U.S. Highway 50 (approximately 5 miles northwest of Dillsboro, Ind.), serving the intermediate point of Milan, Ind., between Detroit, Mich., and Dayton, Ohio, serving the intermediate points of Monroe, Mich., and Springfield, Ohio; all intermediate and off-route points in the Detroit, Mich., Dayton, Ohio, and Springfield, Ohio, commercial zones, as defined by the Commission; and the off-route points of the site as of 1954, of the plants of the Packard Motor Car Co. north of Utica, Mich., and the site of the plant of the Chrysler Corp. north of Detroit, Mich., and west of Michigan Highway 53, between Detroit, Mich., and Chrysler Tank Arsenal near Center Line, Mich., serving the intermediate and off-route points in the Detroit, Mich., commercial zone, as defined by the Commission; and the off-route points of the site as of 1954, of the plants of the Packard Motor Car Co. north of Utica, Mich., and the site of the plant of the Chrysler Corp. north of Detroit, Mich., and west of Michigan Highway 53; over numerous alternate routes for operating convenience only;

General commodities, excepting, among others, dangerous explosives, and commodities in bulk, but not including household goods, between points in Michigan, serving no intermediate points, between Osgood, Ind., and Cincinnati, Ohio, serving all intermediate points; *general commodities*, except bulky commodities, money or other articles of value not adapted to ordinary motor vehicle transportation, and uncrated household or office furnishings, between Aurora, Ind., and Indianapolis, Ind., between Dillsboro, Ind., and Versailles, Ind., serving all intermediate points, and certain off-route points; and *general commodities*, excepting, among others, dangerous explosives, and commodities in bulk, but not excepting household goods, over irregular routes, between Detroit, Mich., on the one hand, and, on the other, certain specified points in Michigan. NAVAJO FREIGHT LINES, INC., is authorized to operate as a *common carrier* in New Mexico, California, Arizona, Texas, Colorado, Illinois, Missouri, Iowa, Nebraska,

Oklahoma, Indiana, Kansas, Utah, Louisiana, Virginia, Maryland, Massachusetts, Connecticut, Nevada, Florida, New York, Tennessee, and Wyoming. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10856. Authority sought for control and merger by TRANSPORT MOTOR EXPRESS, INC., Post Office Box 958, Fort Wayne, Ind. 46801, of the operating rights and property of BEILM FREIGHT LINES, INC., 1819 North 17th Street, St. Louis, Mo. 64106, and for acquisition by ESSEX INTERNATIONAL, INC., 1601 Wall Street, Fort Wayne, Ind. 46804, of control of such rights and property through the transaction. Applicants' attorneys: Axelrod, Goodman, Steiner and Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Operating rights sought to be controlled and merged: *General commodities*, excepting, among others, classes A and B explosives, household goods and commodities in bulk, as a *common carrier*, over regular routes, between St. Louis, Mo., and specified points in Illinois, between specified points in Illinois, serving all intermediate points, between Morton, Ill., and Peoria, Ill., serving no intermediate points, between Jacksonville, Ill., and Detroit, Ill., serving all intermediate points and the off-route point of Meredosia, Ill., between Pearl, Ill., and Barry, Ill., serving all intermediate points and the off-route points of Summer Hill and New Hartford, Ill., between Pittsfield, Ill., and Perry, Ill., between Detroit, Ill., and Jerseyville, Ill., serving all intermediate points, between Quincy, Ill., and St. Louis, Mo., serving the intermediate and off-route points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone as defined by the Commission in 1 M.C.C. 656 and 2 M.C.C. 285, unrestricted; the intermediate point of Alton, Ill., and those between Alton, Ill., and St. Louis, Mo., unless otherwise authorized, restricted to traffic moving to or from points north of Alton, Ill.; and all other intermediate points, without restriction; over numerous alternate routes for operating convenience only; and *packinghouse products*, as defined by the Commission, from St. Louis, Mo., to Indianapolis, Ind., and to the intermediate point of Terre Haute, Ind., from St. Louis, Mo., to Petersburg, Ind., and to the intermediate points of Vincennes, Wheatland, and Washington, Ind., from St. Louis, Mo., to Bicknell, Ind., and to the off-route points of Flat Rock and Birds, Ill., from St. Louis, Mo., to Petersburg, Ind. TRANSPORT MOTOR EXPRESS, INC., is authorized to operate as a *common carrier* in Connecticut, Rhode Island, Indiana, Kentucky, Illinois, Ohio, Pennsylvania, Missouri, West Virginia, New York, New Jersey, Maryland, Virginia, Massachusetts, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. M-F-10857. Authority sought for control and merger by J. W. WARD TRANSFER, INC., Highway 13 East, Murphysboro, Ill. 62966, of the operating rights and property of BI-STATE EXPRESS, INC., Fairfield, Ill., and for acquisition by LAVERNE W. WARD, 2230

Dewey Street, Murphysboro, Ill., and ELMER R. WARD., 525 North 19th Street, Murphysboro, Ill., of control of such rights and property through the transaction. Applicants' attorneys: Gregory M. Rebman, 314 North Broadway, St. Louis, Mo. 63102, and Ernest A. Brooks II, Ambassador Building, St. Louis, Mo. 63101. Operating rights sought to be controlled and merged: *General commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, as a *common carrier* over regular routes, between St. Louis, Mo., and Mount Carmel, Ill., between junction U.S. Highway 50 and Illinois Highway 161, and McLeansboro, Ill., serving all intermediate points, and certain off-route points, between Carlyle, Ill., and Nashville, Ill., serving all intermediate points, between junction U.S. Highways 50 and 45, and Carmi, Ill., and serving all intermediate points, and certain off-route points, between Albion, Ill., and Fairfield, Ill., between junction U.S. Highway 45 and unnumbered highway (near Cisne, Ill.), and junction Illinois Highway 161 and U.S. Highway 50, between Mount Carmel, Ill., and Carmi, Ill., between junction U.S. Highways 45 and 460, and McLeansboro, Ill., between McLeansboro, Ill., and Mount Vernon, Ill., serving all intermediate points, between Mount Vernon, Ill., and Salem, Ill., serving the intermediate point of Rome, Ill., between Fairfield, Ill., and Wayne City, Ill., serving no intermediate points, between junction U.S. Highways 51 and 460, and junction U.S. Highways 51 and 50, serving certain intermediate points in Illinois, with restriction; between Salem, Ill., and St. Louis, Mo., serving the intermediate and off-route points within 15 miles of Salem, between Salem, Ill., and St. Louis, Mo., serving certain intermediate and off-route points; between Fairfield, Ill., and Evansville, Ind., serving the intermediate points of Albion and Mount Carmel, Ill., with restriction; between Fairfield, Ill., and St. Louis, Mo., serving certain intermediate and off-route points in Illinois, between St. Louis, Mo., and Fairfield, Ill., serving certain intermediate and off-route points; *general commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, over irregular routes, between St. Louis, Mo., on the one hand, and, on the other, certain specified points in Illinois, with restriction; and *petroleum products and automobile parts and accessories*, from points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone, as defined by the Commission, to Centralia, Ill. J. W. WARD TRANSFER, INC., is authorized to operate as a *common carrier* in Illinois and Missouri. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10858. Authority sought for control by UNITED TRUCKING SERVICE, INC., of (1) McDUFFEE MOTOR FREIGHT, INC., 1600 Oliver Avenue, Indianapolis, Ind. 46221; and (2) ARNOLD LIGON TRUCK LINE, INC., 1600 Oliver Avenue, Indianapolis, Ind.

46221, and for acquisition by JOHN J. DOOLEY, SR., 3590 Roland Drive, Birmingham, Mich., of control of McDUFFEE MOTOR FREIGHT, INC., and ARNOLD LIGON TRUCK LINE, INC., through the acquisition by UNITED TRUCKING SERVICE, INC. Applicants' attorneys: Kirkwood Yockey, 501 Union Federal Building, Indianapolis, Ind. 46204, and REX EAMES, 900 Guardian Building, Detroit, Mich. 48226. Operating rights sought to be controlled: (1) *General commodities*, excepting, among others, classes A and B explosives, household goods and commodities in bulk, as a *common carrier*, over regular routes, between points in Kentucky, serving all intermediate points in Marion County, and certain off-route points, between points in Kentucky, serving all intermediate points, between Lebanon, Ky., and the Green-Adair County, Ky., line, between Campbellsville, Ky., and the Taylor-Adair County, Ky., line, serving all intermediate points; and the off-route points within 3 miles of the specified route, except that no freight may be transported from or to Louisville, Ky., proper, or the Louisville, Ky., gateway, between Lebanon, Ky., and the Casey-Russell County, Ky., line, serving the intermediate points of Bradfordville, Ky., and those between Bradfordville and Lebanon, between Lebanon, Ky., and Lexington, Ky., serving all intermediate points (with exceptions); between Nashville, Tenn., and Lexington, Ky., serving the intermediate point of Bardstow, Ky., and serving Cave City, Ky., for joinder only, between Cave City, Ky., and Greensburg, Ky., serving no intermediate points and service at Cave City, restricted to joinder only, with restrictions; between Cincinnati, Ohio, and the Casey-Russell County, Ky., line, serving certain intermediate and off-route points, between Louisville, Ky., and Springfield, Ky., serving certain intermediate points;

Between Louisville, Ky., and a point on U.S. Highway 150, which is 5 miles southeast of Stanford, Ky., between a point on U.S. Highway 150, which is 5 miles southeast of Stanford, Ky., and a point where U.S. Highway 25 crosses the Rockcastle River, approximately 4 miles south of Livingston, Ky., serving no intermediate points, between a point where U.S. Highway 25 crosses the Rockcastle River approximately 4 miles south of Livingston, Ky., and Harlan and Middlesboro, Ky., serving all intermediate points, and all off-route points within 3 miles of the highways between London and Middlesboro, Ky., and between London and Harlan, Ky., between junction Kentucky Highway 30 and U.S. Highway 25 (5 miles north of London, Ky.), and Tyner, Ky., serving all intermediate points, and all off-route points within 3 miles of the specified route, between Bernstadt, Ky., and Corbin, Ky., serving all intermediate points, and all off-route points within 3 miles of the specified route; between London, Ky., and junction Kentucky Highway 229 and U.S. Highway 25E (1 mile north of Barbourville, Ky.), serving all intermediate points, and all off-route points within 3

miles of the specified route, between junction Kentucky Highway 11 and U.S. Highway 25E (one-half mile north of Barbourville, Ky.), and Manchester, Ky., serving all intermediate points, and all off-route points within 3 miles of the specified route, between junction Kentucky Highway 490 and U.S. Highway 25 (near Livingston, Ky.), and junction Kentucky Highway 490 and U.S. Highway 25 (near East Bernstadt, Ky.), between Berea, Ky., and London, Ky., serving all intermediate points, between Lexington, Ky., and Mount Vernon, Ky., serving no intermediate points, and serving Mount Vernon for purposes of joinder only, between Harlan, Ky., and Lynch, Ky., serving all intermediate points, and all off-route points which are located in Harlan County, Ky., and south of U.S. Highway 119 and Kentucky Highway 160, with restriction; between Winchester, Ky., and Louisville, Ky., restricted against picking up shipments at any intermediate point; and on east-bound movements restricted against delivery of shipments at any intermediate points west of the eastern city limits of Lexington, Ky., between Louisville, Ky., and Wilmore, Ky., serving the intermediate point of Nicholasville, Ky., and those between Nicholasville and Wilmore, between Danville, Ky., and Camp Dick Robinson, Ky., at junction Kentucky Highway 34 and U.S. Highway 27, serving all intermediate points, between Lancaster, Ky., and Lexington, Ky., serving all intermediate points, and certain off-route points;

General commodities, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, and commodities in bulk (other than alcohol distilled spirits, neutral spirits, and alcoholic liquors), between Springfield, Ky., and Danville, Ky., serving all intermediate points, and the off-route points within 3 miles of the specified route, between Brumfield, Ky., and Danville, Ky., serving all intermediate points, between junction U.S. Highway 68 and Kentucky Highway 243, and Harrodsburg, Ky., serving all intermediate points, and the off-route points within 3 miles of the specified route, with restriction; over one alternate route for operating convenience only; *empty equipment* only, between Louisville, Ky., and Cincinnati, Ohio, serving no intermediate points; *the commodities* classified as (a) meats, meat products, and meat byproducts; (b) dairy products; and (c) articles distributed by meat packinghouses in the appendix to the Commission's report in *Modification of Permits—Packing House Products*, 46 M.C.C. 23, from Lexington, Ky., to points in Kentucky within 45 miles of Lexington (except Richmond, Ky.); and

(2) *General commodities*, excepting, among others, classes A and B explosives, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Iuka, Ky., and Crayne, Ky., serving certain intermediate points, between Hopkinsville, Ky., and Louisville, Ky., serving certain intermediate and off-route points; between Henderson,

[Notice 94]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 11, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protest 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 67118 (Sub-No. 18 TA), filed June 1, 1970. Applicant: STRONG MOTOR LINES, INCORPORATED, Chuckatuck and Old Midlothian Pike, Richmond, Va. 23225. Applicant's representative: John C. Goddin, 200 West Grace Street, Richmond, Va. 23220. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles* distributed by meat packinghouses, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from plantsite and storage facilities of Hygrade Food Products Corp., Richmond, Va. to Philadelphia, Pa., for 150 days. Supporting shipper: Hygrade Food Products Corp., 11801 Mack Avenue, Detroit, Mich. 48214. Send protests to: Robert W. Waldron, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10-502 Federal Building, Richmond, Va. 23240.

