

FEDERAL REGISTER

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Agencies in this issue—

Agricultural Research Service
Atomic Energy Commission
Business and Defense Services Administration
Civil Aeronautics Board
Civil Service Commission
Coast Guard
Commerce Department
Commodity Credit Corporation
Consumer and Marketing Service
Defense Department
Federal Aviation Administration
Federal Communications Commission
Federal Power Commission
Federal Reserve System
Fish and Wildlife Service
Food and Drug Administration
General Services Administration
Interagency Textile Administrative Committee
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
Mines Bureau
National Highway Safety Bureau
National Park Service
Public Health Service
Securities and Exchange Commission
Social Security Administration

Detailed list of Contents appears inside.



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Title 7—AGRICULTURE

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

[Lemon Reg. 443]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.743 Lemon Regulation 443.

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

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this

section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on September 1, 1970.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period September 6, 1970, through September 12, 1970, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 195,000 cartons;
- (iii) District 3: 14,503 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: September 2, 1970.

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

[F.R. Doc. 70-11885; Filed, Sept. 4, 1970; 8:51 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1970 Crop Corn Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1970 Crop Corn Loan and Purchase Program

The General Regulations Governing Price Support for the 1970 and Subsequent Crops, published in the FEDERAL REGISTER at 35 F.R. 7363 and 7781, and any amendments thereto, and the 1970 and Subsequent Crops Corn Loan and Purchase Program Regulations, published in the FEDERAL REGISTER at 35 F.R. 13969, and any amendments to such regulations, are further supplemented for the 1970 crop of corn by adding §§ 1421.111-1421.116 to read as follows:

Sec.	
1421.111	Availability.
1421.112	Compliance requirements.
1421.113	Warehouse charges.
1421.114	Maturity of loans.
1421.115	Delivery period.
1421.116	Support rates, premiums, and discounts.

AUTHORITY: The provisions of the subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.111 Availability.

A producer desiring a price support loan must request a loan on his eligible corn on or before June 30, 1971. To obtain price support through sales, a producer must execute and deliver to the appropriate county ASCS office, on or before July 31, 1971, a Purchase Agreement (Form CCC-614) indicating the approximate quantity of 1970 crop corn he may sell to CCC: *Provided*, That in any area where it is determined by the State committee that producers may not be able to or cannot store corn safely on the farm for the full storage period because of insects, adverse climatic conditions, or other factors affecting the safe storage of corn, the final date for requesting price support on farm-stored corn shall be such earlier dates as are established by the State committee. Public announcement of the final dates shall be made sufficiently in advance of such dates to allow producers a reasonable period of time to request price support.

§ 1421.112 Compliance requirements.

To be eligible for a loan or purchase, a producer must qualify for a price support payment under the 1966-70 Feed Grain Program Regulations (31 F.R. 8339), and any amendments thereto, on corn of the 1970 crop produced on the farm on which the corn tendered for loan or purchase was produced except that such qualification is not necessary with respect to corn produced in an area of the United States in which the feed grain program is not in effect.

§ 1421.113 Warehouse charges

Subject to the provisions of § 1421.96, the schedules of deductions set forth in this section shall apply to corn stored in an approved warehouse operating under the Uniform Grain Storage Agreement or operated by an eastern common carrier.

(a) *Warehouses approved under the Uniform Grain Storage Agreement.*

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES FOR MATURITY DATE OF JULY 31, 1971

Storage start date: ¹	Deduction (cents per bushel)
Prior to Aug 16, 1970.....	13
Aug. 16-Sept. 12, 1970.....	12
Sept. 13-Oct. 10, 1970.....	11
Oct. 11-Nov. 7, 1970.....	10
Nov. 8-Dec. 5, 1970.....	9
Dec. 6, 1970-Jan. 2, 1971.....	8
Jan. 3-Jan. 30, 1971.....	7
Jan. 31-Feb. 27, 1971.....	6
Feb. 28-Mar. 27, 1971.....	5
Mar. 28-Apr. 24, 1971.....	4
Apr. 25-May 22, 1971.....	3
May 23-June 19, 1971.....	2
June 20-July 31, 1971.....	1

¹ All dates inclusive.

(b) *Warehouse operated by eastern common carrier.* (1) Eligible corn stored in the following approved Eastern common carrier warehouse may be placed

under loan or offered for sale to CCC: Pennsylvania Railroad Co., Canton Elevator, Warehouse Code 9-2151, Baltimore, Md.

(2) Schedule of deduction for storage charges:

Maturity date of July 31, 1971: ¹	Deduction (cents per bushel)
Prior to Aug. 16, 1970	18
Aug. 16-Sept. 4, 1970	18
Sept. 5-Sept. 24, 1970	16
Sept. 25-Oct. 14, 1970	15
Oct. 15-Nov. 3, 1970	14
Nov. 4-Nov. 23, 1970	13
Nov. 24-Dec. 13, 1970	12
Dec. 14, 1970-Jan. 2, 1971	11
Jan. 3-Jan. 22, 1971	10
Jan. 23-Feb. 11, 1971	9
Feb. 12-Mar. 3, 1971	8
Mar. 4-Mar. 23, 1971	7
Mar. 24-Apr. 12, 1971	6
Apr. 13-May 2, 1971	5
May 3-May 22, 1971	4
May 23-June 11, 1971	3
June 12-July 1, 1971	2
July 2-July 31, 1971	1

¹Storage commence date, all dates inclusive.

²If producer presents evidence that elevation charges were prepaid, the storage deduction shall be reduced by 2½ cents per bushel.

§ 1421.114 Maturity of loans.

Loans mature on demand but not later than July 31, 1971.

§ 1421.115 Delivery period.

(a) Regular delivery period. The regular delivery period shall begin August 1, 1971.

(b) Where producer may not be in a position to store corn safely. In areas where it is determined by the State committee that some producers may not be in a position to store corn safely on the farm for the full storage period (for reasons set forth in § 1421.111), the State committee may establish an earlier delivery period prior to maturity (in addition to the regular delivery period) during which any producer in such areas may voluntarily deliver corn which is under farm storage loan. Eligible corn not under loan may also be delivered to CCC for purchase in the earlier delivery period. Such earlier delivery period, if established, shall begin at least 30 days after the final date of availability of loans established by the State committee, but not before April 1, 1971. CCC will accept deliveries of corn during such early delivery period, provided the producer notifies the county office within the time specified by the county office that he wants to deliver the corn.

(c) Where producers cannot store corn safely. If the State committee determines that producers in an area cannot store corn safely on the farm for the full storage period (for reasons set forth in § 1421.111), all farm-storage loans in such area shall be called. Producers having eligible corn not under loan who elect to make deliveries from farm-storage for purchase by CCC shall also be required to deliver during the delivery period for loans except that individual producers may keep corn in farm storage until the regular loan maturity date if (1) such corn is shelled, (2) the producer has satisfactory storage facilities, and (3)

either the State committee approves or the county committee approves where the State committee has authorized county committees to make such determinations. Any earlier delivery period established shall begin at least 30 days after the final date of availability of loans established by the State committee and not before April 1, 1971.

§ 1421.116 Support rates, premiums, and discounts.

Farm-stored corn loans shall be made at the basic county support rate for the county in which the corn was produced, adjusted only for the Weed Control discount where applicable. The support rate for warehouse-storage loans and for corn acquired under a loan or by purchase shall be the basic support rate for the county in which the corn was produced adjusted by the applicable premiums and discounts prescribed in paragraphs (b) and (c) of this section. Settlement of loans and purchases shall be made as provided in § 1421.23 of the general regulations.

(a) Basic country support rates. Basic country support rates for corn grading No. 2 and containing from 15.1 through 15.5 percent moisture are as follows:

ALABAMA		Rate per bushel	
County			
All counties		\$1.20	
ARIZONA			
All counties		\$1.26	
ARKANSAS			
All counties		\$1.17	
CALIFORNIA			
All counties		\$1.26	
COLORADO			
County	Rate per bushel	County	Rate per bushel
Adams	\$1.14	La Plata	\$1.22
Alamosa	1.18	Larimer	1.14
Arapahoe	1.15	Las Animas	1.15
Archuleta	1.20	Lincoln	1.13
Baca	1.11	Logan	1.12
Bent	1.14	Mesa	1.23
Boulder	1.14	Moffat	1.23
Cheyenne	1.10	Montezuma	1.25
Conejos	1.18	Montrose	1.23
Costilla	1.18	Morgan	1.14
Crowley	1.14	Otero	1.16
Custer	1.17	Ouray	1.25
Delta	1.23	Phillips	1.10
Dolores	1.25	Pitkin	1.21
Douglas	1.16	Prowers	1.10
Eagle	1.21	Pueblo	1.16
Elbert	1.15	Rio Blanco	1.23
El Paso	1.16	Rio Grande	1.21
Fremont	1.17	Routt	1.20
Garfield	1.23	Saguache	1.19
Grand	1.17	San Miguel	1.25
Huerfano	1.17	Sedgwick	1.10
Jefferson	1.16	Washington	1.12
Kiowa	1.10	Weld	1.14
Kit Carson	1.10	Yuma	1.09
CONNECTICUT			
All counties		\$1.29	
DELAWARE			
All counties		\$1.23	
FLORIDA			
All counties		\$1.21	
GEORGIA			
All counties		\$1.21	

HAWAII		Rate per bushel
County		
All counties		\$1.57

IDAHO		Rate per bushel
All counties		\$1.23

ILLINOIS			
County	Rate per bushel	County	Rate per bushel

Adams	\$1.08	Lee	\$1.08
Alexander	1.12	Livingston	1.08
Bond	1.10	Logan	1.09
Boone	1.08	McDonough	1.08
Brown	1.09	McHenry	1.09
Bureau	1.08	McLean	1.08
Calhoun	1.09	Macon	1.09
Carroll	1.06	Macoupin	1.10
Cass	1.10	Madison	1.10
Champaign	1.07	Marion	1.09
Christian	1.09	Marshall	1.09
Clark	1.08	Mason	1.09
Clay	1.09	Massac	1.12
Clinton	1.10	Menard	1.09
Coles	1.07	Mercer	1.06
Cook	1.11	Monroe	1.11
Crawford	1.09	Montgomery	1.09
Cumberland	1.08	Morgan	1.10
De Kalb	1.09	Moultrie	1.07
De Witt	1.08	Ogle	1.07
Douglas	1.07	Peoria	1.09
Du Page	1.10	Perry	1.11
Edgar	1.07	Platt	1.07
Edwards	1.11	Pike	1.09
Effingham	1.09	Pope	1.12
Fayette	1.09	Pulaski	1.12
Ford	1.07	Putnam	1.09
Franklin	1.11	Randolph	1.11
Fulton	1.09	Richland	1.10
Gallatin	1.12	Rock Island	1.06
Greene	1.10	St. Clair	1.11
Grundy	1.09	Saline	1.11
Hamilton	1.11	Sangamon	1.09
Hancock	1.07	Schuyler	1.09
Hardin	1.12	Scott	1.10
Henderson	1.07	Shelby	1.08
Henry	1.07	Stark	1.09
Iroquois	1.08	Stephenson	1.07
Jackson	1.11	Tazewell	1.09
Jasper	1.09	Union	1.11
Jefferson	1.10	Vermilion	1.07
Jersey	1.10	Wabash	1.11
Jo Daviess	1.06	Warren	1.08
Johnson	1.11	Washington	1.11
Kane	1.10	Wayne	1.10
Kankakee	1.08	White	1.11
Kendall	1.09	Whiteside	1.07
Knox	1.09	Will	1.10
Lake	1.10	Williamson	1.11
La Salle	1.09	Winnebago	1.07
Lawrence	1.10	Woodford	1.09