No. MC 83835 (Sub-No. 69 TA), filed June 3, 1970. Applicant: WALES TRANSPORTATION, INC., Post Office Box 6186, Dallas, Tex. 75222. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and/or tubing*, from Gerald, Mo., to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Colorado, Georgia, Kentucky, Louisiana, Michigan, Mississippi, Nebraska, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, and Wisconsin, for 180 days. NOTE: Carrier

Ky., and Earlington, Ky., serving the intermediate points of Dixon and Madisonville, Ky.; and the off-route point of Providence, Ky., with restriction; between Madisonville, Ky., and Henderson, Ky., serving all intermediate points; and off-route points within 3 miles, with restriction, between Providence, Ky., and junction Alternate U.S. Highway 41 and Kentucky Highway 85, serving all intermediate points; and off-route points within 3 miles, between Dawson Springs, Ky., and Wheatcroft, Ky., serving all intermediate points, and off-route points within 3 miles, between Madisonville, Ky., and Beulah, Ky., serving all intermediate points; and off-route points within 3 miles, between Nortonville, Ky., and junction U.S. Highway 62, and Kentucky Highway 112, serving all intermediate points; and off-route points within 3 miles, between Princeton, Ky., and Hopkinsville, Ky., serving all intermediate points; and off-route points within 3 miles, between Dawson Springs, Ky., and Hopkinsville, Ky., serving all intermediate points; and off-route points within 3 miles, between Hopkinsville, Ky., and Nashville, Tenn., serving the intermediate point of Fort Campbell, Ky., and with service at Nashville restricted against the handling of traffic originating at, destined to, or interchanged at, Hopkinsville, Paducah, and Louisville, Ky., Evansville, Ind., and St. Louis, Mo., between Kuttawa, Ky., and junction U.S. Highway 62 with the east bank of the Tennessee River at Kentucky Dam, serving all intermediate points and off-route points within 3 miles, but restricted from serving any point west of the Tennessee River, between Calvert City, Ky., and junction Kentucky Highway 95 and U.S. Highway 68, serving said junction for purposes of joinder only, between Cadiz, Ky., and junction U.S. Highway 68 with the east bank of Kentucky Lake, serving all intermediate points and off-route points within 3 miles, between Nortonville, Ky., and Nashville, Tenn., serving all intermediate points between Nortonville and the Kentucky-Tennessee State line, and off-route points in Kentucky within 3 miles of the described routes; restricted, however, at Nashville, against the handling of traffic originating at, destined to, or interchanged at, Hopkinsville, Paducah, and Louisville, Ky., Evansville, Ind., and St. Louis, Mo., between Madisonville, Ky., and Central City, Ky., serving all intermediate points; and off-route points within 3 miles, between junction Kentucky Highways 175 and 70, at or near Earles, Ky., and junction Kentucky Highway 175 and U.S. Highway 62, at or near Graham Station, Ky., serving all intermediate points; and off-route points within 3 miles, between Fredonia, Ky., and Kuttawa, Ky., serving all intermediate points; and off-route points within 3 miles between junction Kentucky Highway 56 and Alternate U.S. Highway 41 and junction Kentucky Highway 56 with the Webster-Union County, Ky., line, serving all intermediate points and off-route points within 3

miles, between Princeton, Ky., and Providence, Ky., serving all intermediate points; and off-route points within 3 miles, between Greenville, Ky., and Hopkinsville, Ky., serving all intermediate points; and off-route points within 3 miles, between Greenville, Ky., and junction Kentucky Highways 181 and 81, near Bremen, Ky., serving all intermediate points; and off-route points within 3 miles, between Benton, Ky., and Paducah, Ky., serving no intermediate points, and with service at Benton solely for purposes for joinder with carrier's regular routes described in certificate No. MC 35396 Sub 32;

Between Benton, Ky., and Calvert City, Ky., serving no intermediate points, and with service at Benton solely for purposes of joinder with carrier's regular routes described in certificate No. MC-35396 Sub 32; between Nashville, Tenn., and Paducah, Ky., serving the intermediate point of Murray, Ky., between Murray, Ky., and Benton, Ky., serving no intermediate points, with restriction; over two alternate routes for operating convenience only; and *general commodities*, except those of unusual value, classes A and B explosives, beer, ale, intoxicating beverages, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Evansville, Ind., and White Plains, Ky., serving all intermediate points; and the off-route points of St. Charles and Providence, Ky., with restriction. UNITED TRUCKING SERVICE, INC., is authorized to operate as a *common carrier* in Michigan, Ohio, Indiana, and Kentucky. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10859. Authority sought for purchase of BRAY LINES INCORPORATED, 1401 North Little Street, Post Office Box 1191, Cushing, Okla. 74023, of a portion of the operating rights of POWERS TRANSPORTATION, INC., Post Office Box 87, Storm Lake, Iowa 50588, and for acquisition by MARY BRAY COCHRAN and FRANK E. COCHRAN, both also of 1401 North Little Street, Cushing, Okla. 74023, of control of such rights through the purchase. Applicants' attorney: Marion F. Jones, 420 Denver Club Building, Denver, Colo. 80202. Operating rights sought to be transferred: *Frozen foods*, as a *common carrier*, over irregular routes, from Macon, Milan, Marshall, Carrollton, and Moberly, Mo., to points in Wisconsin and the Upper Peninsula of Michigan. Vendee is authorized to operate as a *common carrier* in all points in the United States (except Alaska and Hawaii). Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 70-7554; Filed, June 16, 1970;
8:48 a.m.]

intends to tack authority to perform a through service to points in Arkansas, Texas, and Louisiana over the Oklahoma Gateway. Supporting shipper: Bull Moose Tube Co., Box 214, Gerald, Mo. 63037. 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 111687 (Sub-No. 33 TA), filed June 4, 1970. Applicant: BENJAMIN H. RUEGSEGER, Route No. 1, Kawawlin, Mich. 48631. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and incidental advertising materials*, when shipped with malt beverages, from La Crosse and Sheboygan, Wis., to points in the Lower Peninsula of Michigan, for 180 days. Note: Applicant states there will be no tacking nor interlining intended. Supporting shipper: G. Heileman Brewing Co., Inc., 925 South Third Street, La Crosse, Wis. 54601 (by F. W. Liegois, General Traffic Manager). Send protests to: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 225 Federal Building, Lansing, Mich. 48933.

No. MC 112750 (Sub-No. 274 TA), filed June 4, 1970. Applicant: AMERICAN COURIER CORPORATION, 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, written instruments, and business records* (except currency and negotiable securities), as are used in the business of banks and banking institutions, between Mobile, Ala., on the one hand, and, on the other, points in George, Greene, and Wayne Counties, Miss., for 180 days. Supporting shippers: (1) First National Bank of Waynesboro, Waynesboro, Miss. 39367; (2) The Merchants National Bank of Mobile, Mobile, Ala. 36601. Send protests to: District Supervisor Anthony Chusano, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, N.Y. 10007.

No. MC 115826 (Sub-No. 205 TA), filed June 2, 1970. Applicant: W. J. DIGBY, INC., 1960 31st Street, Denver, Colo. 80217. Applicant's representative: Robert R. Digby, 217 Luhrs Tower, Phoenix, Ariz. 85003. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpets, rugs, mats, padding, bedspreads, and robes*, from points in Georgia to points in Texas and New Mexico, for 180 days. Note: Carrier does intend to tack the authority here applied for and to interline with other carriers solely within the scope of the temporary authority requested. Supporting shippers: There are approximately 51 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: District Supervisor Herbert C. Ruoff, Interstate Commerce

Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 117940 (Sub-No. 22 TA), filed June 1, 1970. Applicant: NATIONWIDE CARRIERS, INC., Post Office Box 104, Maple Plain, Minn. 55359. Applicant's representative: M. James Levitus (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and articles distributed by meat packinghouses*, from Austin, Minn., to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Maryland, and Washington, D.C., for 150 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 118318 (Sub-No. 19 TA) (Correction), filed May 21, 1970, published FEDERAL REGISTER, issue of June 2, 1970, and republished as corrected this issue. Applicant: IDA-CAL FREIGHT LINES, INC., Post Office Box 422, Twin Falls, Idaho 83301. Applicant's representative: Kenneth G. Bergquist, 314 Eastman Building, Boise, Idaho 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products distributed by meat packinghouses*, described in sections A and C, appendix I to report, *Descriptions in Motor Carrier Certificate*, 61 M.C.C. 209 and 766, from Nampa, Idaho, to points in Oregon and California, for 150 days. Note: The purpose of this republication is to include the territory sought to be served, which was inadvertently omitted from previous publication. Supporting shipper: Armour & Co., 111 East Wacker Drive, Chicago, Ill. Send protests to: C. W. Campbell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 455 Federal Building, 550 West Fort Street, Boise, Idaho 83702.

No. MC 119012 (Sub-No. 6 TA), filed June 4, 1970. Applicant: RIVER TERMINALS TRANSPORT, INC., 208 Broadway, Aurora, Ind. 47001. Applicant's representative: Don J. Meyer (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fluorspar*, in specialized containers, from Aurora, Ind., to Newport, Minn., for 180 days. Supporting shipper: Miller-Adick Co., Suite 311, 35 East Seventh Street, Cincinnati, Ohio 45202. Send protests to: James W. Habermehl, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 119777 (Sub-No. 182 TA), filed June 4, 1970. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Louis J. Amato, Central Building, 1033 State Street, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Treated or untreated post, poles, piling, timbers, crossarms, ties, and lumber*, from plantsite of American Creosote Works, Inc., Jackson, Tenn., to points in Kentucky, Virginia, and West Virginia, for 180 days. Supporting shipper: American Creosote Works, Inc., Post Office Box 1444, Jackson, Tenn. 38301. Send protests to: Wayne L. Merlatt, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 123048 (Sub-No. 174 TA), filed June 2, 1970. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 53401. Applicant's representative: Paul L. Martinson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Car wash and truck wash equipment*, from the plant and warehouse sites of U-Profit Corp. in Waukesha County, Wis., and from the ports of entry at New York, N.Y., and Milwaukee, Wis., to points in Oregon, California, Texas, Alabama, Florida, Ohio, Michigan, Indiana, Wisconsin, North Dakota, South Dakota, Kansas, Oklahoma, Missouri, Minnesota, Iowa, Illinois, Colorado, Nebraska, Arkansas, Louisiana, Mississippi, Tennessee, Kentucky, Georgia, North Carolina, South Carolina, and New York, for 180 days. Supporting shipper: U-Profit Corp., 706 North Barstow Street, Waukesha, Wis. 53186 (Ben K. O'Dell, 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 124854 (Sub-No. 9 TA), filed June 4, 1970. Applicant: GRIM BROS. TRUCKING CO., 997 Laucks Mill Road, York, Pa. 17405. Applicant's representative: John M. Musselman, 400 North Third Street, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, requiring mechanical unloading by carrier, from Somerset, Va.; Muirkirk, Md., and points in the Washington, D.C., commercial zone, to points in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Ocean, and Salem Counties, N.J.; Kent, New Castle, and Sussex Counties, Del., and Berks, Bucks, Carbon, Chester, Dauphin, Delaware, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Philadelphia, and Schuylkill Counties, Pa., for 180 days. Supporting shippers: Gerlach & Moranz Brick Corp., 352 Montgomery Avenue, Merion, Pa.; O. W. Ketcham, Inc., 121 North 18th Street, Philadelphia, Pa. 19103; West Brothers Brick Co., 6600 Sheriff Road, Washington, D.C. 20027. Send protests to: Robert W. Ritenour, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 508 Federal Building, Post Office Box 869, Harrisburg, Pa. 17108.

No. MC 125650 (Sub-No. 6 TA), filed June 4, 1970. Applicant: MOUNTAIN PACIFIC TRUCKING CORPORATION, 910 Dickens Street, Missoula, Mont.

59801. Applicant's representative: Joseph O. Earp, 411 Lyon Building, 607 Third Avenue, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, canned goods, and poultry*, fresh or frozen, from points in Idaho to points in Montana, for 180 days. Supporting shippers: There are approximately eight statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 251, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 129054 (Sub-No. 7 TA), filed June 4, 1970. Applicant: GILDER TRUCKING COMPANY, 280 Memorial Drive SE., Atlanta Ga. 30312. Applicant's representative: Virgil H. Smith, Suite 431, Title Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Scrap metal and/or scrap paper*, from points in Fulton County, Ga., to points in Alabama, Connecticut, Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and Wisconsin. (b) *Scrap paper*, from Conover, N.C., to points in Richmond County, Ga., for 180 days. Supporting shippers: Atlanta Steel Supply Co., 1004 Seaboard Avenue NE., Atlanta, Ga. 30302; Georgia Paper Stock Co., Inc., 239 Grant Street SE., Atlanta, Ga. 30301. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 133192 (Sub-No. 1 TA) (Amendment), filed May 18, 1970, published FEDERAL REGISTER, issue of May 26, 1970, and republished as amended this issue. Applicant: LARRY TREBINO CONSTRUCTION COMPANY, INC., 5 Cypress Drive, Burlington, Mass. 01803. Applicant's representative: Arthur A. Wentzell, Post Office Box 720, Worcester, Mass. 01601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Concrete blocks, bricks, and lintels*, on pallets, transported by use of special equipment, that is Side-O-Matic and/or Jiffy Trucks, from the plantsite of Plastcrete Corp. in Hamden, Hartford, North Haven, and Waterbury, Conn., to its plants located at Acton, Medford, and Springfield, Mass., for 150 days. NOTE: The purpose of this republication is to show the authority requested, as amended. Supporting shipper: Plastcrete Corp., 1883 Dixwell Avenue, Hamden, Conn. 06514. Send protests to: James F. Martin, Jr., Assistant Regional Director, Interstate Commerce Commission, Bureau of Operations, John F. Kennedy Building, Government Center, Boston, Mass. 02203.