INDIANA			
County	Rate per bushel	County	Rate per bushel
Adams	\$1.07	Franklin	\$1.11
Allen	1.07	Fulton	1.08
Bartholomew	1.09	Gibson	1.12
Benton	1.07	Grant	1.06
Blackford	1.07	Greene	1.09
Boone	1.05	Hamilton	1.05
Brown	1.09	Harrison	1.12
Carroll	1.06	Hancock	1.06
Cass	1.07	Hendricks	1.06
Clark	1.12	Henry	1.06
Clay	1.07	Howard	1.06
Clinton	1.05	Huntington	1.07
Crawford	1.12	Jackson	1.11
Daviess	1.11	Jasper	1.08
Dearborn	1.12	Jay	1.07
Decatur	1.09	Jefferson	1.12
De Kalb	1.07	Jennings	1.11
Delaware	1.06	Johnson	1.07
Dubois	1.11	Knox	1.11
Elkhart	1.08	Kosciusko	1.08
Fayette	1.08	Lagrange	1.07
Floyd	1.12	Lake	1.09
Fountain	1.06	La Porte	1.09
		Lawrence	1.11

RULES AND REGULATIONS

INDIANA—Continued

County	Rate per bushel	County	Rate per bushel
Madison	\$1.05	St. Joseph	\$1.08
Marion	1.06	Scott	1.12
Marshall	1.08	Shelby	1.07
Martin	1.11	Spencer	1.12
Miami	1.07	Starke	1.08
Monroe	1.09	Steuben	1.07
Montgomery	1.06	Sullivan	1.09
Morgan	1.07	Switzerland	1.12
Newton	1.08	Tippecanoe	1.06
Noble	1.07	Tipton	1.05
Ohio	1.12	Union	1.09
Orange	1.11	Vanderburgh	1.12
Owen	1.07	Vermillion	1.06
Parke	1.06	Vigo	1.07
Perry	1.12	Wabash	1.07
Pike	1.11	Warren	1.06
Porter	1.09	Warrick	1.12
Posey	1.12	Washington	1.12
Pulaski	1.08	Wayne	1.07
Putnam	1.06	Wells	1.07
Randolph	1.07	White	1.07
Ripley	1.11	Whitley	1.07
Rush	1.07		

IOWA

Adair	\$1.04	Jefferson	\$1.05
Adams	1.05	Johnson	1.05
Allamakee	1.03	Jones	1.05
Appanoose	1.05	Keokuk	1.04
Audubon	1.04	Kossuth	.99
Benton	1.04	Lee	1.06
Black Hawk	1.02	Linn	1.04
Boone	1.02	Louisia	1.06
Bremer	1.02	Lucas	1.04
Buchanan	1.03	Lyon	1.01
Buena Vista	1.01	Madison	1.03
Butler	1.01	Mahaska	1.03
Calhoun	1.02	Marion	1.03
Carroll	1.03	Marshall	1.02
Cass	1.04	Mills	1.05
Cedar	1.06	Mitchell	1.00
Cerro Gordo	.99	Monona	1.04
Cherokee	1.02	Monroe	1.04
Chickasaw	1.01	Montgomery	1.05
Clarke	1.04	Muscatine	1.06
Clay	1.01	O'Brien	1.01
Clayton	1.04	Osceola	1.00
Clinton	1.06	Page	1.05
Crawford	1.03	Palo Alto	1.00
Dallas	1.03	Plymouth	1.03
Davis	1.05	Pocahontas	1.01
Decatur	1.05	Polk	1.03
Delaware	1.04	Pottawatamie	1.05
Des Moines	1.06	Poweshiek	1.03
Dickinson	1.00	Ringgold	1.05
Dubuque	1.05	Sac	1.02
Emmet	.99	Scott	1.06
Fayette	1.03	Shelby	1.04
Floyd	1.00	Sioux	1.02
Franklin	1.00	Story	1.02
Fremont	1.05	Tama	1.03
Greene	1.03	Taylor	1.05
Grundy	1.02	Union	1.04
Guthrie	1.04	Van Buren	1.05
Hamilton	1.01	Wapello	1.04
Hancock	.99	Warren	1.03
Hardin	1.02	Washington	1.05
Harrison	1.05	Wayne	1.05
Henry	1.06	Webster	1.01
Howard	1.01	Winnebago	.99
Humboldt	1.00	Winneshiek	1.02
Ida	1.02	Woodbury	1.03
Iowa	1.04	Worth	.99
Jackson	1.06	Wright	1.00
Jasper	1.03		

KANSAS

Allen	\$1.13	Chase	\$1.10
Anderson	1.12	Chautauqua	1.15
Atchison	1.09	Cherokee	1.15
Barber	1.12	Cheyenne	1.07
Barton	1.09	Clark	1.09
Bourbon	1.13	Clay	1.06
Brown	1.07	Cloud	1.06
Butler	1.12	Coffey	1.12

KANSAS—Continued

County	Rate per bushel	County	Rate per bushel
Comanche	\$1.10	Mitchell	\$1.07
Cowley	1.14	Montgomery	1.15
Crawford	1.15	Morris	1.09
Decatur	1.06	Morton	1.09
Dickinson	1.08	Nemaha	1.07
Doniphan	1.08	Necosho	1.14
Douglas	1.10	Ness	1.08
Edwards	1.09	Norton	1.05
Elk	1.14	Osage	1.10
Ellis	1.07	Osborne	1.07
Ellsworth	1.09	Ottawa	1.07
Finney	1.08	Pawnee	1.09
Ford	1.08	Phillips	1.05
Franklin	1.11	Pottawatomie	1.07
Geary	1.08	Pratt	1.11
Gove	1.07	Rawlins	1.07
Graham	1.06	Reno	1.11
Grant	1.08	Republic	1.05
Gray	1.08	Rice	1.10
Greeley	1.08	Riley	1.06
Greenwood	1.12	Rooks	1.06
Hamilton	1.08	Rush	1.08
Harper	1.13	Russell	1.08
Harvey	1.11	Saline	1.08
Haskell	1.08	Scott	1.08
Hodgeman	1.08	Sedgwick	1.12
Jackson	1.08	Seward	1.09
Jefferson	1.09	Shawnee	1.09
Jewell	1.05	Sheridan	1.06
Johnson	1.11	Sherman	1.08
Kearny	1.08	Smith	1.05
Kingman	1.12	Stafford	1.11
Kiowa	1.10	Stanton	1.08
Labette	1.15	Stevens	1.09
Lane	1.08	Sumner	1.13
Leavenworth	1.10	Thomas	1.08
Lincoln	1.08	Trego	1.07
Linn	1.13	Wabaunsee	1.09
Lyon	1.07	Wallace	1.07
Logan	1.10	Washington	1.06
McPherson	1.09	Wichita	1.08
Marion	1.09	Wilson	1.14
Marshall	1.06	Woodson	1.13
Meade	1.09	Wyandotte	1.10
Miami	1.12		

KENTUCKY

Adair	\$1.18	Gallatin	\$1.14
Allen	1.18	Garrard	1.19
Anderson	1.17	Grant	1.15
Ballard	1.14	Graves	1.14
Barren	1.17	Grayson	1.15
Bath	1.19	Green	1.18
Bell	1.21	Greenup	1.16
Boone	1.13	Hancock	1.14
Bourbon	1.18	Hardin	1.15
Boyd	1.17	Harlan	1.21
Boyle	1.18	Harrison	1.17
Bracken	1.15	Hart	1.17
Breathitt	1.21	Henderson	1.14
Breckenridge	1.14	Henry	1.15
Bullitt	1.15	Hickman	1.14
Butler	1.16	Hopkins	1.16
Caldwell	1.16	Jackson	1.20
Calloway	1.15	Jefferson	1.14
Campbell	1.13	Jessamine	1.19
Carlisle	1.14	Johnson	1.20
Carroll	1.14	Kenton	1.13
Carter	1.18	Knott	1.21
Casey	1.18	Knox	1.20
Christian	1.17	Larue	1.16
Clark	1.19	Laurel	1.20
Clay	1.20	Lawrence	1.19
Clinton	1.19	Lee	1.20
Crittenden	1.14	Leslie	1.21
Cumberland	1.18	Letcher	1.21
Daviess	1.14	Lewis	1.15
Edmonson	1.16	Lincoln	1.19
Elliott	1.19	Livingston	1.14
Estill	1.19	Logan	1.17
Fayette	1.18	Lyon	1.16
Fleming	1.17	McCracken	1.14
Floyd	1.21	McCreary	1.19
Franklin	1.16	McLean	1.15
Fulton	1.14	Madison	1.19

KENTUCKY—Continued

County	Rate per bushel	County	Rate per bushel
Magoffin	\$1.21	Powell	\$1.19
Marion	1.17	Pulaski	1.19
Marshall	1.15	Robertson	1.17
Martin	1.20	Rockcastle	1.19
Mason	1.15	Rowan	1.19
Meade	1.14	Russell	1.19
Menifee	1.19	Scott	1.17
Mercer	1.18	Shelby	1.15
Metcalfe	1.18	Simpson	1.18
Monroe	1.18	Spencer	1.15
Montgomery	1.19	Taylor	1.17
Morgan	1.20	Todd	1.17
Muhlenburg	1.16	Trigg	1.17
Nelson	1.16	Trimble	1.14
Nicholas	1.18	Union	1.14
Ohio	1.15	Warren	1.17
Oldham	1.14	Washington	1.17
Owen	1.15	Wayne	1.19
Owsley	1.20	Webster	1.15
Pendleton	1.15	Whitley	1.20
Perry	1.21	Wolfe	1.20
Pike	1.21	Woodford	1.18

LOUISIANA

Parish	
All parishes	\$1.19

MAINE

County	
All counties	\$1.29

MARYLAND

All counties	\$1.23
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MASSACHUSETTS

All counties	\$1.29
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MICHIGAN