No. MC 133192 (Sub-No. 2 TA), filed June 1, 1970. Applicant: LARRY TREBINO CONSTRUCTION CO., INC., 5 Cypress Drive, Burlington, Mass. 01803. Applicant's representative: Arthur A. Wentzell, Post Office Box 720, Worcester, Mass. 01601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (a) *Concrete products*, such as bricks, blocks, channel planks, floor and roof beams, strapped on pallets, from plantsites of Plastcrete Corp., located at Acton, Medford, and Springfield, Mass., to points in Connecticut, Maine, New Hampshire, Rhode Island, and Vermont; and (b) *expanded shale*, in bulk, from plantsite of Masslite Co., Division of Bevis Industries, Inc., Plainville, Mass., to points in Connecticut, Maine, New Hampshire, Rhode Island, and Vermont, for 150 days. Supporting shippers: Masslite Co., Division of Bevis Industries, Inc., Plainville, Mass.; Plastcrete Corp., 1883 Dixwell Avenue, Hamden, Conn. Send protests to: James F. Martin, Jr., Assistant Regional Director, Interstate Commerce Commission, Bureau of Operations, John F. Kennedy Building, Government Center, Boston, Mass. 02203.

No. MC 134059 (Sub-No. 1 TA), filed May 28, 1970. Applicant: DWAYNE C. ATKINS, doing business as ATKINS TRUCKING, Rural Route No. 3, Sioux Falls, S. Dak. 57106. Applicant's representative: Charles J. Kimball, 300 N.S.E.A. Building, 14th and J Streets, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed*, from Sioux Falls, S. Dak., to points in Minnesota, Nebraska, North Dakota, and Iowa, and animal and poultry feed ingredients from points in Minnesota, Nebraska, North Dakota, and Iowa to Sioux Falls, S. Dak., restricted against the transportation of *liquid commodities*, in bulk, and restricted to traffic originating at or terminating at the plantsite and warehouse facilities utilized by Zip Feed Mills at or near Sioux Falls, S. Dak., all limited to a service to be performed under continuing contract with Zip Feed Mills, for 150 days. Supporting shipper: Zip Feed Mills, 304 East Eighth, Sioux Falls, S. Dak. 57102, Vernon Noodsy, Vice President. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 134206 (Sub-No. 3 TA), filed June 3, 1970. Applicant: F & K MILK SERVICE, INC., Post Office Box 67, Union Grove, Wis. 53182. Applicant's representative: Rolfe E. Hanson, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products* as described in appendix I to the *Descriptions Case*, 61 M.C.C. 209, *cottage cheese, yogurt, sour cream, synthetic creams, puddings, fruit drinks and uncarbonated beverages, and foodstuffs* (except in bulk), from Whitewater, Wis., to points in Illinois, Indiana, Iowa, Michigan, Ohio, Pennsylvania, New Jersey, New

York, and Kentucky; and return of the above-described commodities from plants of Hawthorn-Melody, Inc., in the States named, to Whitewater, Wis., restricted to transportation to be performed under contract with Hawthorn-Melody, Inc., Chicago, Ill., for 180 days. Supporting shipper: Hawthorn-Melody, Inc., Chicago Avenue at Keeler, Chicago, Ill. 60651 (William R. Lahvic, Vice 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 134551 (Sub-No. 1 TA), filed June 2, 1970. Applicant: BRENDEL DISTRIBUTING CO., INC., Caine Drive, Madison, Ill. 62060. Applicant's representative: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo. 63101. 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 packing-houses* as described in sections A and C of appendix I to the *Reports in Descriptions of Motor Carrier Certificates*, 61 M.C.C. 209 and 766; from Madison, Ill., to points in St. Louis and St. Louis County, Mo., for 180 days. Supporting shipper: Swift Fresh Meats Co., a division of Swift & Co., 115 West Jackson Boulevard, Chicago, Ill. 60604. Send protests to: Harold Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 134586 TA (Correction), filed May 11, 1970, published FEDERAL REGISTER, issue of May 22, 1970, and republished as corrected this issue. Applicant: RARITAN MOTOR EXPRESS, INC., 129 Lincoln Boulevard, Middlesex, N.J. 08846. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses* (except commodities in bulk), and in connection therewith, *equipment, materials, and supplies* (except commodities in bulk) used in the conduct of such business, between Linden, N.J., on the one hand, and, on the other, points in New York, N.Y., Nassau, Suffolk, Westchester, Rockland, Putnam, Orange, Dutchess, Sullivan, Ulster, Delaware, Greene, Columbia, Albany, Rensselaer, Schoharie, Montgomery, Fulton, Saratoga, Washington, Warren, Onondaga, and Monroe Counties, N.Y., Philadelphia, Pa., New Jersey, Connecticut, Massachusetts, Rhode Island, Hillsborough, and Rockingham Counties, N.J., for 180 days. Restriction: The proposed service to be under contract with Food Fair Stores, Inc. NOTE: The purpose of this republication is to correctly set forth the commodities proposed to be transported. Supporting shipper: Food Fair Stores, Inc. Food Fair Building, 3175 John F. Kennedy Boulevard, Philadelphia, Pa. 19101. Send protests to: District Supervisor

Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 970 Board Street, Newark, N.J. 07102.

No. MC 134603 TA (Second Correction), filed May 14, 1970, published FEDERAL REGISTER, issues of May 23, 1970, and June 4, 1970, and republished as corrected this issue. Applicant: T & S CONSOLIDATED, INC., 5118 Park Avenue, Memphis, Tenn. 38117. Applicant's representative: John Paul Jones, 189 Jefferson Avenue, Memphis, Tenn. 38103. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Materials, equipment, and supplies utilized in the manufacture, distribution, and sale of the following commodities, restricted against the transportation of commodities in bulk, on return; and (2) doors; doors, assembled in frames; doors and casings and frames combined; screens, including screen doors, window screens, and roller screens; blinds; glass, window, door, skylight, blocks, bricks, and slabs; boards; bolts, door and window; bolts and nuts; casings, door and window; ceiling moldings, panels, and ornaments; putty; sash; sash balances, spring; sash mullions, pulleys and weights; weights, sash and window; windows; wooden screen doors, flat, with or without screens; wooden screen windows, flat, wooden door frames, knocked down; wooden sliding doors with glass; wooden doors, without glass, with or without screens; screen or aluminum inserts for wooden doors; wooden doors with glass; wooden exterior window blinds; wooden window frames with glass, with or without screens; metal hardware for windows; wooden parts for windows; removable window frames, made of glass and aluminum; removable wooden grill window grids and door grids; window glass; window lower inserts for doors and windows; advertising materials; wood moldings; washboards; and wood and steel baseboards for stoves, from Memphis, Tenn., and Chicago Heights, Ill., to points in the continental United States on and east of the Mississippi River (except points in Maine), and to ports of entry on the international boundary line between the United States and Canada located in Michigan, New York, Minnesota, and Vermont; and to points in Kansas, Iowa, Nebraska, Minnesota, South Dakota, North Dakota, Missouri, Texas, Oklahoma, Wyoming, Colorado, Arkansas, Louisiana, and Minnesota, for 180 days. NOTE: Applicant states that all traffic sought in this application will be transported under a continuing contract with Wabash, Inc., Memphis, Tenn., and The American Stoveboard Co., Chicago Heights, Ill. Outbound shipments for the latter company will be restricted to stoveboards. The latter company is a wholly owned subsidiary of the former. All traffic in this application will originate or terminate at the plantsite and warehouse facilities of Wabash, Inc., at Memphis, Tenn., and American Stoveboard Co., Chicago Heights, Ill. The purpose of this republication is to more clearly set forth the territory proposed to be served. Supporting shipper: Wa-*

bash, Inc., 1217 Florida Street, Memphis, Tenn. 38106 (J. Denton Brewer, Traffic Manager). Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 390 Federal Office Building, 167 North Main Street, Memphis, Tenn. 38104.

MOTOR CARRIER PASSENGERS

No. MC 134243 (Sub-No. 1 TA), filed June 2, 1970. Applicant: MOORE BROS. TRANSPORTATION CO., INC., 740 West Broad Street, High Point, N.C. 27260. Applicant's representative: Samuel G. Morre (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and baggage, from points in Davidson, Rowan, Guilford, and Alamance Counties, N.C., in round trip charter operations, extending to points in the United States (excluding Alaska and Hawaii), for 180 days. Supported by: Rev. F. D. Betts, Pastor, Files Chapel Baptist Church, Lexington, N.C.; Arthur T. Edwards, Director of Recreation, Salisbury Recreation Department, Salisbury, N.C. 28144; Eugene Reid, 208 Winston Street, Thomasville, N.C.; Mrs. Minnie W. Payne, Program Coordinator, Recreation Department, City of Thomasville, Thomasville, N.C.; Joe C. Davidson, Director of Recreation and Parks Department, City of Burlington, Burlington, N.C. 27215; Mrs. Geneva M. Williamson, Secretary, First Baptist Church, McLeansville, N.C. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 26896, Raleigh, N.C. 27611.*

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 70-7555: Filed, June 16, 1970;
8:48 a.m.]

[Notice 95]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 12, 1970.

The following are notices of filing of applications for temporary authority under section 210(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 11722 (Sub-No. 21 TA), filed June 2, 1970. Applicant: BRADER HAULING SERVICE, INC., Post Office Box 655, Zillah, Wash. 98953. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bloodmeal, in bags or packages, from Toppenish, Wash., to points in Tillamook, Washington, Multnomah, Yamhill, Clackamas, Marion, Polk, Benton, Linn, Lane, Douglas, Josephine, and Jackson Counties, Oreg., and to points in Sonoma, Marin, Napa, Solano, Contra Costa, San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, Kern, Ventura, and Los Angeles Counties, Calif., and to Seattle, Tacoma, and Vancouver, Wash., for export by water carrier, for 180 days. Supporting shipper: Wilbur Ellis Co., Post Office Box 8838, Portland, Oreg. 97208. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, Fourth Avenue, Portland, Oreg. 97204.*

No. MC 107002 (Sub-No. 392 TA), filed June 10, 1970. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123 (U.S. Highway 80 West), Jackson, Miss. 39205. Applicant's representative: John J. Borth (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products, in bulk, in tank vehicles, from Lumberton, Miss., to points in Louisiana on, north and east of U.S. Highways 90 and 190 and Interstate Highway 55, for 180 days. Supporting shipper: Southland Oil Co., Post Office Box 328, Yazoo City, Miss. 39194. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, Jackson, Miss. 39201.*

No. MC 111785 (Sub-No. 48 TA), filed June 10, 1970. Applicant: BURNS MOTOR FREIGHT, INC., Post Office Box No. 149, Marlinton, W. Va. 24954. Applicant's representative: Theodore Polydoroff, 1140 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Particle board, from the plantsite of the Wynnewood Products Co., at or near Black Mountain, N.C., to Elkins (Randolph County), W. Va., for 180 days. Supporting shipper: Allegheny Lumber Co., Post Office Box No. 409, Elkins, W. Va. 26241. Send protests to: H. R. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3108 Federal Office Building, 500 Quarrier Street, Charleston, W. Va. 25301.*

No. MC 119917 (Sub-No. 26 TA), filed June 10, 1970. Applicant: DUDLEY TRUCKING COMPANY, 717 Memorial Drive SE., Atlanta, Ga. 30316. Applicant's

representative: Monty Schumacher, Suite 310, 2045 Peachtree Road NE., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products*, in trailers provided by the shipper or trailers provided by the carrier from Greensboro, N.C., Spartanburg, S.C., and Opelika, Ala., to Atlanta, Ga., for 180 days. Supporting shipper: Atlanta Baking Co., Atlanta, Ga. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 123255 (Sub-No. 7 TA), filed June 10, 1970. Applicant: B & L MOTOR FREIGHT, INC., 140 Everett Avenue East, Newark, Ohio 43055. Applicant's representative: C. F. Schnee, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine*, from Westfield, N.Y., to points in Ohio (except Cleveland, Ohio), for 180 days. Supporting shipper: Mogen David Wine Corp., 3737 South Sacramento Avenue, Chicago, Ill. 60632. Send protests to: A. M. Culver, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 255 Federal Building and U.S. Courthouse, 85 Marconi Boulevard, Columbus, Ohio 43215.

No. MC 127539 (Sub-No. 14 TA), filed June 4, 1970. Applicant: PARKER REFRIGERATED SERVICE, INC., 3533 East 11th Street, Tacoma, Wash. 98421. Applicant's representative: George R. Labissioniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy*, from Tacoma, Wash., to points in Sonoma, Marin, San Mateo, Contra Costa, Alameda, Santa Clara, Santa Cruz, Ventura, Santa Barbara, Orange, San Bernardino, Riverside, and Los Angeles Counties, Calif., for 150 days. Supporting shipper: Brown & Haley, Box 1596, Tacoma, Wash. 98401. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 127571 (Sub-No. 2 TA), filed June 10, 1970. Applicant: GARY C. BULMAN, doing business as BULMAN TRUCKING SERVICE, Box 268, Waukon, Iowa 52712. Applicant's representative: Lynn W. Morrow, 23 Allamakee Street, Waukon, Iowa 52712. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cheese curds*, from Elkader, Iowa, to Green Bay, Wis., for 150 days. Supporting shipper: Farmers Waukon Cooperative Creamery, Waukon, Iowa. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, Iowa 52801.