Allegan	\$1.09	Manistee	\$1.11
Arenac	1.11	Mason	1.11
Barry	1.08	Mason	1.11
Bay	1.10	Mecosta	1.10
Berrien	1.09	Midland	1.09
Branch	1.08	Missaukee	1.11
Calhoun	1.08	Monroe	1.10
Cass	1.09	Montcalm	1.09
Clare	1.10	Muskegon	1.11
Clinton	1.09	Newaygo	1.10
Eaton	1.09	Oakland	1.10
Genesee	1.10	Oceana	1.11
Gladwin	1.10	Ogemaw	1.11
Gratiot	1.09	Osceola	1.10
Hillsdale	1.08	Ottawa	1.11
Huron	1.10	Roscommon	1.11
Ingham	1.09	Saginaw	1.09
Ionia	1.09	St. Clair	1.10
Iosco	1.11	St. Joseph	1.08
Isabella	1.09	Sanilac	1.10
Jackson	1.09	Shawassee	1.09
Kalamazoo	1.09	Tuscola	1.09
Kent	1.10	Van Buren	1.09
Lake	1.11	Washtenaw	1.10
Lapeer	1.10	Wayne	1.10
Lenawee	1.09	Wexford	1.11
Livingston	1.10	All other counties	1.12
Macomb	1.10		

MINNESOTA

Aitkin	\$1.03	Dakota	\$1.04
Anoka	1.03	Dodge	1.01
Becker	1.01	Douglas	1.02
Beltrami	1.00	Faribault	.98
Benton	1.02	Fillmore	1.02
Big Stone	.98	Freeborn	.99
Blue Earth	.99	Goodhue	1.04
Brown	.99	Grant	1.01
Carlton	1.03	Hennepin	1.03
Carver	1.02	Houston	1.04
Cass	1.01	Hubbard	1.01
Chippewa	.99	Isanti	1.03
Chisago	1.03	Itasca	1.03
Clay	1.00	Jackson	.97
Clearwater	1.00	Kanabec	1.03
Cook	1.03	Kandiyohi	1.00
Cottonwood	.98	Kittson	1.00
Crow Wing	1.02	Koochiching	1.03

RULES AND REGULATIONS

MINNESOTA—Continued

County	Rate per bushel	County	Rate per bushel
Lac Qui Parle	\$0.98	Red Lake	\$1.00
Lake	1.03	Redwood	.99
Lake of the Woods	1.00	Renville	1.00
Le Sueur	1.01	Rice	1.02
Lincoln	.97	Rock	.99
Lyon	.98	Roseau	1.00
McLeod	1.01	St. Louis	1.03
Mahnomen	1.00	Scott	1.02
Marshall	1.00	Sherburne	1.02
Martin	.97	Sibley	1.01
Meeke	1.01	Stearns	1.02
Mille Lacs	1.03	Steele	1.00
Morrison	1.02	Stevens	1.00
Mower	1.01	Swift	1.00
Murray	.98	Todd	1.02
Nicollet	1.00	Traverse	.99
Nobles	.98	Wabasha	1.04
Norman	1.00	Wadena	1.02
Olmsted	1.02	Waseca	.99
Otter Tail	1.01	Washington	1.03
Pennington	1.00	Watsonwan	.98
Pine	1.03	Wilkin	1.00
Pipestone	.98	Winona	1.04
Polk	1.00	Wright	1.02
Pope	1.01	Yellow	
Ramsey	1.03	Medicine	.98

MISSISSIPPI

County	Rate per bushel
All counties	\$1.19

MISSOURI

County	Rate per bushel	County	Rate per bushel
Adair	\$1.06	Knox	\$1.08
Andrew	1.08	Laclede	1.15
Atchison	1.07	Lafayette	1.10
Audrain	1.10	Lawrence	1.15
Barry	1.16	Lewis	1.08
Barton	1.14	Lincoln	1.10
Bates	1.12	Linn	1.07
Benton	1.12	Livingston	1.07
Bollinger	1.14	McDonald	1.16
Boone	1.11	Macon	1.08
Buchanan	1.10	Madison	1.14
Butler	1.14	Maries	1.13
Caldwell	1.09	Marion	1.08
Calloway	1.11	Mercer	1.05
Camden	1.13	Miller	1.13
Cape Girardeau	1.13	Mississippi	1.14
Carroll	1.08	Moniteau	1.12
Carter	1.15	Monroe	1.09
Cass	1.11	Montgomery	1.11
Cedar	1.14	Morgan	1.12
Chariton	1.08	New Madrid	1.14
Christian	1.16	Newton	1.16
Clark	1.07	Nodaway	1.07
Clay	1.11	Oregon	1.16
Clinton	1.11	Osage	1.12
Cole	1.12	Ozark	1.16
Cooper	1.11	Pemiscot	1.14
Crawford	1.14	Perry	1.13
Dade	1.14	Pettis	1.11
Dallas	1.15	Phelps	1.15
Davies	1.08	Pike	1.09
De Kalb	1.09	Platte	1.11
Dent	1.15	Polk	1.15
Douglas	1.16	Fulaski	1.15
Dunklin	1.14	Putnam	1.05
Franklin	1.12	Ralls	1.09
Gasconade	1.12	Randolph	1.08
Gentry	1.07	Ray	1.10
Greene	1.15	Reynolds	1.15
Grundy	1.06	Ripley	1.15
Harrison	1.05	St. Charles	1.11
Henry	1.12	St. Clair	1.13
Hickory	1.13	St. Francois	1.13
Holt	1.08	St. Genevieve	1.12
Howard	1.10	St. Louis	1.12
Howell	1.16	Saline	1.10
Iron	1.14	Schuyler	1.05
Jackson	1.11	Scotland	1.06
Jasper	1.15	Scott	1.14
Jefferson	1.12	Shannon	1.15
Johnson	1.11	Shelby	1.09

MISSOURI—Continued

County	Rate per bushel	County	Rate per bushel
Stoddard	\$1.14	Warren	\$1.11
Stone	1.16	Washington	1.13
Sullivan	1.06	Wayne	1.14
Taney	1.16	Webster	1.15
Texas	1.15	Worth	1.06
Vernon	1.13	Wright	1.15

MONTANA

County	Rate per bushel
All counties	\$1.14

NEBRASKA

County	Rate per bushel	County	Rate per bushel
Adams	\$1.04	Jefferson	\$1.05
Antelope	1.04	Johnson	1.05
Arthur	1.07	Kearney	1.04
Banner	1.10	Keith	1.08
Blaine	1.05	Keyapaha	1.04
Boone	1.05	Kimball	1.10
Box Butte	1.09	Knox	1.03
Boyd	1.02	Lancaster	1.04
Brown	1.04	Lincoln	1.06
Buffalo	1.04	Logan	1.06
Burt	1.06	Loup	1.05
Butler	1.05	McPherson	1.06
Cass	1.05	Madison	1.05
Cedar	1.04	Merrick	1.05
Chase	1.07	Morrill	1.10
Cherry	1.06	Nance	1.05
Cheyenne	1.09	Nemaha	1.05
Clay	1.04	Nuckolls	1.04
Colfax	1.05	Otoe	1.05
Cuming	1.05	Pawnee	1.06
Custer	1.05	Perkins	1.07
Dakota	1.04	Phelps	1.04
Dawes	1.09	Pierce	1.04
Dawson	1.04	Platte	1.05
Deuel	1.09	Polk	1.05
Dixon	1.04	Red Willow	1.06
Dodge	1.05	Richardson	1.06
Douglas	1.06	Rock	1.04
Dundy	1.07	Saline	1.04
Fillmore	1.04	Sarpy	1.05
Franklin	1.04	Saunders	1.05
Frontier	1.05	Scotts Bluff	1.10
Furnas	1.05	Seward	1.04
Gage	1.05	Sheridan	1.08
Garden	1.08	Sherman	1.04
Garfield	1.05	Sioux	1.10
Gosper	1.05	Stanton	1.05
Grant	1.07	Thayer	1.04
Greeley	1.04	Thomas	1.06
Hall	1.04	Thurston	1.05
Hamilton	1.04	Valley	1.04
Harlan	1.04	Washington	1.06
Hayes	1.07	Wayne	1.04
Hitchcock	1.07	Webster	1.04
Holt	1.03	Wheeler	1.05
Hooker	1.06	York	1.04
Howard	1.04		

NEVADA

All counties	\$1.27
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NEW HAMPSHIRE

All counties	\$1.29
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NEW JERSEY

All counties	\$1.25
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NEW MEXICO

County	Rate per bushel	County	Rate per bushel
Curry	\$1.18	Roosevelt	\$1.18
Harding	1.18	Union	1.18
Lea	1.18	All other counties	1.23
Quay	1.18		

NEW YORK

All counties	\$1.24
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NORTH CAROLINA

All counties	\$1.22
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NORTH DAKOTA

All counties	\$0.98
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OHIO

County	Rate per bushel	County	Rate per bushel
Adams	\$1.13	Licking	\$1.11
Allen	1.09	Logan	1.09
Ashland	1.13	Lorain	1.13
Ashtabula	1.20	Lucas	1.11
Athens	1.16	Madison	1.09
Auglaize	1.09	Mahoning	1.20
Belmont	1.18	Marion	1.09
Brown	1.13	Medina	1.15
Butler	1.10	Meigs	1.15
Carroll	1.17	Mercer	1.08
Champaign	1.09	Miami	1.09
Clark	1.09	Monroe	1.19
Clermont	1.12	Montgomery	1.09
Clinton	1.11	Morgan	1.16
Columbiana	1.20	Morrow	1.10
Coshocton	1.14	Muskingum	1.14
Crawford	1.10	Noble	1.17
Cuyahoga	1.16	Ottawa	1.11
Darke	1.08	Paulding	1.08
Defiance	1.08	Perry	1.14
Delaware	1.09	Pickaway	1.10
Erie	1.12	Pike	1.12
Fairfield	1.12	Portage	1.18
Fayette	1.10	Preble	1.09
Franklin	1.09	Putnam	1.09
Fulton	1.10	Richland	1.11
Gallia	1.14	Ross	1.11
Geauga	1.18	Sandusky	1.11
Greene	1.09	Scioto	1.13
Guernsey	1.16	Seneca	1.10
Hamilton	1.11	Shelby	1.09
Hancock	1.10	Stark	1.17
Hardin	1.09	Summit	1.16
Harrison	1.18	Trumbull	1.20
Henry	1.09	Tuscarawas	1.16
Highland	1.11	Union	1.09
Hocking	1.13	Van Wert	1.08
Holmes	1.14	Vinton	1.13
Huron	1.12	Warren	1.11
Jackson	1.13	Washington	1.18
Jefferson	1.19	Wayne	1.15
Knox	1.11	Williams	1.09
Lake	1.18	Wood	1.10
Lawrence	1.14	Wyandot	1.10

OKLAHOMA

Beaver	\$1.12	Harper	\$1.13
Beckham	1.15	Roger Mills	1.15
Cimarron	1.12	Texas	1.12
Ellis	1.15	All other counties	1.17
Harmon	1.15		

OREGON

All counties	\$1.23
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PENNSYLVANIA

All counties	\$1.24
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RHODE ISLAND

All counties	\$1.29
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SOUTH CAROLINA