No. MC 128047 (Sub-No. 3 TA), filed June 5, 1970. Applicant: CLARK R. INGRAM, Rural Delivery No. 1, Weedville, Pa. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, in dump vehicles, from Huston Township, Clearfield County, Pa., to Buffalo and Clarence Center, N.Y., for 150 days. Supporting shipper: The Valley Camp Coal Co., 700 Westgate Tower, Cleveland, Ohio 44116. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2111 Federal Building, Pittsburgh, Pa. 15222.

No. MC 133316 (Sub-No. 4 TA), filed June 4, 1970. Applicant: FRANK R. GIVIGLIANO, doing business as GIVIGLIANO TRANSPORT, 1513 San Pedro Street, Trinidad, Colo. 81082. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products, candy, and confections*, from points in California to points in Arizona, New Mexico, and Colorado, for 180 days. Supporting shippers: Ben Myerson Candy Co., Inc., 928 Towne Avenue, Los Angeles, Calif. 90021; Nobel, Inc., 1101 West 48th Avenue, Denver, Colo. 80217; Hoffman Candy Co., 6600 Avalon Boulevard, Los Angeles, Calif. 90003; Boston Food Products Co., Inc., 228 South Main, Pueblo, Colo.; Khyber Food Products, Inc., Post Office Box 3824, Fullerton, Calif. 92634. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 134429 (Sub-No. 1 TA), filed May 28, 1970. Applicant: SAINT PAUL TERMINAL WAREHOUSE COMPANY, INC., 444 Lafayette Road, St. Paul, Minn. 55101. Applicant's representative: Philip W. Getts, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, commodities in tank vehicles and those requiring special equipment because of size or weight, between the following points: Cordova siding (plantsite of Minnesota Mining & Manufacturing Co. near Cordova), Ill., Ames and Knoxville, Iowa; Alexandria and Chemolite (Minnesota Mining & Manufacturing Co. plantsite at Cottage Grove), Fairmont, Hutchinson, Lindstrom, New Ulm, and Pine City, Minn.; the Minneapolis-St. Paul, Minn. commercial zone as defined by the Interstate Commerce Commission; and Cumberland and Prairie du Chien, Wis., for 180 days. NOTE: Applicant shall not be authorized to provide a local service transporting traffic originating at Cumberland, Wis., and destined to Minneapolis-St. Paul, Minn., or Chemolite (Minnesota Mining & Manufacturing Co. site at Cottage Grove), Minn.; nor shall applicant be authorized to provide a local service transporting traffic originating at Minneapolis-St. Paul or Chemolite (Minnesota Mining & Manufacturing plant at Cottage Grove), Minn., destined to Cumberland, Wis. Supporting shipper: Minnesota Mining & Manufacturing Co., 3M Center, St. Paul, Minn. 55101. Send protests to: District Supervisor A. E. Rathert, Inter-

state Commerce Commission, Bureau of Operations, 448 Federal Building, and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 134654 TA, filed June 3, 1970. Applicant: D & H TRANSPORT, INC., 34622 West Valley Hiway, Auburn, Wash. 98002. Applicant's representative: Joseph O. Earp, 411 Lyon Building, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and meat products*, in mechanically refrigerated equipment, from points in Washington to points in California, for 180 days. Supporting shippers: There are approximately eight statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

MOTOR CARRIER OF PASSENGERS

No. MC 134660 TA, filed June 5, 1970. Applicant: CRESENCIO "JOE" RAMIREZ, doing business as JOE'S BUS SERVICE, 1425 10th Street, Waukegan, Ill. 60085. Applicant's representative: Robert F. Munsell, 460 North Lake Street, Mundelein, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers* in special operation on round trip sight-seeing or pleasure trip, between North Chicago, Ill., on the one hand and on the other, Van's Great Lakes Drag Strip near Union Grove, Wis., and Lake Geneva, Wis., for 180 days. Supporting shippers: Van's Great Lakes Dragaway, Inc., Union Grove, Wis. 53182; United States Naval Training Station, Great Lakes, Ill. 60088. Send protests to: William E. Gallagher, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1086, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 70-7556; Filed, June 16, 1970;
8:48 a.m.]

[S.O. 1002; Revised Car Distribution Direction No. 67]

PENN CENTRAL CO., AND BURLINGTON NORTHERN, INC.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Penn Central Co. shall deliver to the Burlington Northern, Inc., a weekly total of 245 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 9¹ feet wide. Exceptions: Canadian ownerships and cars named in Service Orders 1037¹ and 1041.¹

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler on or before each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carriers receiving the cars described above must advise Agent R. D. Pfahler on or before each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended*. The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date*. This direction shall become effective at 12:01 a.m., June 12, 1970.

(4) *Expiration date*. This direction shall expire at 11:59 p.m., June 21, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., June 11, 1970.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 70-7557; Filed, June 16, 1970;
8:48 a.m.]

[S.O. 1002; Revised Car Distribution Direction
No. 79]

**SOUTHERN PACIFIC CO., AND
BURLINGTON NORTHERN, INC.**

Car Distribution

Pursuant to section 1 (15) and (17)
of the Interstate Commerce Act and

¹ Change.

authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) Southern Pacific Co. shall deliver to the Burlington Northern, Inc. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 9¹ feet wide. Exception: Canadian ownerships and cars named in Service Orders 1037¹ and 1041¹.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler on or before each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler on or before each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended*. The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date*. This direction shall become effective at 12:01 a.m., June 12, 1970.

(4) *Expiration date*. This direction shall expire at 11:59 p.m., June 21, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., June 11, 1970.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 70-7558; Filed, June 16, 1970;
8:48 a.m.]

¹ Change.

[S.O. 1002; Revised Car Distribution Direction
No. 82]

**SOUTHERN RAILWAY CO. AND
BURLINGTON NORTHERN, INC.**

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Southern Railway Co. shall deliver to the Burlington Northern, Inc., a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 9¹ feet wide. Exception: Canadian ownerships and cars named in Service Orders 1037¹ and 1041¹.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each seven days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler on or before each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler on or before each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended*. The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date*. This direction shall become effective at 12:01 a.m., June 12, 1970.

(4) *Expiration date*. This direction shall expire at 11:59 p.m., June 21, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

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

¹ Change.

Issued at Washington, D.C., June 11, 1970.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[P.R. Doc. 70-7559; Filed, June 16, 1970;
8:48 a.m.]

[S.O. 1002; Revised Car Distribution Direction
No. 84]

**BALTIMORE AND OHIO RAILROAD
CO., AND BURLINGTON NORTH-
ERN, INC.**

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Baltimore and Ohio Railroad Co. shall deliver to the Burlington Northern, Inc., a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 9 feet wide. Exception: Canadian ownerships and cars named in Service Orders 1037¹ and 1041.²

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler on or before each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler on or before each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., June 12, 1970.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., June 21, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all rail-

¹ Change.

roads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., June 11, 1970.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[P.R. Doc. 70-7560; Filed, June 16, 1970;
8:48 a.m.]

[S.O. 1002; Revised Car Distribution
Direction No. 85]

**KANSAS CITY SOUTHERN RAILWAY
CO., AND BURLINGTON NORTH-
ERN, INC.**

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Kansas City Southern Railway Co. shall deliver to the Burlington Northern, Inc., a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 9 feet wide. Exception: Canadian ownerships and cars named in Service Orders 1037¹ and 1041.²

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler on or before each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler on or before each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., June 12, 1970.

¹ Change.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., June 21, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., June 11, 1970.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[P.R. Doc. 70-7561; Filed, June 16, 1970;
8:49 a.m.]

[S.O. 1002; Car Distribution Direction No.
87-A]

**SOUTHERN RAILWAY CO. AND
MISSOURI-KANSAS-TEXAS RAIL-
ROAD CO.**

Car Distribution

Upon further consideration of Car Distribution Direction No. 87, and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 87 be, and it is hereby, vacated.

It is further ordered, That this order shall become effective at 11:59 p.m., June 14, 1970, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., June 12, 1970.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[P.R. Doc. 70-7562; Filed, June 16, 1970;
8:49 a.m.]

[S.O. 1002; Car Distribution Direction No.
88-A]

**SEABOARD COAST LINE RAILROAD
CO., LOUISVILLE AND NASHVILLE
RAILROAD CO., AND MISSOURI-
KANSAS-TEXAS RAILROAD CO.**

Car Distribution

Upon further consideration of Car Distribution Direction No. 88, and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 88 be, and it is hereby, vacated.

It is further ordered, That this order shall become effective at 11:59 p.m.,

June 14, 1970, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., June 12, 1970.

INTERSTATE COMMERCE
COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 70-7563; Filed, June 16, 1970;
8:49 a.m.]

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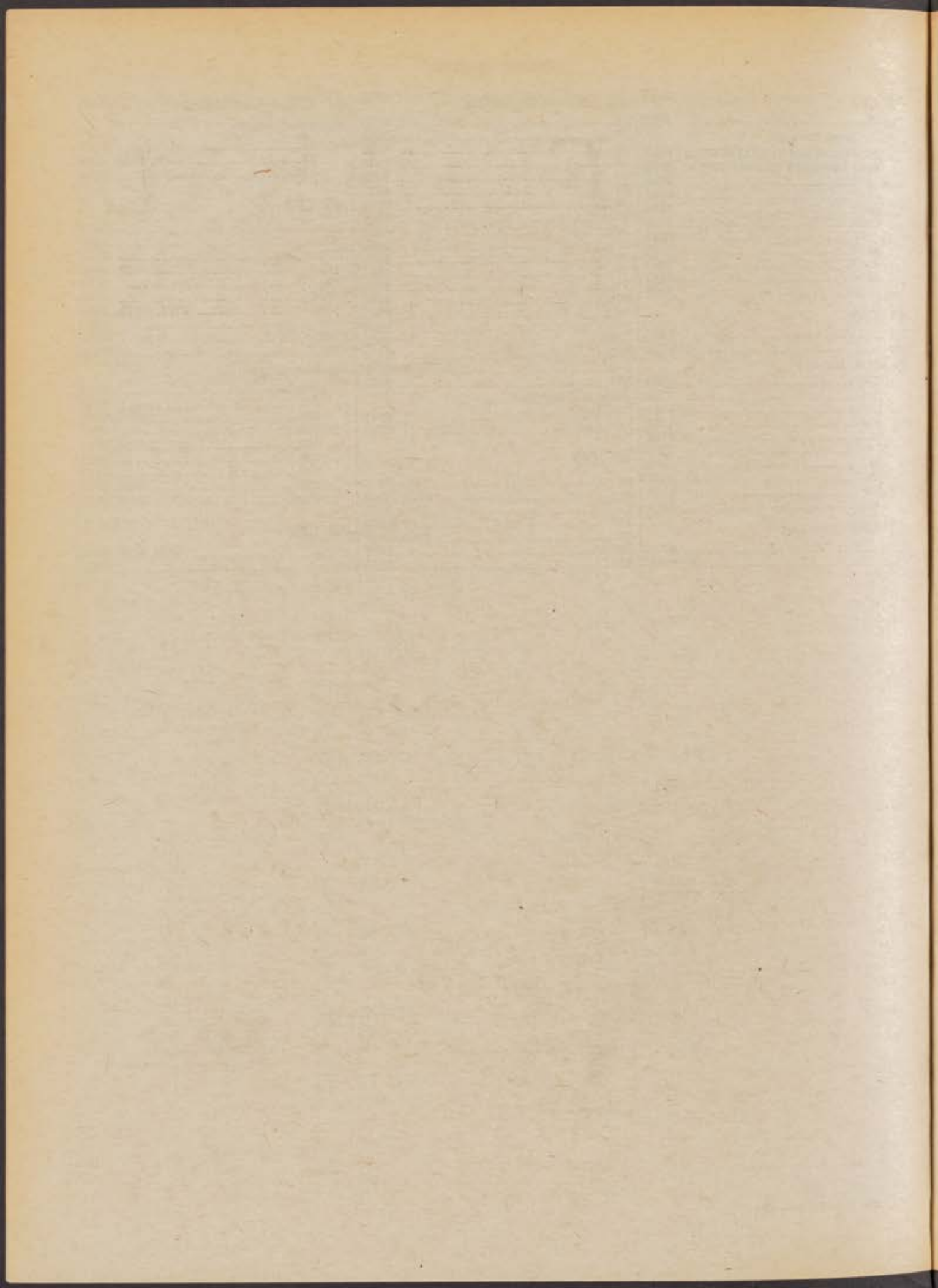
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PART II

DEPARTMENT OF TRANSPORTATION

Coast Guard

Miscellaneous Amendments to Chapter



Title 46—SHIPPING

Chapter I—Coast Guard, Department of Transportation

[CGFR 69-127]

MISCELLANEOUS AMENDMENTS TO CHAPTER

The purpose of this document is to make miscellaneous amendments to Subchapters A (Procedures Applicable To The Public), B (Merchant Marine Officers and Seamen), D (Tank Vessels), F (Marine Engineering), H (Passenger Vessels), I (Cargo and Miscellaneous Vessels), N (Dangerous Cargoes), and R (Nautical Schools).

The majority of the amendments concern Subchapter F, which was extensively revised by a document published in the FEDERAL REGISTER of December 18, 1968 (33 F.R. 18808) which became effective on July 1, 1969. This document corrects manifest errors that have been found in this revision and eliminates a number of unnecessary duplications. Also, the document reflects changes in the names and addresses of a number of societies which issue the codes and standards which are incorporated by reference in this subchapter. Since these amendments are editorial in nature, it is hereby found to be unnecessary to comply with the requirements of the Administrative Procedure Act concerning notice and public procedure thereon.

Under the terms of the incorporation by reference presently contained in Subchapter F of the various industry standards and codes, changes to these standards and codes made by the societies issuing them are also adopted by the Coast Guard, unless expressly disaffirmed. Some of the amendments in this document are made to reflect recent changes in the standards and codes which by the terms of the existing regulations have already been adopted. The existing § 50.15-30(b) expressly provides that these amendments to the regulations caused by changes in the standards and codes will be made by the Coast Guard without notice of rule making.

Under the present regulations, the manufacturer of boilers, pressure vessels, or nuclear pressure vessels is required to complete the Manufacturers' Data Report prescribed by the ASME Code, as modified by the appropriate Officer in Charge, Marine Inspection of the Coast Guard. This ASME form consists of eight pages and experience has indicated that the modifications directed by the local Coast Guard official, if incomplete or incorrect, can cause confusion. In place of the modified ASME form, the Coast Guard has developed an abridged Coast Guard Form (Form CG-2936, Rev. 11-69) consisting of only one page. This form has been approved by the Bureau of the Budget. Several of the amendments in this document require that the manufacturer complete this abridged Coast Guard Form instead of the previously

required ASME Code Form, as modified. This substitution will result in less burden to the manufacturer and will eliminate possible confusion to all concerned. In view of these circumstances, it is hereby found to be unnecessary to comply with the requirements of the Administrative Procedure Act concerning notice and public procedure thereon.

Several amendments in this document disaffirm the general adoption of Code Cases issued by the Societies interpreting and applying certain sections of the codes and standards to specific factual situations. This disaffirmance is necessitated by the fact that experience has shown that many of these Code Cases are manifestly inapplicable to marine installations. Section 50.15-60(b) provides, inter alia, that when the Coast Guard determines that a Code Case is unsatisfactory for marine use, a prohibition against its use will be published in the first instance as a rule without notice of rule making. Thereafter, the matter will be placed in the Public Hearing Agenda so that all interested persons may present comments thereon. This procedure will be adhered to with respect to all the amendments in this document which disaffirm the existing adoption of these Code Cases. The sections involved are 46 CFR 50.15-5, 50.15-10, 50.15-13, 56.01-5. These amendments will be placed on the next public hearing agenda and notice thereof will be published in the FEDERAL REGISTER.

The minor changes made by this document in the other subchapters are, in the main, self-explanatory. However, some of the changes warrant comment. Sections 10.05-33(a)(4), 10.10-2(a)(4), and 10.10-23(a)(4) are amended to provide that the completion of a prescribed deck or engineering course at a school operated by a union or nonprofit organization approved by the Commandant may be accepted as the equivalent of sea service up to a maximum of 4 months. The effect of these amendments is to equate training at a school operated by a union or nonprofit organization, after approval by the Commandant, to training at similar schools operated by the Government. The purpose of these amendments is to further alleviate the existing shortage of licensed deck and engineering officers. Since these schools operated by the unions are approved by the Commandant in the same manner as Government operated training schools and since time is of the essence in effectuating this change, it is hereby found to be unnecessary to comply with the requirements of the Administrative Procedure Act concerning notice and public procedure thereon.

Sections 70.05-30 and 90.05-35 are added to Subchapters H and I, respectively to repeat in those subchapters the provisions of 46 CFR 30.01-5 permitting the carriage of limited quantities of flammable and combustible liquids in bulk on passenger, cargo, and miscellaneous vessels, and to state the requirements of 46 U.S.C. 391a(4) that the

permit to carry these cargoes be endorsed on the vessel's certificate of inspection. These changes are editorial in nature and notice and public procedure thereon are not required.

A note is added to § 146.20-9, a new § 146.22-3 is added, and a new article is added to Table C of § 146.22-100 to provide that smokeless powder for small arms in quantities not exceeding 100 pounds net weight, contained in one vehicle, container, or other authorized packaging may be transported as a flammable solid. These changes are made pursuant to the statutory direction contained in 46 U.S.C. 170(7)(a) to establish consistency with the regulations of the Department of Transportation contained in 49 CFR 173.197(a). Accordingly, notice and public procedure on these amendments are not required.

Sections 146.24-21, 146.24-25, and Table G of § 146.24-200 are revised to exempt food, cosmetics, and related products in aerosol packages, charged with nonflammable, nontoxic gases from the on-deck stowage requirements for "Compressed gases, N.O.S." These revisions are consistent with the regulations of the Department of Transportation contained in 49 CFR Parts 170-179 governing these products when moving in land transportation. Carrier associations and terminal operators have pointed out that it is manifestly unreasonable to require on-deck stowage of containers of foodstuffs and cosmetics charged with nonflammable and nontoxic propellants. Furthermore, the present requirement for on-deck stowage prohibits stowage in refrigerated spaces which is required for the proper preservation of some of these products. The need for the revisions accomplished by this document is considered to be extremely acute. Since time is of the essence in effectuating these amendments to achieve consistency with the stowage requirements in land transportation notice and public procedure thereon are not required.

Section 167.01-5(c) is added to subchapter R in accordance with a legal opinion of the Chief Counsel, U.S. Coast Guard to provide that documented nautical school ships of 500 gross tons or over when engaged on an international voyage shall comply with the standards of the International Convention for Safety of Life at Sea, 1960, for cargo vessels. Consistent with this requirement, § 167.60-1(d) is added to provide that those vessels which do not comply with these standards shall have their certificate of inspection endorsed "Domestic Voyages Only". These amendments involve an interpretative ruling and do not require notice and public procedure thereon.

All of the amendments contained in this document have been thoroughly considered by the Merchant Marine Council of the Coast Guard. The Council has recommended to the Commandant the approval of these amendments. After due consideration the Commandant, U.S. Coast Guard has approved the amendments set forth below.

SUBCHAPTER A—PROCEDURES APPLICABLE TO THE PUBLIC

PART 1—ORGANIZATION, GENERAL COURSE AND METHODS GOVERNING MARINE SAFETY FUNCTIONS

1. Section 1.20(c) (1) (i) is revoked.

(R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b) (1); 49 CFR 1.46(b))

SUBCHAPTER B—MERCHANT MARINE OFFICERS AND SEAMEN

PART 10—LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS

Subpart 10.05—Professional Requirements for Deck Officers' Licenses (Inspected Vessels)

2. Section 10.05-33(a) (4) is revised to read as follows:

§ 10.05-33 Third mate of ocean steam or motor vessel.

(a) * * *

(4) Satisfactory completion of the prescribed course (deck) at a U.S. Government operated training school, or at a recognized maritime union or non-profit organization training school, approved by the Commandant, may be accepted as the equivalent of sea service up to a maximum of 4 months, provided the applicant has obtained the additional qualifying experience prior to enrollment; or,

Subpart 10.10—Professional Requirements for Engineer Officers' Licenses (Inspected Vessels)

3. Section 10.10-21(a) (4) is revised to read as follows:

§ 10.10-21 Third assistant engineer; steam vessels.

(a) * * *

(4) Satisfactory completion of the prescribed course (engineering) at a U.S. Government operated training school, or at a recognized maritime union or non-profit organization training school approved by the Commandant, may be accepted as the equivalent of sea service up to a maximum of 4 months, provided the applicant has obtained the additional qualifying experience prior to enrollment; or,

4. Section 10.10-23(a) (4) is revised to read as follows:

§ 10.10-23 Third assistant engineer; motor vessels.

(a) * * *

(4) Satisfactory completion of the prescribed course (engineering) at a U.S. Government operated training school or at a recognized maritime union or non-profit organization training school approved by the Commandant, may be accepted as the equivalent of sea service up to 4 months, provided the applicant

has obtained the additional qualifying experience prior to enrollment; or,

(R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b) (1); 49 CFR 1.46(b))

SUBCHAPTER D—TANK VESSELS

PART 32—SPECIAL EQUIPMENT, MACHINERY, AND HULL REQUIREMENTS

Subpart 32.15—Navigation Equipment

5. Section 32.15-25(a) is revised to read as follows:

§ 32.15-25 Radio direction finder—T/OC.

(a) All tankships of 1,600 gross tons and over on an international voyage or in ocean service shall be fitted with a radio direction finder. Details of the installation shall be as required by the statutes and regulations under the jurisdiction of the Federal Communications Commission.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 937; 46 U.S.C. 375, 391a, 416, 49 U.S.C. 1655(b) (1); 49 CFR 1.46(b))

SUBCHAPTER F—MARINE ENGINEERING

PART 50—GENERAL PROVISIONS

Subpart 50.10—Definitions of Terms Used in This Chapter

6. Table 50.10-30 of § 50.10-30 is amended by revoking the sixth entry which reads "CAI ----- Cairo" and adding in proper alphabetical sequence the entry "PAD ----- Paducah."

Subpart 50.15—Reference Specifications, Standards, and Codes

7. Section 50.15-50 is amended by deleting the words and "ASME Code Cases" in the heading and by revising paragraphs (a) and (b) to read as follows:

§ 50.15-5 ASME Boiler and Pressure Vessel Code.

(a) The following sections of the "ASME Boiler and Pressure Vessel Code" published by The American Society of Mechanical Engineers (ASME), United Engineering Center, 345 East 47th Street, New York, N.Y. 10017, are adopted subject to the limitations and modifications specified in this subchapter which appear with the listing:

- (1) Section I, Power Boilers (ASME, sec. I).
- (2) Section II, Material Specifications (ASME, sec. II).
- (3) Section III, Nuclear Vessels (ASME, sec. III).
- (4) Section IV, Heating Boilers (ASME, sec. IV).
- (5) Section VIII (Division 1), Pressure Vessels (ASME, sec. VHI).
- (6) Section IX, Welding Qualifications (ASME, sec. IX).

(b) The actions of the ASME Boiler and Pressure Vessel Code not referenced by paragraph (a) of this section are not adopted. Their use is prohibited unless specifically allowed by the Commandant.

8. Section 50.15-10 is revised to read as follows:

§ 50.15-10 ANSI Standards.

(a) All "ANSI Standards" of the American National Standards Institute (ANSI), 1430 Broadway, New York, N.Y. 10018, specifically described in this subchapter are adopted subject to the limitations and modifications specified in this subchapter which appear with the listing. Many of these standards are published by and may be obtained from The American Society of Mechanical Engineers, United Engineering Center, 345 East 47th Street, New York, N.Y. 10017. When a standard is not published by this Society, the publisher will be indicated in the specific listing.

(b) The actions of the ANSI Codes not listed in this subchapter, are not adopted. Their use is prohibited unless specifically allowed by the Commandant.

9. Subpart 50.15 is amended by adding a new section, § 50.15-13, to read as follows:

§ 50.15-13 Code Cases—ASME and ANSI.

(a) Code cases for ASME Sections and for ANSI Standards are not adopted.

(b) When the use of a current ASME or ANSI code case is desired with regard to a specific installation, permission for such use must be obtained from the Commandant.

10. Sections 50.15-20(a) (1), (5), and (11) are revised to read as follows:

§ 50.15-20 Additional standards.

(a) In addition to the previously referenced ASME, ANSI, and ASTM Standards, the following organizations have specifically selected standards described in this subchapter which are adopted subject to the limitations and modifications specified in this subchapter which appear with the listing:

- (1) American Boat and Yacht Council, Inc. (ABYC), 15 East 26 Street, Room 1603, New York, N.Y. 10010.
- (5) Manufacturer's Standardization Society of the Valve and Fittings Industry (MSS), 1815 North Fort Myer Drive, Arlington, Va. 22209.

(11) Marine Department, Underwriters' Laboratories, Inc. (formerly Yacht Safety Bureau), 336 Old Hook Road, Westwood, N.J. 07676.

(R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b) (1); 49 CFR 1.46(b))

PART 52—POWER BOILERS

Subpart 52.01—General Requirements

11. Section 52.01-1 is amended by revoking paragraph (d).

12. In § 52.01-1 Table 52.01-1(a) is amended by deleting the 27th entry reading "PW-12 reproduced by ----- 52.05-25".

13. Section 52.01-3(c) is amended by deleting subparagraph (13) and redesignating subparagraphs (14), (15), and (16) as (13), (14), and (15) respectively.

14. Section 52.01-135(a) is amended by deleting the words "and in § 52.01-95 (d)".

15. Sections 52.01-140 (b) (5), (c), (d) (1), and (e) are revised to read as follows:

§ 52.01-140 Certification by Stamping (modifies PG-105 through PG-113).

(b) * * *

(5) Boiler rated steaming capacity in pounds per hour (rated B.t.u./hr. output for high temperature water boilers).

(c) The data shall be legibly stamped and shall not be obliterated during the life of the boiler. In the event that the portion of the boiler upon which the data is stamped is to be insulated or otherwise covered, a metal nameplate as described in PG-106.6 of the ASME Code shall be furnished and mounted. The Coast Guard symbol shall be used instead of the ASME symbol on such plates and may only be affixed in the presence of a marine inspector. The nameplate is to be maintained in a legible condition so that the data may be easily read.

(d) (1) When only a pressure part of a boiler is supplied, the applicable data shall be recorded on the Manufacturers' data form as "Partial". The item shall be stamped with the Coast Guard symbol, the Marine Inspection Office identification letters (See § 50.10-30 of this chapter) and the word "Part", the manufacturer's name and serial number, and the maximum working pressure.

(e) PG-107 through PC-109 of the ASME Code do not apply. Field assembly of completed and stamped (less the Coast Guard number) individual boiler components at a shipyard is permitted. The manufacturer or assembler responsible for the completed boiler unit which is field assembled shall submit the final data report form.