All counties	\$1.22
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SOUTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Aurora	\$0.98	Douglas	\$0.99
Beadle	.97	Edmunds	.99
Bennett	1.04	Fall River	1.08
Bon Homme	1.00	Faulk	.99
Brookings	.97	Grant	.97
Brown	.97	Gregory	.99
Brule	.98	Haakon	1.02
Buffalo	.98	Hamlin	.97
Butte	1.04	Hand	.98
Campbell	1.00	Hanson	.98
Charles Mix	.99	Harding	1.04
Clark	.97	Hughes	1.00
Clay	1.02	Hutchinson	1.00
Codington	.97	Hyde	.99
Corson	1.02	Jackson	1.03
Custer	1.07	Jerauld	.97
Davison	.98	Jones	1.02
Day	.97	Kingsbury	.97
Deuel	.97	Lake	.98
Dewey	1.02	Lawrence	1.04

SOUTH DAKOTA—Continued

County	Rate per bushel	County	Rate per bushel
Lincoln	\$1.01	Sanborn	\$0.98
Lyman	1.00	Shannon	1.06
McCook	.99	Spink	.97
McPherson	.99	Stanley	1.02
Marshall	.97	Sully	1.00
Meade	1.03	Todd	1.02
Mellette	1.02	Tripp	1.00
Miner	.98	Turner	1.01
Minnehaha	.99	Union	1.02
Moody	.98	Walworth	1.01
Pennington	1.04	Washabaugh	1.03
Perkins	1.03	Yankton	1.01
Potter	1.01	Ziebach	1.03
Roberts	.97		

TENNESSEE

County	Rate per bushel	County	Rate per bushel
Anderson	\$1.22	Lauderdale	\$1.16
Bedford	1.19	Lawrence	1.18
Benton	1.18	Lewis	1.18
Bledsoe	1.20	Lincoln	1.18
Blount	1.23	Loudon	1.22
Bradley	1.21	McMinn	1.21
Campbell	1.22	McNairy	1.18
Cannon	1.20	Macon	1.19
Carroll	1.17	Madison	1.17
Carter	1.23	Marion	1.19
Cheatham	1.18	Marshall	1.20
Chester	1.17	Maury	1.18
Claiborne	1.22	Meigs	1.21
Clay	1.20	Monroe	1.22
Cocke	1.23	Montgomery	1.18
Coffee	1.19	Moore	1.20
Crockett	1.17	Morgan	1.21
Cumberland	1.21	Obion	1.16
Davidson	1.19	Overton	1.20
Decatur	1.18	Perry	1.18
De Kalb	1.20	Pickett	1.20
Dickson	1.18	Polk	1.21
Dyer	1.16	Putnam	1.20
Fayette	1.17	Rhea	1.21
Fentress	1.21	Roane	1.22
Franklin	1.18	Robertson	1.18
Gibson	1.16	Rutherford	1.19
Giles	1.18	Scott	1.21
Grainger	1.23	Sequatchie	1.20
Greene	1.23	Sevier	1.23
Grundy	1.20	Shelby	1.16
Hamblen	1.23	Smith	1.19
Hamilton	1.20	Stewart	1.18
Hancock	1.23	Sullivan	1.23
Hardeman	1.17	Sumner	1.19
Hardin	1.18	Tipton	1.16
Hawkins	1.23	Trousdale	1.19
Haywood	1.17	Unicoi	1.23
Henderson	1.17	Union	1.22
Henry	1.17	Van Buren	1.20
Hickman	1.18	Warren	1.20
Houston	1.18	Washington	1.23
Humphreys	1.18	Wayne	1.18
Jackson	1.20	Weakley	1.16
Jefferson	1.23	White	1.20
Johnson	1.23	Williamson	1.19
Knox	1.22	Wilson	1.19
Lake	1.16		

TEXAS

County	Rate per bushel	County	Rate per bushel
Armstrong	\$1.14	Hemphill	\$1.14
Bailey	1.14	Hockley	1.16
Briscoe	1.14	Hutchinson	1.14
Carson	1.14	King	1.16
Castro	1.14	Lamb	1.14
Childress	1.15	Lipscomb	1.14
Cochran	1.16	Lubbock	1.16
Collingsworth	1.15	Moore	1.14
Cottle	1.16	Motley	1.16
Crosby	1.16	Ochiltree	1.14
Dallam	1.14	Oldham	1.14
Deaf Smith	1.14	Parmer	1.14
Dickens	1.16	Potter	1.14
Donley	1.15	Randall	1.14
Floyd	1.14	Roberts	1.14
Gray	1.14	Sherman	1.14
Hale	1.14	Swisher	1.14
Hall	1.15	Wheeler	1.15
Hansford	1.14	All other counties	1.19
Hartley	1.14		

UTAH

County	Rate per bushel
All counties	\$1.26

VERMONT

All counties	\$1.29
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VIRGINIA

All counties	\$1.23
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WASHINGTON

All counties	\$1.21
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WEST VIRGINIA

All counties	\$1.22
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WISCONSIN

County	Rate per bushel	County	Rate per bushel
Adams	\$1.09	Marathon	\$1.10
Ashland	1.09	Marquette	1.11
Barron	1.07	Menominee	1.11
Bayfield	1.06	Milwaukee	1.11
Brown	1.11	Monroe	1.07
Buffalo	1.06	Oconto	1.11
Burnett	1.05	Oneida	1.11
Calumet	1.11	Outagamie	1.10
Chippewa	1.07	Ozaukee	1.11
Clark	1.09	Pepin	1.06
Columbia	1.09	Pierce	1.06
Crawford	1.05	Polk	1.05
Dane	1.09	Portage	1.10
Dodge	1.10	Price	1.09
Door	1.12	Racine	1.11
Douglas	1.03	Richland	1.07
Dunn	1.07	Rock	1.09
Eau Claire	1.07	Rusk	1.08
Florence	1.11	St. Croix	1.06
Fond du Lac	1.10	Sauk	1.08
Forest	1.11	Sawyer	1.08
Grant	1.05	Shawano	1.11
Green	1.08	Sheboygan	1.11
Green Lake	1.10	Taylor	1.09
Iowa	1.08	Trempealeau	1.06
Iron	1.10	Vernon	1.05
Jackson	1.07	Vilas	1.11
Jefferson	1.10	Walworth	1.10
Juneau	1.09	Washington	1.07
Kenosha	1.11	Washburn	1.10
Kewaunee	1.12	Waukesha	1.10
La Crosse	1.06	Waupaca	1.11
Lafayette	1.07	Waushara	1.10
Langlade	1.11	Winnebago	1.11
Lincoln	1.10	Wood	1.09
Manitowoc	1.12		

WYOMING

All counties	\$1.14
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(b) Premiums.

(1) Moisture.

Percent:	Cents per bushel
14.0 or less	+1½
14.1 through 14.5	+1
14.6 through 15.0	+ ½
15.1 through 15.5	0

(2) Broken corn and foreign material. 2.0 percent or less	+1
--	----

(c) Discounts.

(1) Class.

Mixed	-2
(2) Test weight per bushel.	

Pounds:	
53.0 through 53.9	-1
52.0 through 52.9	-2
51.0 through 51.9	-3
50.0 through 50.9	-4
49.0 through 49.9	-5

(3) Total damage.

Percent:	
5.1 through 6.0	- ½
6.1 through 7.0	-1

(4) Heat damage.

0.21 through 0.50 percent	- ½
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(5) Broken corn and foreign material.

3.1 through 4.0 percent	-1
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(6) Weed control laws.

(Where required by § 1421.25) ----- -10

(7) Other. Amounts determined by CCC to represent market discounts for quality factors not specified above which affect the value of the corn such as (but not limited to) moisture, weevily, musty, sour, and rodent excreta. Such discounts will be established not later than the time delivery of corn to CCC begins and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain schedules of such factors and discounts at ASCS county offices approximately 1 month prior to the loan maturity date.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 27, 1970.

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

[F.R. Doc 70-11725; Filed, Sept. 4, 1970; 8:45 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3314 is amended to show that one position of National Export Expansion Coordinator, Office of the Assistant Secretary for Domestic and International Business is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (7) is added to paragraph (m) of § 213.3314 as set out below.

§ 213.3314 Department of Commerce.

(m) Office of the Assistant Secretary for Domestic and International Business. * * *

(7) National Export Expansion Coordinator.

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

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 70-11828; Filed, Sept. 4, 1970; 8:50 a.m.]

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to show that the position of Director of Security is no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (1) of paragraph (a) of § 213.3316 is revoked.

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

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 70-11829; Filed, Sept. 4, 1970;
8:50 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

[Docket No. 70-254]

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

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

1. In § 76.2, in paragraph (e) (22) relating to the State of Oklahoma, new subdivisions (iii) relating to Kingfisher County and (iv) relating to Seminole County are added to read:

(22) *Oklahoma.* * * *

(iii) That portion of Kingfisher County bounded by a line beginning at the junction of State Highways 33, 3 and U.S. Highway 81 (also State Highway 3); thence, following U.S. Highway 81 (also State Highway 3) in a southwesterly direction to the Kingfisher-Canadian County line; thence, following the Kingfisher-Canadian County line in a westerly direction to the Kingfisher-Blaine County line; thence, following the Kingfisher-Blaine County line in a northerly direction to State Highways 33, 3; thence, following State Highways 33, 3 in a generally northeasterly direction to its junction with U.S. Highway 81 (also State Highway 3).

(iv) That portion of Seminole County bounded by a line beginning at the junction of State Highways 99, 59, 3 and State Highway 9; thence, following State Highway 9 in a generally southeasterly direction to State Highways 56, 48C; thence, following State Highways 56, 48C in a generally southwesterly direction to State Highway 59; thence following State Highway 59 in a westerly direction to State Highways 99, 59, 3; thence, following State Highways 99, 59, 3 in a northerly direction to its junction with State Highway 9.

2. In § 76.2, in paragraph (e) (15) relating to the State of Texas, a new subdivision (xv) relating to Denton County is added to read:

(15) *Texas.* * * *

(xv) That portion of Denton County bounded by a line beginning at the junction of Denton-Collin County line and Farm to Market Road 720; thence, following Farm to Market Road 720 in a generally northwesterly direction to State Highway 24; thence, following State Highway 24 (also U.S. Highway 377) in a generally southwesterly direction to the Denton-Tarrant County line; thence, following the Denton-Tarrant County line in an easterly direction to the Denton-Dallas County line; thence, following the Denton-Dallas County line in a continuing easterly direction to the Denton-Collin County line; thence, following the Denton-Collin County line in a northerly direction to its junction with Farm to Market Road 720.

3. In § 76.2, in paragraph (e) (17) relating to the State of Virginia, subdivision (vii) relating to City of Virginia Beach County is amended to read:

(17) *Virginia.* * * *

(vii) That portion of City of Virginia Beach County comprised of Princess Anne, Kempsville, and Pungo Boroughs.