16. Section 52.01-145 is revised to read as follows:

§ 52.01-145 Manufacturers' data report forms (modifies PC-112 and PG-113).

(a) The Manufacturers' data report form, as provided by the Coast Guard, shall be completed in duplicate and certified by the manufacturer for each power boiler required to be shop inspected under these regulations. The original of this form shall be delivered to the Coast Guard inspector.

(b) Data forms for those parts of a power boiler requiring inspection, which are furnished by other than the shop of the manufacturer responsible for the completed unit, shall be executed in triplicate by the parts manufacturer. The original and one copy shall be delivered

to the Coast Guard Inspector who shall forward one copy of the report to the Officer in Charge, Marine Inspection having cognizance over the final assembly. These partial data reports, together with the final inspection and tests, shall be the final Coast Guard inspector's authority to apply the Coast Guard symbol and number. A final data report shall be executed by the manufacturer or assembler who completes the final assembly and tests.

Subpart 52.05—Requirements for Boilers Fabricated by Welding

17. Section 52.05-25 is revoked.

Subpart 52.15—Requirements for Watertube Boilers

18. Section 52.15-5(a) is amended by changing the word "may" to "shall".

(R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b) (1); 49 CFR 1.46(b))

PART 53—HEATING BOILERS

Subpart 53.01—General Requirements

19. Section 53.01-1 is amended by revoking paragraph (d).

Subpart 53.10—Tests, Inspection, Stamping and Reporting (Article 5)

20. Section 53.10-10(c) is amended by revising subparagraph (6) and adding subparagraph (7) to read as follows:

§ 53.10-10 Certification by stamping (modifies HG-530).

(c) * * *

(6) ----- Heating surface (sq. ft.)

(7) ----- Minimum safety valve or relief valve relieving capacity in pounds or B.t.u. per hour as determined according to HG-400.1(d) or HG-400.2(d) of the ASME Code.

21. Section 53.10-15 is revised to read as follows:

§ 53.10-15 Manufacturers' data report forms (modifies HG-520).

(a) The Manufacturers' data report form, as provided by the Coast Guard, shall be completed in duplicate and certified by the manufacturer for each heating boiler required to be shop inspected under these regulations. The original of this form shall be delivered to the Coast Guard inspector.

(b) Data forms for those parts of a heating boiler requiring inspection, which are furnished by other than the shop of the manufacturer responsible for the completed unit, shall be executed in triplicate by the manufacturer of the parts. The original and one copy shall be delivered to the Coast Guard inspector who shall forward one copy of the report to the Officer in Charge, Marine Inspection having cognizance over the final assembly. These partial data reports, together with the final inspection and tests, shall be the final Coast Guard inspector's authority to apply the Coast Guard symbol and number. A final data report shall be executed by the manu-

facturer or assembler who completes the final assembly and tests.

(R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b) (1); 49 CFR 1.46(b))

PART 54—PRESSURE VESSELS

Subpart 54.01—General Requirements

22. In Table 54.01-1(a) of § 54.01-1 (a) (1) certain entries following the headings at the top of the table are amended as follows:

(1) The first entry is changed to read, "U-1 and U-2 modified by ----- 54.01-5 through 54.01-16".

(2) The 17th entry is changed to read, "UG-116 modified by ----- 54.10-20".

(3) The 18th entry is changed to read, "UG-118 modified by ----- 54.10-20".

(4) Following the 24th entry reading "UW-1 through UW-65 modified by ----- 54.20-1" a new entry is added reading: "UW2 (a) and (b) replaced by ----- Table 54.01-5(b)".

(5) The 27th entry (which becomes the 28th entry) is changed to read, "UW-26, UW-28, UW-29, UW-47, UW-48 modified by ----- 54.20-5".

(6) Following the 28th entry (which becomes the 29th entry) two new entries are added reading:

UB-1 modified by ----- 54.23-1
UB-2 modified by ----- 52.01-95d and 56.30-30 (b) (1)

23. Section 54.01-1 is amended by revoking paragraph (d).

24. The heading for § 54.01-5 is revised to read as follows:

§ 54.01-5 Scope (modifies U-1 and U-2).

25. Table 54.01-5(b) in § 54.01-5(b) is amended as follows:

(1) The first entry under the first column entitled "Class Service contents" is corrected to read:

I -----	(a) Vapor or gas.
	(b) Liquid.
	(c) Dangerous substances. ²

(2) The second entry under the first column entitled, "Class Service contents" is corrected to read:

I-L low temperature.	(a) Vapor or gas.
	(b) Liquid.
	(c) Dangerous substances. ²

(3) The entries for Class I and I-L in the fourth column entitled, "Post weld heat treatment required" (being the first two entries under this column) are changed to read as follows:

For carbon or low alloy steel, as per Table UCS-56, regardless of thickness. For other materials, as per section VIII, ASME Code.

(4) Footnote 4 is revised to read as follows:

² Refer to §§ 54.01-15 and 54.10-3 for exemptions.

26. Section 54.01-15 is amended by adding a new paragraph (b) to read as follows:

§ 54.01-15 Exemptions from shop inspection and plan approval (replaces U-1(d) and U-1(h)).

(b) For fluid conditioner fittings see § 56.15-1 of this subchapter.

27. Section 54.01-25(b) is revised to read as follows:

§ 54.01-25 Miscellaneous pressure components (modifies UG-11).

(b) All pressure components conforming to an accepted ANSI (American National Standards Institute) Standard referred to in an adopted code, specification or standard or in this subchapter shall also be marked in accordance with MSS (Manufacturers' Standardization Society) Standard SP-25.

Subpart 54.03—Low Temperature Operation

28. Section 54.03-5(a) is revised to read as follows:

§ 54.03-5 General.

(a) Requirements for ferritic steels, high alloy steels, and heat treated ferritic steels are contained in §§ 54.25-10, 54.25-15, and 54.25-20 respectively of this subchapter.

Subpart 54.05—Toughness Tests

29. Section 54.05-3(a)(1) is revised to read as follows:

§ 54.05-3 Tests required.

(1) Additional requirements for ferritic steels with properties enhanced by heat treatment are in § 54.25-20.

Subpart 54.10—Inspection, Reports, and Stamping

30. Section 54.10-20 is amended by revising the heading and adding paragraph (c) (1) to read as follows:

§ 54.10-20 Marking and stamping (modifies UG-116 and UG-118).

(c) * * *

(1) Those parts of pressure vessels requiring inspection under this part which are furnished by other than the shop of the manufacturer responsible for the completed vessel shall be stamped with the Coast Guard symbol, the Marine Inspection Office identification letters (see § 50.10-30 of this subchapter) and the word "Part", the manufacturer's name and serial number, and the design pressure.

31. Section 54.10-25 is revised to read as follows:

§ 54.10-25 Manufacturers' data report forms (modifies UG-120).

(a) The Manufacturers' data report form, as provided by the Coast Guard, shall be completed in duplicate and certified by the manufacturer for each pressure vessel required to be shop inspected under these regulations. The original of

this form shall be delivered to the Coast Guard inspector.

(b) Data forms for those parts of a pressure vessel requiring inspection, which are furnished by other than the shop of the manufacturer responsible for the completed unit, shall be executed in triplicate by the manufacturer of the parts. The original and one copy shall be delivered to the Coast Guard inspector who shall forward one copy of the report to the Officer in Charge, Marine Inspection, having cognizance over the final assembly. These partial data reports, together with the final inspection and tests, shall be the final Coast Guard inspector's authority to apply the Coast Guard symbol and number. A final data report shall be executed by the manufacturer or assembler who completes the final assembly and tests.

Subpart 54.20—Fabrication by Welding

32. The heading for § 54.20-5 is revised to read as follows:

§ 54.20-5 Welding qualification tests and production testing (modifies UW-26, UW-28, UW-29, UW-47, and UW-48).

Subpart 54.23—Fabrication by Brazing

33. Part 54 is amended by adding a new subpart, Subpart 54.23—Fabrication by Brazing, to follow subpart 54.20, and reading as follows:

Subpart 54.23—Fabrication by Brazing

§ 54.23-1 Scope (modifies UB-1).

(a) Fabrication by brazing shall be in accordance with the provisions of this part and with Part 57 of this subchapter.

Subpart 54.25—Construction With Carbon, Alloy, and Heat Treated Steels

§ 54.25-7 Requirement for postweld heat treatment (modifies UCS-56).

(a) Postweld heat treatment is required for all carbon and low alloy steel Class I, I-L, and II-L vessels regardless of thickness. (Refer to Table 54.01-5(b) for applicable requirements.)

(b) Cargo tanks which are fabricated of carbon or low alloy steel as Class II pressure vessels, designed for pressures exceeding 100 pounds per square inch gage and used in the storage or transportation of liquefied compressed gases shall be postweld heat treated regardless of thickness.

35. Section 54.25-10(b) is amended by changing in the first sentence of subparagraph (2) the word "kilned" to "killed" and revising subparagraph (1) (ii) to read as follows:

§ 54.25-10 Low temperature operation—ferritic steels (replaces UCS-65 through UCS-67).

(b) * * *
(1) * * *

(ii) Mechanical properties shall be within the following limits:

Ultimate strength	—58,000 ¹ -85,000 ² p.s.i.
Yield strength	—Minimum 35,000 p.s.i.
	—20 percent of ultimate.
	—Maximum 80 percent in 8 inches, or
Elongation minimum	—24 percent in 2 inches, or
	—22 percent in 5.65 √A, where "A" is the test specimen cross sectional area.

(R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

PART 55—NUCLEAR PRESSURE VESSELS

Subpart 55.01—General Requirements

36. In Table 55.01-1 of § 55.01-1(a) certain entries following the hearings at the top of the Table are revised as follows:

(1) The ninth entry is changed to read, "N-910 through N-914 modified by ----- 55.10-40".

(2) The 11th entry is changed to read, "N-2110 through N-2116 modified by ----- 55.20-1".

(3) The 12th entry is changed to read, "N-2116 replaced by ----- 55.20-2(a)".

37. Section 55.01-1 is amended by revoking paragraph (d).

Subpart 55.10—Class A Vessels

38. Section 55.10-15(a) is revised to read as follows:

§ 55.10-15 Marine inspector (replaces N-612).

(a) The inspections will be conducted by marine inspectors (see § 50.10-15 of this subchapter) instead of the inspectors required by N-612 of the ASME Code.

39. The heading of § 55.10-20(a) is amended to read as follows:

§ 55.10-20 Welding and fabrication.

(a) *Welding procedure and performance qualification (modifies N-522.1 and N-522.2)*

40. Section 55.10-20(b) (2) is amended by changing in the first sentence "§ 57.06-1 of this subchapter" to "Subpart 57.06 of this chapter".

41. Section 55.10-30 is revised to read as follows:

§ 55.10-30 Marking and stamping (Modifies N-810 through N-840).

(a) Each pressure vessel shall be marked in the presence of a marine inspector at the place of fabrication as follows:

(1) Coast Guard symbol (see § 50.10-25 of this chapter).

(2) Coast Guard number (see § 50.10-30 of this chapter).

(3) The letter N for nuclear.

(4) The letter A for class A nuclear vessel.

(b) Each pressure vessel part requiring shop inspection which will be furnished by other than the shop of the manufacturer responsible for the completed unit shall be marked in the presence of a marine inspector at the place of fabrication as follows:

(1) Coast Guard symbol (see § 50.10-25 of this chapter).

(2) Marine inspection office identification letters (see § 50.10-30 of this chapter).

(3) The word "Part".

(4) The letter N for nuclear.

(5) The letter A for class A nuclear vessel.

(c) The markings for safety valves, pumps, piping and line valves shall follow the requirements of N-810 through N-840 for nuclear energy systems.

(d) (Modifies N-832.2) The manufacturer's quality assurance program shall be initially approved by the Commandant (MMT) and shall be periodically checked by the cognizant marine inspector which shall be in addition to or in lieu of the Society as specified in N-832.2 of the ASME Code. The manufacturer need not possess the contract specified by N-832.2 of the ASME Code.

42. Section 55.10-35 is revised to read as follows:

§ 55.10-35 Manufacturers' data reports (modifies N-840).

(a) The Manufacturers' data report form, as provided by the Coast Guard, shall be completed in duplicate and certified by the manufacturer for each nuclear pressure vessel required to be shop inspected under these regulations. The original of this form shall be delivered to the Coast Guard inspector.

(b) Data forms for those parts of a nuclear pressure vessel requiring inspection, which are furnished by other than the shop of the manufacturer responsible for the completed unit, shall be executed in triplicate by the manufacturer of the parts. The original and one copy shall be delivered to the Coast Guard inspector who shall forward one copy of the report to the Officer in Charge, Marine Inspection having cognizance over the final assembly. These partial data reports, together with the final inspection and tests, shall be the final Coast Guard inspector's authority to apply the Coast Guard symbol and number. A final data report shall be executed by the manufacturer or assembler who completes the final assembly and tests.

43. Section 55.10-40 is revised to read as follows:

§ 55.10-40 Overpressure protection (modifies N-910 through N-914).

(a) The Overpressure Protection Report required by N-910.3 shall be submitted to the Commandant for approval.

(b) (Modifies N-911.1 and N-911.4.) Automatic spring loaded safety valves, and those valves equivalent to automatic

spring loaded safety valves as described in N-911.1 and N-911.4, shall comply with Subpart 162.001 of this chapter in addition to N-911.1 and N-911.4.

(c) (Modifies N-911.2, N-911.3, and N-911.5.) The use of self-energized pilot actuated pressure relief valves, power activated pressure relief valves, and anti-simmer type safety valves not equivalent to automatic spring loaded safety valves shall be described in the Overpressure Protection Report and shall be specifically approved by the Commandant. Marking of approved valves shall be as described in N-913 plus the letters "USCG".