4. In § 76.2, in paragraph (e) (10) relating to the State of North Carolina, subdivision (ii) relating to Gates County is deleted; subdivision (iii) relating to Gates, Perquimans, and Chowan Counties is amended; and a new subdivision (v) relating to Craven and Carteret Counties is added to read:

(10) *North Carolina.* * * *

(iii) The adjacent portions of Gates, Perquimans, and Chowan Counties bounded by a line beginning at the junction of Secondary Road 1208 and the North Carolina-Virginia State line; thence, following the North Carolina-Virginia State line in an easterly direction to the Gates-Camden County line; thence, following the Gates-Camden County line in a southeasterly direction to the Gates-Pasquotank County line; thence, following the Gates-Pasquotank County line in a generally southeasterly direction to the Gates-Perquimans County line; thence, following the Gates-Perquimans County line in a southwesterly direction to Secondary Road 1204 in Perquimans County; thence, following Secondary Road 1204 in a southeasterly direction to Secondary Road 1001; thence, following Secondary Road 1001 in a generally southerly direction to Secondary Road 1214; thence, following Secondary Road 1214 in a southeasterly direction to Secondary Road 1223; thence, following Secondary Road 1223 in a generally northeasterly direction to Secondary Road 1224; thence, following Secondary Road 1224 in a southeasterly direction to Secondary Road 1225; thence, following Secondary Road 1225 in a southwesterly direction to Secondary Road 1226; thence, following Secondary Road 1226 in a generally southerly direction to U.S. Highway 17; thence, following U.S. Highway 17 in a generally southwesterly direction to Secondary Road 1302; thence, following Secondary

Road 1302 in a generally southwesterly direction to Secondary Road 1301; thence, following Secondary Road 1301 in a southeasterly direction to Secondary Road 1363; thence, following Secondary Road 1363 in a southwesterly direction to the Perquimans River; thence, following the north bank of the Perquimans River in a generally northwesterly direction to Secondary Road 1300; thence, following Secondary Road 1300 in a northeasterly direction to U.S. Highway Business 17; thence, following U.S. Highway Business 17 in a generally southwesterly direction to Secondary Road 1110; thence, following Secondary Road 1110 in a generally northwesterly direction to the Norfolk Southern Railway; thence, following the Norfolk Southern Railway in a southwesterly direction to Secondary Road 1101; thence, following Secondary Road 1101 in a northwesterly direction to the Perquimans-Chowan County line; thence, following the Perquimans-Chowan County line in a northwesterly direction to Secondary Road 1312 in Chowan County; thence, following Secondary Road 1312 in Chowan County in a northwesterly direction to Secondary Road 1002; thence, following Secondary Road 1002 in a westerly direction to Secondary Road 1303; thence, following Secondary Road 1303 in a northwesterly direction to Secondary Road 1304; thence, following Secondary Road 1304 in a northwesterly direction to North Carolina Highway 32; thence, following North Carolina Highway 32 in a northeasterly direction to Secondary Road 1233; thence, following Secondary Road 1233 in a northwesterly direction to Secondary Road 1232; thence, following Secondary Road 1232 in a northwesterly direction to Secondary Road 1102 in Gates County; thence, following Secondary Road 1102 in a northerly direction to Secondary Road 1100; thence, following Secondary Road 1100 in a northwesterly direction to Secondary Road 1104; thence, following Secondary Road 1104 in a northeasterly direction to North Carolina Highway 37; thence, following North Carolina Highway 37 in a southeasterly direction to Secondary Road 1410; thence, following Secondary Road 1410 in a northeasterly direction to North Carolina Highway 32; thence, following North Carolina Highway 32 in a generally northerly direction to Secondary Road 1320; thence, following Secondary Road 1320 in a generally northwesterly direction to Secondary Road 1318; thence, following Secondary Road 1318 in a southwesterly direction to Secondary Road 1300; thence, following Secondary Road 1300 in a northwesterly direction to Secondary Road 1303; thence, following Secondary Road 1303 in a southwesterly direction to North Carolina Highway 37; thence, following North Carolina Highway 37 in a southeasterly direction to Secondary Road 1220; thence, following Secondary Road 1220 in a southwesterly direction to Secondary Road 1225; thence, following Secondary Road 1225 in a generally northwesterly direction to Secondary Road 1217; thence, following Secondary Road 1217 in a southwesterly direction to U.S. Highway 158; thence, following U.S.

Highway 158 in a northwesterly direction to Secondary Road 1221; thence, following Secondary Road 1221 in a generally northwesterly direction to U.S. Highway 13; thence, following U.S. Highway 13 in a northwesterly direction to Secondary Road 1202; thence, following Secondary Road 1202 in a generally northwesterly direction to Secondary Road 1208; thence, following Secondary Road 1208 in a northeasterly direction to its junction with the North Carolina-Virginia State line.

(v) The adjacent portions of Craven and Carteret Counties bounded by a line beginning at the junction of Secondary Road 1711 and the west bank of the Clubfoot Creek; thence, resuming at a point on the east bank of the Clubfoot Creek directly east of the junction of Secondary Road 1711 and the west bank of the Clubfoot Creek and continuing in a generally northerly direction to the south bank of the Neuse River; thence, following the south bank of the Neuse River in a generally northeasterly direction to the west bank of the Long Creek; thence, following the west bank of the Long Creek in a generally southeasterly direction to Secondary Road 1700; thence, following Secondary Road 1700 in a generally northeasterly direction to the west bank of Adams Creek; thence, following the west bank of Adams Creek in a generally southerly direction to the Intracoastal Waterway; thence, following the Intracoastal Waterway in a generally southerly direction to North Carolina Highway 101; thence, following North Carolina Highway 101 in a generally northwesterly direction to Secondary Road 1711; thence, following Secondary Road 1711 in a generally northerly direction to its junction with the west bank of the Clubfoot Creek.

5. In § 76.2, the reference to the State of Nebraska in the introductory portion of paragraph (e), and paragraph (e) (20) relating to the State of Nebraska are deleted.

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

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

The amendments quarantine portions of Seminole and Kingfisher Counties in Oklahoma; a portion of Denton County, Tex.; portions of Gates, Craven, and Carteret Counties in North Carolina; and portions of City of Virginia Beach County, Va., because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined portions of such counties.

The amendments also exclude a portion of Nuckolls County, Nebr., from the areas quarantined because of hog cholera.

Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded area, but will continue to apply to the quarantined areas described in § 76.2. Further, the restrictions pertaining to the interstate movement of swine and swine products from non-quarantined areas contained in said Part 76 will apply to the area excluded from quarantine.

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

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

Done at Washington, D.C., this 2d day of September 1970.

F. J. MULHERN,
Acting Administrator,
Agricultural Research Office.

[F.R. Doc. 70-11810; Filed, Sept. 4, 1970; 8:49 a.m.]

[Docket No. 70-255]

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

In § 76.2, the reference to the State of New Jersey in the introductory portion of paragraph (e), and paragraph (e) (8) relating to the State of New Jersey are deleted.

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

Effective date. The foregoing amendment shall become effective upon issuance.

The amendment excludes a portion of Salem County, N.J., from the areas quar-

antined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded area, but will continue to apply to the quarantined areas described in § 76.2. Further, the restrictions pertaining to the interstate movement of swine and swine products from nonquarantined areas contained in said Part 76 will apply to the excluded area.

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

Done at Washington, D.C. this 2d day of September 1970.

F. J. MULHERN,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 70-11809; Filed, Sept. 4, 1970; 8:49 a.m.]

SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS AND ANIMAL PRODUCTS

PART 97—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Administrative Instructions Prescribing Commuted Travel Time Allowances

Pursuant to the authority conferred upon the Director of the Animal Health Division by § 97.1 of the regulations concerning overtime services relating to imports and exports (9 CFR 97.1), administrative instructions in 9 CFR 97.2 (1969 ed.), as amended February 1, 1969 (34 F.R. 1586), June 3, 1969 (34 F.R. 8697), July 1, 1969 (34 F.R. 11081), August 1, 1969 (34 F.R. 12581), November 27, 1969 (34 F.R. 12661), April 16, 1970 (35 F.R. 6175), May 21, 1970 (35 F.R. 7781), and July 28, 1970 (35 F.R. 12058), prescribing the commuted travel time that shall be included in each period of overtime or holiday duty, are hereby amended by adding to or deleting from the respective "lists" therein as follows:

WITHIN METROPOLITAN AREA

ONE HOUR

Add: Newburgh, N.Y.

TWO HOURS

Delete: New Orleans, La.

Add: New Orleans, La., including: Orleans Parish and all points on the east bank of the Mississippi River from the St. Charles-Jefferson Parish boundary to and including Chalmette, La., and all points on the west bank from the St. Charles-Jefferson Parish boundary to, but excluding, Belle Chasse, La.

OUTSIDE METROPOLITAN AREA

ONE HOUR

Add: New Windsor, N.Y. (served from Newburgh, N.Y.).

Add: Roseton, N.Y. (served from Newburgh, N.Y.).

Add: Kawaihae, Hawaii (served from Waimea, Hawaii).

Add: Port of Oregon (served from Coos Bay, Oreg.).

Add: Port of Reedsport, Oreg. (served from Coos Bay, Oreg.).

TWO HOURS

Add: Buchanan, N.Y. (served from Newburgh, N.Y.).

Add: Poughkeepsie, N.Y. (served from Newburgh, N.Y.).

Add: Peekskill, N.Y. (served from Newburgh, N.Y.).

Add: Milton, N.Y. (served from Newburgh, N.Y.).

Add: Port of Orford, Oreg. (served from Coos Bay, Oreg.).

THREE HOURS

Add: Any point on the Mississippi River above the St. Charles-Jefferson Parish boundary to and including Gramercy, La. Any point below Chalmette, La., and on the East Bank, Belle Chasse, La., and points to and including Port Sulphur on the west bank (served from Port of New Orleans, La.).

Add: Hilo, Hawaii (served from Kailua-Kona, Hawaii).

Add: Port of Reedsport, Oreg. (served from Roseburg, Oreg.).

FOUR HOURS

Add: Morgan City, La., and any undesignated point served from Port of New Orleans.

Add: Port Orford, Oreg. (served from Roseburg, Oreg.).

SIX HOURS

Add: Port of Harbor (served from Roseburg, Oreg.).

Delete: Hilo, Hawaii (served from Kailua-Kona, Hawaii).

These commuted travel time periods have been established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime or holiday duty when such travel is performed solely on account of such overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Animal Health Division.

It is to the benefit of the public that these instructions be made effective at the earliest practicable date. Accordingly, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and public procedure on these instructions are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

(64 Stat. 561, 7 U.S.C. 2260)

Effective date. The foregoing amendments shall become effective upon publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 1st day of September 1970.

E. E. SAULMON,
Director, Animal Health Division,
Agricultural Research Service.

[F.R. Doc. 70-11811; Filed, Sept. 4, 1970; 8:49 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 D—Old-Age, Disability, Dependents' and Survivors' Insurance Benefits; Period of Disability

PART 410—FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969, TITLE IV—BLACK LUNG BENEFITS (1969 —)

Miscellaneous Amendments

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

1. Section 404.310 is revised to read as follows:

§ 404.310 Period of disability; conditions of entitlement.

(a) *General.* An individual is entitled to the establishment of a period of disability (beginning as described in § 404.311 and ending as described in § 404.311a) if:

(1) He was under a disability as defined in section 216(i) of the Act; and

(2) He was insured for establishment of a period of disability (see § 404.116) at the time specified in § 404.115(a); and

(3) He has filed an application to establish a period of disability within the time period specified in paragraph (b) or (c) of this section; and

(4) Except as provided in paragraph (d) of this section, not less than six full consecutive calendar months have elapsed from the date on which a period of disability could begin (as determined under § 404.311) for such individual and before the date on which such period of disability could end (as determined under § 404.311a). Where the beginning date of the period of disability is the first day of a month and the disability continues through the last day of the month, such month is considered a full calendar month.

(b) *Time limit for filing application to establish a period of disability—*(1)

General. An application to establish a period of disability filed after June 1965 or other application described in § 404.312a is effective for such purpose if filed while the individual is under such disability or no later than 12 months after the month in which the period of disability would end (see § 404.311a). Certain applications filed more than 12 months after the month the period of disability would end may be effective to establish a period of disability under the provisions of paragraph (c) of this section.

(2) *Applications filed before July 1965.* An application to establish a period of disability filed before July 1965, exclud-

ing applications described in § 404.312a (a) (2), is effective for such purpose only if filed while the individual is under such disability.

(c) *Certain applications filed more than 12 months after the month the period of disability would end—*(1) *General.* An application to establish a period of disability filed more than 12 months after the month a period of disability would end may be effective to establish a period of disability only under the conditions described in subparagraphs (2) and (3) of this paragraph.

(2) *Period of disability ending after January 1968.* An application filed more than 12 months after the month in which a period of disability would end shall be effective to establish a period of disability if:

(i) The disability ended after January 1968; and

(ii) The application is filed not more than 36 months after the month in which the disability ended; and

(iii) The individual is alive at the time the application is filed; and

(iv) The individual's failure to file an application within the period specified in paragraph (b) of this section was due to his physical or mental condition as described in subparagraph (4) of this paragraph which rendered him incapable of executing such an application.

(3) *Period of disability ending before February 1968.* An application filed more than 12 months after the month in which a period of disability would end shall be effective to establish a period of disability if:

(i) The application is filed before February 1969; and

(ii) A previous application for a period of disability or disability insurance benefits has been filed before February 1968 and not more than 36 months after the month in which the individual's disability ended; and

(iii) The individual's failure to file an application within the time period specified in paragraph (b) of this section was due to a physical or mental condition as described in subparagraph (4) of this paragraph which rendered him incapable of executing such an application.

(4) *Failure to file due to a physical or mental condition.* An individual's failure to file an application for a period of disability within the time period for filing specified in paragraph (b) of this section will be deemed to be due to a physical or mental condition, if during such specified period:

(i) His physical condition restricted his activities to such an extent as to render him incapable of executing an application; or

(ii) He was mentally incompetent.

(5) *Effective date.* No monthly insurance benefits are payable or may be increased for any month before January 1968 by reason of the provisions of this paragraph.

(d) *Period of disability of less than 6 months.* A period of disability beginning after August 1960 may be less than 6 months if the individual was entitled to disability insurance benefits for 1 or more months in such period.

(e) *Effect of prior entitlement to other title II benefits.* With respect to benefits for months before September 1965, or for months after August 1965 on the basis of applications filed before July 1965, a period of disability could not begin for an individual if for any month before the month in which the period of disability could otherwise begin such individual was entitled to old-age, wife's, or husband's insurance benefits reduced under section 202(q) of the Act, or to widow's, widower's, or parent's insurance benefits.

(Secs. 205, 216, 223, 1102, 53 Stat. 1368, as amended, 60 Stat. 1080, as amended, 70 Stat. 815, as amended, 49 Stat. 647, as amended, section 5 of Reorganization Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 405, 416, 423, and 1302)

2. The document adding Part 410 to Chapter III of Title 20 of the Code of Federal Regulations, published in the FEDERAL REGISTER on April 7, 1970, at 35 F.R. 5625, is corrected by changing "§ 404.421" to "§ 410.421."

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

Dated: August 17, 1970.

ROBERT M. BALL,
Commissioner of Social Security.

Approved: September 1, 1970.

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

[F.R. Doc. 70-11804; Filed, Sept. 4, 1970;
8:48 a.m.]

[Regs. No. 4, further amended]

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

Subpart F—Overpayments, Underpayments, Waiver of Adjustment or Recovery of Overpayments, and Liability of a Certifying Officer

ADJUSTMENT OF UNDERPAYMENTS

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

Paragraph (b) of § 404.503 is revised to read as follows:

§ 404.503 Underpayments.

Underpayments will be adjusted as follows:

(b) *Individual dies before adjustment of underpayment.* If an individual to whom an underpayment is due dies before receiving payment or negotiating a check or checks representing such payment, such underpayment will be distributed to the living person (or persons) in the highest order of priority as follows:

- (1) The deceased individual's surviving spouse as defined in section 216 (c), (g), or (h) of the Act who was either:
 - (i) Living in the same household (as defined in § 404.1112) with the deceased individual at the time of such individual's death, or

(ii) Entitled to a monthly benefit on the basis of the same earnings record as was the deceased individual for the month in which such individual died.

(2) The child or children of the deceased individual (as defined in section 216 (e) or (h) of the Act) entitled to a monthly benefit on the basis of the same earnings record as was the deceased individual for the month in which such individual died (if more than one such child, in equal shares to each such child).

(3) The parent or parents of the deceased individual (as defined in § 404.1110) entitled to a monthly benefit on the basis of the same earnings record as was the deceased individual for the month in which such individual died (if more than one such parent, in equal shares to each such parent).

(4) The surviving spouse of the deceased individual (as defined in section 216 (c), (g), or (h) of the Act) who does not qualify under subparagraph (1) of this paragraph.

(5) The child or children of the deceased individual (as defined in section 216 (e) or (h) of the Act) who do not qualify under subparagraph (2) of this paragraph (if more than one such child, in equal shares to each such child).

(6) The parent or parents of the deceased individual (as defined in § 404.1110) who do not qualify under subparagraph (3) of this paragraph (if more than one such parent, in equal shares to each such parent).

(7) The legal representative of the estate of the deceased individual as defined in paragraph (d) of this section.

(Secs. 204, 205, and 1102, 53 Stat. 1368, as amended, 49 Stat. 647, as amended, sec. 5 of Reorganization Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 404, 405, and 1302)

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

Dated: August 17, 1970.

ROBERT M. BALL,
Commissioner of Social Security.

Approved: September 1, 1970.

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

[F.R. Doc. 70-11803; Filed, Sept. 4, 1970;
8:48 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 135b—NEW ANIMAL DRUGS FOR IMPLANTATION OR INJECTION

PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

Aminopentamide Hydrogen Sulfate Injection and Tablets

The Commissioner of Food and Drugs has evaluated two new animal drug ap-

plications filed by Bristol Laboratories, Division of Bristol-Myers Co., proposing the safe and effective use of aminopentamide hydrogen sulfate for injection (43-079V) and for oral use (43-078V) as an antispasmodic in dogs. The applications are approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 135b and 135c are amended by adding one new section to each, as follows:

§ 135b.22 Aminopentamide hydrogen sulfate injection.

(a) *Chemical name.* 4-(Dimethylamino)-2,2-diphenylvaleramide hydrogen sulfate.

(b) *Specifications.* It is sterile and each milliliter of aqueous solution contains 0.5 milligram of the drug.

(c) *Sponsor.* Bristol Laboratories, Division of Bristol-Myers Co., Post Office Box 657, Syracuse, N.Y. 13201.

(d) *Conditions of use.* (1) It is intended for use in dogs only for the treatment of vomiting and/or diarrhea, nausea, acute abdominal visceral spasm, pylorospasm, or hypertrophic gastritis.

NOTE: Not for use in animals with glaucoma because of the occurrence of mydriasis.

(2) Dosage is administered by subcutaneous or intramuscular injection every 8 to 12 hours, as follows:

Weight of animal in pounds:	<i>Dosage in milligrams</i>
Up to 10.....	0.1
11 to 20.....	0.2
21 to 50.....	0.3
51 to 100.....	0.4
Over 100.....	0.5

Dosage may be gradually increased up to a maximum of five times the suggested dosage. Following parenteral use dosage may be continued by oral administration of tablets.

(3) For use only by or on the order of a licensed veterinarian.

§ 135c.30 Aminopentamide hydrogen sulfate tablets.

(a) *Chemical name.* 4-(Dimethylamino)-2,2-diphenylvaleramide hydrogen sulfate.

(b) *Specifications.* Each tablet contains 0.2 milligram of the drug.

(c) *Sponsor.* Bristol Laboratories, Division of Bristol-Myers Co., Post Office Box 657, Syracuse, N.Y. 13201.

(d) *Conditions of use.* (1) It is intended for use in dogs only for the treatment of vomiting and/or diarrhea, nausea, acute abdominal visceral spasm, pylorospasm, or hypertrophic gastritis.

NOTE: Not for use in animals with glaucoma because of the occurrence of mydriasis.

(2) Dosage is administered by oral tablet every 8 to 12 hours, as follows:

Weight of animal in pounds:	<i>Dosage in milligrams</i>
Up to 10.....	0.1
11 to 20.....	0.2
21 to 50.....	0.3
51 to 100.....	0.4
Over 100.....	0.5

Dosage may be gradually increased up to a maximum of five times the suggested dosage. Oral administration of tablets may be preceded by subcutaneous or intramuscular use of the injectable form of the drug.

(3) For use only by or on the order of a licensed veterinarian.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 512(1), 82 Stat. 347; 21 U.S.C. 360b(1))

Dated: August 25, 1970.

SAM D. FINE,
Associate Commissioner
for Compliance.

[F.R. Doc. 70-11802; Filed, Sept. 4, 1970;
8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN

PART 125—SCREENING THE READY RESERVE

The Deputy Secretary of Defense approved the following revision to Part 125 on July 2, 1970:

Sec.

- 125.1 Purpose and applicability.
- 125.2 Definitions.
- 125.3 Policies.
- 125.4 Responsibilities.
- 125.5 Screening regulations.
- 125.6 List of Military centers to which reserve status reports should be forwarded.
- 125.7 OEP-Sponsored surveys of Ready Reservists employed by State and local governments and by defense-supporting industries.

AUTHORITY: The provisions of this Part 125 issued under 10 U.S.C. 271, Executive Order 11190 (29 F.R. 19183), as amended by Executive Order 11382 (32 F.R. 16247).

§ 125.1 Purpose and applicability.

This part provides the military departments with Department of Defense policies governing the annual screening of Ready Reserve personnel as required by 10 U.S.C. and Executive Order 11190 to assure a Ready Reserve force composed of qualified individuals who will be available immediately during any national emergency.

§ 125.2 Definitions.

Definitions of terms used in this part are as follows:

(a) **Key position.** A direct hire or statutory civilian position in a Federal Government agency, which:

(1) Is necessary to the mobilization or emergency functions of a Federal Government agency, or

(2) Appears on the Department of Labor List of Critical Civilian Occupations for Screening the Ready Reserve,² or

² See footnote at end of document.