Subpart 55.15—Class B Vessels

44. Section 55.15-1 is revised to read as follows:

§ 55.15-1 General (modifies N-1110 through N-1711.3).

(a) Class B vessels shall meet the requirements of articles 11 through 17 of section III of the ASME Code except as noted otherwise in this subpart.

45. Section 55.15-5(c) is revised to read as follows:

§ 55.15-5 Welding and fabrication.

(c) *Charpy V-notch testing.* When Charpy V-notch testing is required by N-1211 of the ASME Code such testing shall be required for both procedure qualification and for regular production welding as described in § 55.10-20(b)(2). The test temperature for procedure and production toughness testing shall be as required by N-1211.

46. Section 55.15-10 is revised to read as follows:

§ 55.10 Inspection, stamping, and reports (modifies N-1341, N-1342, N-1610).

(a) Inspection will be conducted by a marine inspector in lieu of the requirements of N-1510.

(b) The hydrostatic or pneumatic tests shall also comply with § 54.10-10 or § 54.10-15 of this subchapter, respectively.

(c) In addition to the requirements of N-1610, the requirements of §§ 55.10-30 and 55.10-35 shall be followed for marking, stamping, and data reports.

(1) The letter "B" shall be used for class designation.

Subpart 55.20—Class C Vessels

47. Section 55.20-1 is amended by revising the heading and paragraph (b) to read as follows:

§ 55.20-1 General (modifies N-2110 through N-2116).

(b) (Modifies N-2111.) Class C vessels shall be designed, fabricated, inspected, tested, and marked in accordance with the appropriate standards of Part 54 of this chapter. The requirements of N-2112 through N-2115 shall apply in lieu of the joint design and nondestructive testing requirements of Table 54.01-5(b) of this chapter.

48. Section 55.20-5 is amended by revoking paragraphs (b), (c), and (d) and as amended reads as follows:

§ 55.20-5 Weld production testing.

Weld production testing in accordance with Subpart 57.06 of this chapter is required. Class C vessels which would otherwise fit the Class III category shall receive the production testing specified for a Class II vessel.

49. Section 55.20-10 is revoked.

50. Section 55.20-15 is revoked.

51. Section 55.20-20 is amended by revoking paragraph (b) and as amended reads as follows:

§ 55.20-20 Stamping.

(Replaces N-2116.) In lieu of the stamping required by N-2116 of the ASME Code, vessels constructed in accordance with this subpart shall be stamped as required by § 54.10-20 of this chapter with the addition of the letters "NC" after the class.

(R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

PART 56—PIPING SYSTEMS AND APPURTENANCES

52. In the following sections and tables of Part 56 the name "United States of America Standards Institute, Inc." is changed to "American National Standards Institute", wherever it appears: The note to Subpart 56.01, the heading of §§ 56.01-5, 56.01-5(a), 56.01-5(c), and Table 56.60-1(b).

53. In the following sections of Part 56, the abbreviation "USASI" is changed to "ANSI" wherever it appears: The note to Subpart 56.01, the heading of §§ 56.01-5, 56.01-5(a), 56.01-5(c), 56.01-10(d)(1).

54. In the following sections and tables of Part 56, the term "USA Standard" is changed to "American National Standard" wherever it appears: The note to subpart 56.01, §§ 56.01-5(b), 56.07-5(c), 56.07-5(e), 56.25-20(b), 56.25-20(c), 56.25-20(d), 56.30-10(b), 56.30-10(b)(2), 56.30-10(b)(5), 56.30-10(b)(6), and 56.30-25(d), Table 56.60-1(a) and footnotes, and Table 56.60-1(b).

55. In the following sections and tables of Part 56, the standards bearing the prefix "USAS—" are amended by changing the prefix to "ANSI—" wherever they appear: The note to Subpart 56.01, § 56.01-5(a), Table 56.01-5(a), §§ 56.01-5(b), 56.07-5(a), 56.07-10(a)(1), 56.07-10(d), 56.07-10(e), 56.07-10(f), 56.10-1(b), 56.10-5(c)(5), 56.25-5(a), 56.25-7(a), 56.25-20(a), 56.25-20(b), 56.25-20(c), 56.30-1(a), 56.30-5(b)(3), 56.30-5(c)(1), 56.30-5(c)(3), 56.30-5(d), 56.30-10(b)(3), 56.30-10(b)(4), 56.30-20(b), 56.30-20(d), 56.30-25(a), 56.30-25(c)(1), 56.30-27(a), 56.35-1(b), 56.35-35(a), 56.50-1, 56.50-10(a), 56.50-15(b), 56.50-40(a)(1), 56.50-65(a), 56.50-70(a)(2), 56.50-97(a), 56.60-1(a)(1), and 56.60-1(a)(2), Table 56.60-1(a), including the note and footnotes, Table 56.60-2(a), §§ 56.60-10(a), 56.60-15(a)(1), 56.60-15(a)(3), 56.65-1(a), 56.70-10(a)(1)(ii), 56.70-10(b), 56.70-15(c), 56.70-15(d)(1), 56.70-15(e)(2), 56.70-15(g)

(1), 56.70-15(g)(2), 56.70-15(g)(3), 56.70-15(g)(4), 56.80-5, 56.80-15(d), 56.95-1(a), 56.95-1(b), and 56.97-1(a).

Subpart 56.01—General

56. Section 56.01-5 is amended by revising paragraph (c) to read as follows:

§ 56.01-5 Adoption of ANSI (American National Standards Institute) Code B31.1 for pressure and power piping, and other standards.

(c) As stated in § 50.15-10 of this chapter, the standards of the ANSI (American National Standards Institute) specifically referred to in this part shall be the governing requirements for the subject matters covered unless specifically limited, modified or replaced by other regulations in this subchapter. See § 56.60-1(b) for the other adopted commercial standards applicable to piping systems which also form a part of this subchapter.

57. Section 56.01-6 is amended by revising paragraphs (c)(2)(i) and (ii) to read as follows:

§ 56.01-6 Adoption of other standards and specifications.

(c) * * *
(2) * * *

(i) ASTM A-53, furnace welded pipe, shall not be used for flammable or combustible liquids in machinery spaces (see § 56.10-5(b)).

(ii) ASTM A-72, welded pipe, shall not be used for flammable or combustible liquids in machinery spaces (see § 56.10-5(b)).

Subpart 56.04—Piping Classification

58. Section 56.04-20 is revised to read as follows:

§ 56.04-20 Nuclear piping.

(a) Nuclear piping, including pumps and line valves, is that piping designed to contain a fluid the loss of which from the system could result in a radiation hazard either to the vessel personnel or to the general public.

(b) Three classifications of piping are established: I-N, II-N, III-N. The specific requirements and classification criteria will be published at a later date, but are expected to follow ANSI B31.7 modified as found to be necessary for marine service. Prior to such action, submissions may be made to the Commandant for review and individual approval.

(c) Nuclear pump and line valve requirements and classifications will be published at a later date but are expected to follow the ASME Code for Pumps and Valves for Nuclear Power modified as found necessary for marine service. Prior to such action, submissions may be made to the Commandant for review and individual approval.

Subpart 56.15—Fittings, Bends and Intersections

59. Section 56.15-1(c) is revised to read as follows:

§ 56.15-1 Fittings.

(c) Nonstandard special purpose fittings shall meet the requirements of § 56.30-40 or § 56.35-10, as appropriate.

Subpart 56.25—Pipe Flanges, Blanks, Flange Facings, Gaskets, and Bolting

60. Section 56.25-5 is amended by changing in the first sentence of paragraph (a) the designation "UA-47" to "Appendix II, Part A and applicable portions of UA-47".

Subpart 56.50—Design Requirements Pertaining to Specific Systems

61. Section 56.50-1(b)(1) is amended by deleting in the third sentence the word "(nodular)".

62. Section 56.50-20(d) is revised to read as follows:

§ 56.50-20 Pressure relief piping.

(d) Reference. See also § 56.07-10 (a) and (b) for specific requirements.

63. Section 56.50-50 is amended by changing in the first sentence of paragraph (k) the word "are" to "is".

64. Sections 56.50-60(d)(1), 56.50-60(d)(2), 56.50-80(h), and 56.50-95(f) are amended by changing the word "nodular" to "ductile".

65. Table 56.50-70(a) of § 56.50-70 is amended by changing the first entry reading " $\frac{1}{8}$, $\frac{3}{16}$, $\frac{1}{4}$ #20 0.035" to " $\frac{1}{8}$, $\frac{3}{16}$, $\frac{1}{4}$ #21 0.032".

Subpart 56.60—Materials

66. Table 56.60-1(a) is amended as follows:

(1) The word "nodular" is changed to "ductile" wherever it appears.

(2) The first ASTM specification for "Tube, welded" is revised to read as follows: "A 178 (Grades A and C only) ERW boiler tubes PG 23.1, Sec. I, ASME Code ("Grade A")".

(3) Under the heading "Nonferrous Materials", the second ASTM specification for "Tube, seamless" is revised to read as follows: "B 75 Copper UNF 23, Sec. VIII, ASME Code ("")".

(4) Under the heading "Nonferrous Materials", the ASTM specification for "Welding fittings" is revised to read as follows: "B 361 Wrought aluminum welding fittings Shall meet ANSI Standards".

67. Table 56.60-1(b) is amended by revising the first and second introductory texts to read as follows:

Table 56.60-1(b)—Adopted Standards Applicable to Piping Systems (modifies Table 126.1).

ANSI Standards (American National Standards Institute), 1430 Broadway, New York, N.Y. 10018.

MSS Standards (Manufacturers' Standardization Society of the Valve and Fittings Industry), 1815 North Fort Myer Drive, Arlington, Va. 22209.

68. Table 56.60-2(a) is amended as follows:

(1) Under the heading "Ferrous Materials", the first ASTM specification for "Bar stock", reading "A 107 (Grades 1010-1030) See footnote 2 (")", is deleted.

(2) Under the heading "Ferrous Materials", the third ASTM specification for "Bar stock", reading "A 276 Grade 303 See footnote 5 (")", is deleted.

(3) Under the heading "Ferrous Materials", a new ASTM specification for "Bar stock" is added, reading as follows: "A 575 and A 576 (Grades 1010-1030 See footnote 2 (")".

(4) Under the heading "Nonferrous Materials" the third ASTM specification for "Bar stock" is revised to read as follows:

B124:

Alloy 377	See footnotes 5	(")
	and 9	
Alloy 464	See footnote 8	(")
Alloy 655	See footnote 11	(")
Alloy 642	See footnote 12	(")
Alloy 630	See footnote 13	(")
Alloy 485	See footnote 8	(")

(5) In footnote 16, "§ 56.60-12" is changed to "§ 58.30-17 of this chapter".

69. Section 56.60-10(d) is revised to read as follows:

§ 56.60-10 Cast iron and malleable iron.

(d) The use of cast iron in certain hydraulic fluid power systems is described in § 58.30-15(f) of this chapter.

70. Section 56.60-15 is amended as follows:

(1) In the heading and in paragraph (a), (1) and (3), the word "nodular" is changed to "ductile" wherever it appears.

(2) Paragraph (b) is revised to read as follows:

§ 56.60-15 Ductile iron.

(b) The use of cast iron in certain hydraulic fluid power systems is described in § 58.30-15(f) of this chapter.

71. Section 56.60-25 is amended by changing "Subpart 92.05" to "Subpart 92.07" in the first sentence of paragraph (a)(4), "Subpart 56.95" to "Subpart 56.97" in the second sentence of paragraph (c)(5) and by revising paragraphs (a)(7)(i) and (ii) to read as follows:

§ 56.60-25 Nonmetallic materials.

(a) * * *
(7) * * *

(i) The material specifications covering materials fabricated of rigid polyvinylchloride (PVC), shall comply with the following standard specifications issued by the American Society of Testing Materials, subject to the limitations noted in this subpart:

(a) Pipe (PVC).

ASTM D1785 (Schedule 40, 80, 120).
ASTM D2241 (Standard Dimension Ratio).
Type I Grade 1 or 2.
Type II Grade 1.
Type IV Grade 1.

(b) Fittings (PVC).

ASTM D2464 (Schedule 80 threaded).
ASTM D2466 (Schedule 40 socket).
ASTM D2467 (Schedule 80 socket).
Type I Grade 1 or 2.
Type II Grade 1.

(ii) PVC pipe that is to be used for potable water shall bear the seal of approval or NSF mark of the National Sanitation Foundation Testing Laboratory, Incorporated, School of Public Health, University of Michigan, Ann Arbor, Mich. 48103.

Subpart 56.85—Heat Treatment of Welds

72. Table 56.85-10 of § 56.85-10 is amended by changing in paragraph (b) of note 3 the word "minimum" to "maximum".

Subpart 56.97—Pressure Tests

73. Section 56.97-40 is amended by changing in paragraph (c) "§ 56.97-1(b)" to "§ 56.97-1(d)".

(R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b) (1); 49 CFR 1.46(b))

PART 57—WELDING AND BRAZING

Subpart 57.02—General Requirements

74. Section 57.02-1 is amended by revoking paragraph (d).

Subpart 57.05—Performance Qualifications

75. Section 57.05-1 is revised to read as follows:

§ 57.05-1 General.

(a) This subpart supplements the various paragraphs in section IX of the Code dealing with Performance Qualifications (see § 57.02-2).

Subpart 57.06—Production Tests

76. Section 57.06-1(b) is revised to read as follows:

§ 57.06-1 Production test plate requirements.

(b) Main power boilers and Class A nuclear vessels shall meet the test plate requirements for Class I pressure vessels. Class B nuclear vessels shall meet the test plate requirements for Class II-L pressure vessels. Class C nuclear vessels shall meet the test plate requirements for Class I or Class II pressure vessels, depending on their design pressure and temperature (see § 55.20-5 of this chapter).

77. Section 57.06-4 is amended by revising Figure 57.06-4(d) (1) to read as follows:

DISCARD	THIS PIECE
FREE BEND	SPECIMEN
REDUCED SECTION	TENSION TEST SPECIMEN
FREE BEND	SPECIMEN
TOUGHNESS TEST OR ALL WELD METAL (IF REQUIRED)	SPECIMEN ¹ TENSION SPECIMEN
FREE BEND	SPECIMEN
REDUCED SECTION	TENSION TEST SPECIMEN
FREE BEND	SPECIMEN
DISCARD	THIS PIECE

¹ When Charpy V notch impact specimens are required, the test plates shall be no smaller than 2 feet on a side.

(R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b) (1); 49 CFR 1.46(b))

PART 58—MAIN AND AUXILIARY MACHINERY AND RELATED SYSTEMS

78. In the following section of Part 58, the standards bearing the prefix "USAS-_____" are amended by changing the prefix to "ANSI _____" wherever they appear: §§ 58.20-5(a), 58.20-20(b), and 58.30-10(e).

79. In the following sections of Part 58, the name "Yacht Safety Bureau (YSB)" is changed to "Marine Department, Underwriters' Laboratories, Inc. (formerly Yacht Safety Bureau)" wherever it appears: Headings of §§ 58.03-30, 58.30-30(a), 58.16-10(a) (1) (ii), 58.50-15(a).

Subpart 58.03—Adoption of Standards and Specifications

80. Section 58.03-25 is revised to read as follows:

§ 58.03-25 American National Standards Institute (ANSI).

(a) The specifications of the American National Standards Institute (see § 50.15-10 of this chapter) referenced in this part are adopted and form a part of this subchapter.

Subpart 58.25—Steering Apparatus

81. Section 58.25-55(d) is revised to read as follows:

§ 58.25-55 Duplicate pilothouse steering gear control systems.

(d) For dual-power hydraulic type steering gears, of such a type that an auxiliary means of steering is not required, one control system shall control only one hydraulic unit and the other control system shall control only the other hydraulic unit.

Subpart 58.30—Fluid Power and Control Systems

82. Section 58.30-5(a) is amended by changing in the third sentence, "§ 58.30-15(e)" to "§ 58.30-15(f)".

Subpart 58.50—Independent Internal Combustion Engine Fuel Tanks

83. Section 58.50-10 is amended by redesignating paragraph (c) (2) as paragraph (c) (3) and adding a new paragraph (c) (2) to read as follows:

§ 58.50-10 Diesel fuel tanks.

(c) (2) After installation of the fuel tank on a vessel the complete installation shall be tested in the presence of a marine inspector to a head not less than that to which the tank may be subjected in service. Fuel may be used as a testing medium.

(R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b) (1); 49 CFR 1.46(b))

PART 61—PERIODIC TESTS AND INSPECTIONS

Subpart 61.05—Tests and Inspections of Boilers

84. Section 61.05-15 is amended by revising paragraph (a) and (b) to read as follows:

§ 61.05-15 Boiler mountings and attachments.

(a) All valves shall be opened up and examined by the marine inspector after each 4 years of service.

(b) All boiler mounting studs or bolts shall be examined after each 8 years of service. Boiler mounting studs or bolts shall be removed for examination on those mountings that are required to be removed.

Subpart 61.10—Tests and Inspections of Pressure Vessels

85. Section 61.10-1(a) is revised to read as follows:

§ 61.10-1 Scope.

(a) All pressure vessels aboard ships and barges are subject to periodic inspections.

86. Section 61.10-5(f) is revised to read as follows:

§ 61.10-5 Periodic inspection.

(f) Compressed gas or hazardous liquid pressure vessel tests. Cargo tanks of pressure vessel configuration containing liquefied compressed gases or hazardous liquids shall be inspected and

tested as required by the applicable regulations published in Subchapter D, Subchapter I, or Subchapter N of this chapter.

(R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

PART 63—CONTROL SYSTEMS FOR AUTOMATIC AUXILIARY HEATING EQUIPMENT

Subpart 63.15—Electric Storage Tank Hot Water Supply Boilers (Heaters)

87. Section 63.15-10(a) is revised to read as follows:

§ 63.15-10 Construction.

(a) The storage tank shall be constructed in accordance with the applicable requirements of Part 52 or Part 53 of this chapter. See § 53.01-10(c) of this chapter for possible exception.

(R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

SUBCHAPTER H—PASSENGER VESSELS

PART 70—GENERAL PROVISIONS

Subpart 70.05—Applications

88. Subpart 70.05 is amended by adding § 70.05-30 to follow § 70.05-25 and reading as follows:

§ 70.05-30 Combustible liquid cargo in bulk.

(a) Vessels inspected and certificated under this subchapter may carry limited quantities of combustible liquid cargo in bulk in the grades indicated, provided the certificate of inspection is endorsed to permit such carriage:

(1) Grade E in integral or in approved portable tanks of the type described in Subpart 98.35 of this chapter.

(2) Grade D in portable tanks in accordance with Part 146 of this chapter.

(R.S. 4405, as amended, 4462, as amended, 4417a, as amended, 4472, as amended; sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 375, 416, 391a, 170, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

PART 77—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

Subpart 77.15—Radio Direction Finder

89. Section 77.15-1 is revised to read as follows:

§ 77.15-1 When required.

(a) All mechanically propelled vessels of 1,600 gross tons and over, in ocean service or on an international voyage, shall be fitted with a radio direction finder. Details of the installation shall be as required by the statutes and regulations under the jurisdiction of the Federal Communications Commission.

90. Section 77.15-5 is revoked.

91. Section 77.15-90 is revoked.

(R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

SUBCHAPTER I—CARGO AND MISCELLANEOUS VESSELS

PART 90—GENERAL PROVISIONS

Subpart 90.05—Application

92. Section 90.05-35 *Application to vessels concerning nuclear energy*, is redesignated § 90.05-40.

93. Subpart 90.05 is amended by adding § 90.05-35 to precede the redesignated § 90.05-40 and reading as follows:

§ 90.05-35 Flammable and combustible liquid cargo in bulk.

(a) Vessels inspected and certificated under this subchapter may carry limited quantities of flammable and combustible liquid cargo in bulk in the grades indicated, provided the Certificate of Inspection is endorsed to permit such carriage:

(1) Cargo vessels.

(i) Grades D and E in integral tanks or in approved portable tanks in accordance with Subpart 98.35 of this subchapter.

(ii) Grades A and lower in portable tanks in accordance with Part 146 of this chapter.

(iii) Grades A and lower in portable tanks of special design when approved and authorized by the Commandant.

(2) Miscellaneous vessels, such as cable, salvage, pile driving and oil drilling rig vessels.

(i) Grades B and lower in fixed independent or integral tanks when specifically authorized by the Commandant.

(R.S. 4405, as amended, 4462, as amended, 4417a, as amended, 4472, as amended, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 375, 416, 391a, 170, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

PART 96—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

Subpart 96.15—Radio Direction Finder

94. Section 96.15-1 is revised to read as follows:

§ 96.15-1 When required.

(a) All mechanically propelled vessels of 1,600 gross tons and over, in ocean service or on an international voyage, shall be fitted with a radio direction finder. Details of the installation shall be as required by the statutes and regulations under the jurisdiction of the Federal Communications Commission.

95. Section 96.15-5 is revoked.

96. Section 96.15-90 is revoked.

(R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

SUBCHAPTER N—DANGEROUS CARGOES

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

Subpart 146.04—List of Explosives or Other Dangerous Articles Containing the Shipping Name or Description of Articles Subject to the Regulations in This Subchapter

97. Section 146.04-5 is amended as follows:

In column 1 add (in proper alphabetical sequence) the entry, "Smokeless powder for small arms (100 pounds or less) (when special packaging is provided)".

In column 2 add for this entry "Inf. S".

In column 3 add for the entry, "Yellow".

Subpart 146.20—Detailed Regulations Governing Explosives

98. Section 146.20-9(b) is amended by adding the words "(see note 1)" after the word "arms" in line 22, and by adding a note 1 to read as follows:

§ 146.20-9 Class B explosives.

(b) * * *

NOTE 1: Smokeless powder for small arms in quantities not exceeding 100 pounds net weight in one vehicle, container or other packaging authorized by § 146.22-3(a) (except shipments by, for, or to the Departments of the Army, Navy, or Air Force of the U.S. Government) shall be classed as a flammable solid for purposes of transportation when packaged in accordance with § 146.22-3(a). To be classed as a flammable solid, smokeless powder for small arms shall be limited to not more than 100 pounds in one hold or vehicular deck irrespective of the number of vehicles or containers.

Subpart 146.22—Detailed Regulations Governing Inflammable Solids and Oxidizing Materials

99. Subpart 146.22 is amended by adding a new section, § 146.22-3, to read as follows:

§ 146.22-3 Smokeless powder for small arms.

(a) Smokeless powder for small arms in quantities not exceeding 100 pounds net weight in one vehicle, container or other packaging authorized by this section shall be classed as a flammable solid for purposes of transportation when approved for such classification by the Bureau of Explosives. To be classed as a flammable solid, smokeless powder for small arms shall be limited to not more than 100 pounds in one hold or vehicular deck irrespective of the number of containers or vehicles. Maximum quantity in any inside packaging must not exceed 8 pounds and inside packaging must be arranged and protected so as to prevent simultaneous ignition of the contents. The complete package must be a type approved by the Bureau of Explosives. Each

outside shipping package shall be labeled as prescribed in § 146.05-15(g)(2).

100. Section 146.22-100 (Table E—Classification: Inflammable solids) is amended as follows:

a—In column 1 add (in proper alphabetical sequence), the entry "Smokeless powder for small arms (100 pounds or less)."

b—In column 2 add for the entry "Smokeless powder for small arms (Class B and Class C explosives) in quantities not exceeding 100 pounds in one hold, vehicle, or container. See § 146.22-3."

c—In column 3 add for this entry, "Yellow".

d—In column 4 add for this entry, "Stowage:" "On deck under cover." "Tween decks readily accessible." "Under deck away from heat." "Outside packaging; Authorized packaging (see § 146.22-3)."

e—In column 5 add for this entry, "Stowage:" "On deck under cover." "Tween decks readily accessible." "Out-gaging; Authorized packaging (see § 146.22-3)."

f—In column 6 add for this entry, "Ferry stowage (AA)." "Outside packaging; Authorized packaging (see § 146.22-3)."

g—In column 7 add for this entry, "Ferry stowage (BB)." "Outside packaging; Authorized packaging (see § 146.22-3)."

Subpart 146.24—Detailed Regulations Governing Compressed Gases

101. Section 146.24-1 is amended by revising the introductory paragraph to read as follows:

§ 146.24-21 Exemption for foodstuffs, soap, cosmetics, beverages, biologicals, electronic tubes, and audible fire alarm systems.

Compressed gases, except poisonous gases as defined in the regulations in

§ 146.22-5, and except those for which no exemptions are provided as indicated in § 146.24-20(e), are exempt from specification packaging, marking other than true shipping name of contents, labeling, and stowage requirements when packaged in accordance with one of the following paragraphs unless otherwise provided:

102. Section 146.24-25(a) is revised to read as follows:

§ 146.24-25 Stowage on board vessels.

(a) All compressed gases permitted for transportation on board vessels and not exempted from stowage requirements by § 146.24-21, when taken on board a vessel shall be stowed in accordance with the provision applying to the particular character of vessel as shown in § 146.24-100 (Table G—Classification: Compressed gases), and the detailed requirements for stowage shown therein.

103. Section 146.24-100 (Table G—Classification: Compressed gases) is amended for the entry "Compressed gases, N.O.S." as follows:

a—Column 2 is revised to read: *Flammable gas or nonflammable gas. See §§ 146.24-20, 146.24-21, and 146.24-22 for exemptions.*

b—Columns 5, 6, and 7 are revised to read: Not permitted. See Note 1.

c—Across columns 5, 6, and 7, a note is added to read:

NOTE 1: Nontoxic, nonflammable compressed gases which are exempted from stowage requirements by § 146.24-21 are permitted.

(R.S. 4405, as amended, 4462, as amended, 4472, as amended, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 375, 416, 170, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

SUBCHAPTER R—NAUTICAL SCHOOLS

PART 167—PUBLIC NAUTICAL SCHOOL SHIPS

Subpart 167.01—General Provisions

106. Section 167.01-5 is amended by adding a new paragraph (c) to read as follows:

§ 167.01-5 Application of regulations.

(c) Documented nautical school ships of 500 gross tons or more, on international voyages, shall comply with the standards of the International Convention for Safety of Life at Sea, 1960, for cargo vessels.

Subpart 167.60—Certificate of Inspection

107. Section 167.60-1 is amended by adding a new paragraph (d) to read as follows:

§ 167.60-1 Issuance by Officer in Charge, Marine Inspection.

(d) Documented vessels of 500 gross tons or more, certificated for ocean or coastwise service, which do not comply with the requirements of SOLAS 60 for cargo vessels shall have their certificate of inspection endorsed "Domestic Voyages Only."

(R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

Dated: June 5, 1970.

C. R. BENDER,
Admiral, U.S. Coast Guard
Commandant.

[F.R. Doc. 70-7254; Filed, June 16, 1970; 8:45 a.m.]