(3) Has a current shortage of qualified personnel and requires a minimum of 90 days of specialized training or experience.

(b) **Key employee.** Any civilian employee of a Federal Government agency who occupies a key position and for whom no qualified and immediate replacement exists or whose duties cannot be reassigned to other employees, and whose immediate recall to active duty during an emergency would seriously impair:

(1) Production and research vital to the national military effort, or

(2) Activities necessary to the maintenance of the national health, safety or interest, or

(3) The effective functioning and continuity of a Government agency.

(c) **Critical civilian occupation.** An occupation which is on the "List of Critical Civilian Occupations for Screening the Ready Reserve",¹ compiled by the Department of Labor. (This list is developed by an interagency committee on which the Department of Defense is represented and is subject to periodic revision.) To the extent that such assistance may be needed, authority is delegated to the Military Services to request the technical advice of the Department of Labor's affiliated State employment service offices in classifying the civilian occupations of particular individual reservists, other than farm operators and assistants. With respect to farm operators and assistants, authority is delegated to the military departments to request the technical advice of the Agricultural Stabilization and Conservation county committees of the U.S. Department of Agriculture.

(d) **Critical military skill.** A skill which is on the "List of Critical Military Skills for Use in Screening the Ready Reserve"¹ published by the Department of Defense. This list is subject to periodic revision by the Assistant Secretary of Defense (Manpower and Reserve Affairs).

(1) The criteria used in determining critical military skills are as follows:

(i) Skill must be necessary to the success of the Ready Reserve mobilization mission.

(ii) A long period of mobilization-accelerated training in the Reservist's individual military specialty training (totaling at least 6 months) must be needed to develop the degree of skill required.

(iii) An appreciable shortage (at least 10 percent of Ready Reserve mobilization requirements) of available personnel with the skill exists or is anticipated.

(2) The military departments may furnish special justification for those skills which are not, but in their judgment should be, included on the List of Critical Military Skills¹—particularly in cases where manning circumstances may justify a deviation from the above criteria.

(e) **Government agency.** Any department, agency or office of the Federal Government.

(f) **Extreme community hardship.** A situation which would result from the

recall to active duty of a reservist in an emergency, in that his withdrawal from a particular community would have a substantially adverse effect on the health, safety or welfare of that community. (Establishment of such hardship must be initiated by the reservist, and must be supported by documentary evidence as deemed necessary by the Secretary of the military department concerned. In those cases where the reservist is registered with Selective Service, documentary evidence may include a recommendation by the State Director of Selective Service, or by an appropriate local board of the State in which the registrant is located.)

(g) **Extreme personal hardship.** A situation which would result from the recall to active duty of a reservist in an emergency, in that his absence would cause extreme hardship to his dependents substantially greater than that which dependents of other reservists can be expected to experience from their recall to active duty. (Establishment of such hardship must be initiated by the reservist, and must be supported by documentary evidence as deemed necessary by the Secretary of the military department concerned. In order to insure a uniform standard, the criteria for such evidence should conform generally with current Selective Service regulations on extreme hardship deferment. In those cases where the reservist is registered with Selective Service, documentary evidence may include a recommendation by the State Director of Selective Service of the State in which the registrant's local board is located.)

§ 125.3 Policies.

(a) **Retention of members of the Ready Reserve.** (1) Subject to the personnel and length of service requirements of the military department concerned, members of the Ready Reserve who have completed their statutory military obligation or are eligible for transfer to the Standby Reserve in accordance with 10 U.S.C. 269 and who desire to remain members of the Ready Reserve will execute service agreements as follows:

(i) Officers will execute a written agreement to be a member of the Ready Reserve for a specific period of time, but not less than 1 year.

(ii) Enlisted personnel:
(a) Obligors eligible for transfer to the Standby Reserve will execute a written agreement to remain a member of the Ready Reserve for a specified period of time, but not less than 1 year.

(b) Nonobligors will be reenlisted in the Ready Reserve for a specified period of time, but not less than 1 year with the following statement added to the enlistment contract, DD Form 4,¹ section 53(a): "I agree to remain a member of the Ready Reserve during the period of this enlistment unless sooner relieved by proper authority."

(2) In selecting members of the Ready Reserve to be retained in the Ready Reserve, the military service concerned shall accord preference for retention to those who are considered best qualified and possess the highest potential for career service in the Ready Reserve.

(3) Members of the Ready Reserve who have not fulfilled their statutory Ready Reserve obligation shall be retained in the Ready Reserve, unless they are transferred to the Standby Reserve or discharged as authorized herein.

(4) In accordance with 10 U.S.C. 269 (g), a member of the Army National Guard of the United States or the Air National Guard of the United States may be transferred to the Standby Reserve only with the consent of the governor or other appropriate authority of the State, Puerto Rico, or the District of Columbia, whichever is concerned.

(b) *Satisfactory participation.* (1) Members of the Ready Reserve who do not participate satisfactorily will be ordered to active duty, transferred to the Standby Reserve, retired, or discharged, as appropriate, in accordance with DOD Directive 1215.13 (Part 100 of this subchapter).

(2) It is the responsibility of the Secretaries of the military departments concerned to insure to the maximum extent practicable, that the members of their reserve components understand their obligations for satisfactory participation and for active service in the event of mobilization.

(c) *Notification of civilian employer.* It is the responsibility of every Ready Reservist to inform his employer of his Reserve obligations. Based on this information, every employer will be able to determine how seriously that civilian activity would be affected if the Reservist left to serve on active duty.

(d) *Annual screening.* (See § 125.5.) Members of units and other members of the Ready Reserve who are not on active duty shall be screened at least annually in order to provide a Ready Reserve force composed of individuals who:

(1) Meet military service standards of mental, moral, professional and physical fitness, and possess the required military qualifications in the various ranks, grades, ratings, and specialties;

(2) Are retained in the Ready Reserve, if they possess critical civilian skills, either because their critical civilian skill is also required by their military service, or because they also possess a critical military skill for which there is an overriding military requirement;

(3) Are immediately available for military service during any national emergency.

(e) *Transfer from Standby Reserve to Ready Reserve.* Pursuant to 10 U.S.C. 272, any member of the Standby Reserve who has not completed his obligated period of military service in the Ready Reserve may be transferred to the Ready Reserve whenever the reason for his transfer to the Standby Reserve no longer exists. Similarly, a nonobligor may be transferred back to the Ready Reserve when the reason for his transfer to the Standby Reserve no longer exists. (See Part 115 of this subchapter.)

(f) *Critical military skill.* The Secretaries of the military departments may retain those reserve personnel in a Ready

Reserve status who possess a critical military skill or are essential to the support of contingency or war plans even though under the provisions of this part they would normally be screened and transferred to the Standby Reserve. (See "DOD List of Critical Military Skills for Use in Screening the Ready Reserve".¹)

§ 125.4 Responsibilities.

(a) U.S. departments and agencies: To achieve the objectives outlined in § 125.3(d), and in accordance with OEP Circular 8505.2A,¹ the heads of U.S. departments and agencies have been requested to:

(1) Conduct an annual survey of all civilian employees under their jurisdiction who are also Ready Reservists to determine "Key" employees based on the definition outlined in § 125.2 and OEP Circular 8505.2A.¹

(2) Report these key employees to the appropriate Military Service, using Part A of DD Form 1286¹ and forward them to the mailing address shown in § 125.6.

(b) The military services will:

(1) Screen (on a continuous basis) all unmobilized Ready Reserve members under their jurisdiction to assure their immediate availability for military service during an emergency.

(2) Develop plans to revise military personnel records systems to incorporate therein pertinent data on the civilian status of nonobligor Ready Reservists; and be prepared to submit such plans to Assistant Secretary of Defense (Manpower and Reserve Affairs) when directed.

(3) Transmit to each Reservist's parent Federal Agency and to the Reservist concerned the results of their screening of "key" Federal employees, using Parts B and C of DD Form 1286.¹

(4) Submit annual reports to the Secretary of Defense on the status of their screening operations as specified in DoD Instruction 7730.16, "Reserve Personnel Report,"¹ to apprise him of the progress made and to permit him to report to the President.

(5) Communicate directly with each governmental agency in carrying out the provisions of this part.

(c) In addition, the military services will screen the following Federal Government officials:

(1) The Vice President of the United States, or anyone of those specified in the order of Presidential succession set forth in 3 U.S.C. 19 who are members of the Ready Reserve, will be transferred to the Standby Reserve, the Retired Reserve, or discharged, as appropriate.

(2) Members of the legislative and judicial branches of the U.S. Government who are members of the Ready Reserve will be transferred to the Standby Reserve, the Retired Reserve, or discharged, as appropriate.

(3) Federal officials and employees of the executive branch will be screened in accordance with paragraphs (a) and (b) of this section.

Those members of the Ready Reserve who are determined to be key employees will be transferred to the Standby Re-

serve, the Retired Reserve, or discharged, as appropriate.

(d) The Assistant Secretary of Defense (Manpower and Reserve Affairs) will arrange for the screening of Federal employees of the legislative and judicial branches of the Federal Government in accordance with the policies and regulations outlined herein.

§ 125.5 Screening regulations.

(a) *Extreme hardship* (10 U.S.C. 271(5)). (1) Nonobligated members of the Ready Reserve whose immediate recall to active duty in an emergency would create an extreme personal or community hardship, as defined in § 125.2 (and by the Secretary of Transportation, with respect to the U.S. Coast Guard) and as determined by the Secretary of the military department concerned, will be transferred to the Standby Reserve, the Retired Reserve or discharged, as appropriate.

(2) Obligated members of the Ready Reserve whose immediate recall to active duty in an emergency would create an extreme personal or community hardship, as defined in § 125.2 (and by the Secretary of Transportation, with respect to the U.S. Coast Guard) and as determined by the Secretary of the military department concerned, may, upon their individual request, be discharged, if permanently disqualified for further active service, or transferred to the Standby Reserve.

(b) *Critical civilian occupations.* Members of the Ready Reserve who are preparing for or engaged in civilian occupations contained in the "U.S. Department of Labor List of Critical Civilian Occupations for Screening the Ready Reserve"¹ will, in implementation of 10 U.S.C. 271 and 673(b), be screened as follows:

(1) Individuals who possess military skills for which there is an overriding requirement will be retained in the Ready Reserve until completion of their statutory or other military obligation, at which time they may, upon application, be transferred to the Standby Reserve or discharged.

(2) Individuals who have completed their statutory obligation, but who are obligated to participate in the Ready Reserve under an enlistment contract or other written agreement, may, upon application, be transferred to the Standby Reserve or discharged, provided they do not possess a military skill for which there is an overriding requirement.

(3) Individuals who have not completed their statutory obligation normally will be retained in the Ready Reserve until completion of such obligation. However, such a member may, upon application, be transferred to the Standby Reserve or discharged as considered appropriate by, and on the approval of, the Secretary of the military department concerned, provided (i) his civilian skill is excess to the requirement of the reserve component concerned, and (ii) his civilian employment in his critical occupation during a mobilization of reserve

¹ See footnote at end of document.

forces is considered overriding in maintaining the national health, safety, or interest.

(4) As an exception to the above policies, individuals who are enrolled in a course of graduate study in one of the health professions will be screened in accordance with DOD Directive 1200.14, "Reservists Who Are Engaged in Graduate Study or Training in Certain Health Professions."¹

(c) *Theological students.* Members of the Ready Reserve who are preparing for the ministry in a recognized theological or divinity school will be transferred to the Standby Reserve, since such individuals are exempt from being involuntarily ordered to active duty as provided in 10 U.S.C. 685.

(d) *Excess personnel.* Members of the Ready Reserve who are in excess of mobilization requirements will be transferred to the Standby Reserve, retired, or discharged, as appropriate as follows:

(1) Individuals who have completed their Ready Reserve obligation and who

§ 125.6 List of military centers to which reserve status reports should be forwarded.

Headquarters	U.S. ARMY	
	(1) USAR UNITS	Area Covered
First U.S. Army Area, Fort George G. Meade, Md. 20755.	Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, District of Columbia.	
Third U.S. Army Area, Fort McPherson, Ga. 30330.	Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee.	
Fourth U.S. Army Area, Fort Sam Houston, Tex. 78234.	Arkansas, Louisiana, New Mexico, Oklahoma, Texas.	
Fifth U.S. Army Area, 1660 East Hyde Park Boulevard, Chicago, Ill. 60615.	Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, Wyoming.	
Sixth U.S. Army Area, Presidio of San Francisco, Calif. 94129.	Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Washington.	
Commanding General, U.S. Army, Alaska, APO Seattle 98749.	Alaska.	
Commander in Chief U.S. Army, Pacific, APO San Francisco 96558.	Hawaii.	

(2) ARNG UNITS

Submit forms to the State Adjutant General for the appropriate State, Puerto Rico, or District of Columbia.

All Other Army Reservists:

Commanding Officer, U.S. Army Administration Center, 9700 Page Boulevard, St. Louis, Mo. 63132.

U.S. Navy:

Chief of Naval Personnel (Attention: Pers B 87), Navy Department, Washington, D.C. 20370.

U.S. Marine Corps:

Commanding Officer, Marine Corps Reserve Forces, Class III, 1500 East Bannister Road, Kansas City, Mo. 64131.

U.S. Air Force:

U.S. Air Force Reserve:

Commander, Air Reserve Personnel Center, 3800 York Street, Denver, Colo. 80205.

ANG Units:

Submit forms to the State Adjutant General of the appropriate State, Puerto Rico, or the District of Columbia.

U.S. Coast Guard:

Commandant, Reserve Affairs, U.S. Coast Guard, Washington, D.C. 20591.

possess military skills in excess of requirements to maintain a proper balance of such skills in the Ready Reserve—with due consideration being given to maintaining a proper distribution within the grade, rank, and rating structure of the Ready Reserve.

(2) Individuals who have completed their Ready Reserve obligation, for reasons not otherwise specified herein as determined by the Secretary concerned.

(3) Individuals who have completed 20 years of satisfactory service and are eligible for retirement with pay in accordance with 10 U.S.C. 1331.

(e) *Standards of fitness.* Members of the Ready Reserve who do not meet age requirements or standards of fitness prescribed for active duty assignments by the services concerned shall, unless otherwise prohibited by law:

(1) Be transferred to the Standby Reserve or,

(2) Upon application, be placed in the Retired Reserve if qualified or,

(3) Be discharged, as appropriate.

§ 125.7 OEP-sponsored surveys of Ready Reservists employed by State and local governments and by defense-supporting industries.

As a matter of information, heads of State and local governments, and of defense-supporting industries (or their representatives having delegated authority for this purpose) may be requested by the Office of Emergency Planning to:

(a) Conduct an annual survey of all their civilian employees who are Ready Reservists in accordance with OEP Circular 8505.2A,¹ February 7, 1969.

(b) Report their recommendations to the military services concerned on individual DD Form 1286, Part A, on all Ready Reservists considered as key employees.

MAURICE W. ROCHE,
Director, Correspondence and
Directives Division, OASD
(Administration).

[F.R. Doc. 70-11792; Filed, Sept. 4, 1970; 8:47 a.m.]

¹ Filed as part of original document.

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 10039; Amdt. 39-1056]

PART 39—AIRWORTHINESS DIRECTIVES

Rolls Royce Dart Models 542-4, 542-4k, 542-10, 542-10j, and 542-10k Engines; Correction

Amendment 39-1056, amending Amendment 39-913 to Part 39 of the Federal Aviation Regulations, published in the FEDERAL REGISTER on July 31, 1970 (35 F.R. 12270), is corrected by changing the Bulletin number in the paragraph at the end of the amendment to read "DA 72-367".

Issued in Washington, D.C., on September 1, 1970.

HARRY A. TURNPAUGH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 70-11807; Filed, Sept. 4, 1970; 8:48 a.m.]

[Docket No. 70-SO-65; Amdt. 39-1076]

PART 39—AIRWORTHINESS DIRECTIVES

Piper PA-28 and PA-32 Series Airplanes

There have been failures of the main gear torque link bolts that resulted in the wheel assembly falling out of the landing gear assembly. Since this condition is likely to exist or develop in other airplanes of the same design, an airworthiness directive is being issued to require replacement of torque link bolts which are not designed for a castellated nut and cotter pin on Piper PA-28 and PA-32 airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective 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 is amended by adding the following new airworthiness directive:

PIPER. Applies to the following models: PA-28-140, /-150, /-160, /-180, /-235, and PA-32-260, /-300. The following are affected serial numbers: PA-28-140, 28-20001 through 28-22354; PA-28-150, /-160, /-180, 28-1 through 28-3782; PA-28-235, 28-10001 through 28-10806; PA-32-260, 32-1 through 32-853; PA-32-300, 32-40001 through 32-40057.

Compliance required within the next 50 hours' time in service after the effective date of this AD, unless already accomplished.

To preclude the possibility of failure of the main landing gear torque link bolts accomplish the following:

The bolt and lock nut attaching the upper torque link to the main landing gear housing assembly must be replaced with an AN5-23 bolt, AN310-C5 nut, and AN381-2-8 cotter pin. The bolt and lock nut attaching the lower torque link to the main landing gear housing assembly must be replaced with an AN5-22 bolt, AN310-C5 nut, and AN381-2-8 cotter pin. The bolt or grease bolt and lock nut attaching the torque links at the scissor joint must be replaced with a grease bolt, Piper part number 65788-00 (hole in threaded end of bolt for cotter pin safety), AN944-101 lubricator fitting, AN310-C5 nut, AN381-2-8 cotter pin, and appropriate washers, Piper Kit 757-123 contains the necessary hardware and instructions to accomplish this modification. Equivalent replacement parts approved by the Chief, Engineering and Manufacturing Branch, FAA Southern Region, may be used.

Piper Service Bulletin No. 248 dated May 12, 1967, pertains to this same subject.

This amendment becomes effective September 7, 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 East Point, Ga., on August 27, 1970.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 70-11938; Filed, Sept. 4, 1970; 10:07 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER J—BRIDGES

[CGFR 70-82a]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Salem River, N.J.

1. The New Jersey Department of Transportation requested the Commander, Third Coast Guard District to provide special operation regulations for its bridge across Salem River at Route 49, Salem, N.J. A public notice dated June 4, 1970, setting forth the proposed revision of the regulations governing this drawbridge was issued by the Commander, Third 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 July 2, 1970 (35 F.R. 10775).

2. Interested persons were afforded an opportunity to participate in this rule-making procedure through the submission of comments. No comments were received. After consideration of all known factors in this case, the proposal is accepted. Accordingly, 33 CFR 117.225 (f) (15-a) is added to read as follows:

§ 117.225 Navigable waters in the State of New Jersey; bridges where constant attendance of drawtenders is not required.

(f) * * *
(15-a) Salem River, Route 49, Salem, N.J.; at least 24 hours' advance notice required.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 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: August 26, 1970.

T. R. SARGENT,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 70-11825; Filed, Sept. 4, 1970; 8:50 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

Olympic National Park, Wash.; Steelhead Fishing Permit

A document was published at page 4753 of the FEDERAL REGISTER of March 19, 1970, which amended paragraph (a) of § 7.28 of Title 36 of the Code of Federal Regulations. The effect of this amendment is to cooperate with the State of Washington in gathering fisheries management data for their anadromous fisheries program.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. However, since this amendment will not impose any additional restrictions on the public, comment thereon is deemed to be unnecessary and not in the public interest. This amendment will thus take effect upon its publication in the FEDERAL REGISTER.

§ 7.28 Olympic National Park.

(a) *Fishing.* * * *
(5) *License.* A license to fish in park waters is not required; however, any individual fishing for steelhead in park waters, except treaty Indians fishing in the exercise of rights secured by treaties of the United States, shall have in his possession a State of Washington steelhead fishing permit (punchcard). Steelhead shall be accounted for on this permit as required by State regulations. Treaty Indians fishing in the park shall provide the National Park Service information as to the number of steelhead caught in any given park stream or waters.

S. T. CARLSON,
Superintendent,
Olympic National Park.

[F.R. Doc. 70-11805; Filed, Sept. 4, 1970; 8:48 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 1—Federal Procurement Regulations

PART 1-15—CONTRACT COST PRINCIPLES AND PROCEDURES

Miscellaneous Amendments

This amendment makes changes in Subpart 1-15.1, Applicability. The changes provide for the mandatory use of the cost principles and procedures in Subparts 1-15.2, 1-15.4, and 1-15.5 except those which involve the definition of allocability, bidding costs, compensation for personal services, patent costs, and research and development costs. After consideration has been given to the problems connected with the excepted cost principles, it is expected that those principles also will be prescribed on a mandatory use basis. The cost principles in Subpart 1-15.3 which apply to contracts with educational institutions continue to be mandatory.

Subpart 1-15.1—Applicability

Section 1-15.102 is amended to prescribe a modified introductory statement as follows:

§ 1-15.102 Cost-reimbursement supply and research contracts with concerns other than educational institutions.

This category includes all cost-reimbursement type contracts (see § 1-3.405 of this chapter) for supplies, services, or experimental, developmental, or research work (other than with educational institutions, as to which § 1-15.103 applies), except that it does not include construction and architect-engineer contracts (see § 1-15.104) or facilities contracts (see § 1-15.105). Except with respect to the cost principles and procedures in §§ 1-15.201-4, Definition of allocability; 1-15.205-3, Bidding costs; 1-15.205-6, Compensation for personal services; 1-15.205-26, Patent costs; and 1-15.205-35, Research and development costs, the use of which are optional, the remaining cost principles and procedures set forth in Subpart 1-15.2 are prescribed for mandatory use and shall be incorporated (by reference, if desired) in cost-reimbursement supply and research contracts with other than educational institutions as the basis—

Section 1-15.104 is amended to prescribe a modified introductory statement in paragraph (b) as follows:

§ 1-15.104 Cost-reimbursement construction and architect-engineer contracts.

(b) Subject to the exceptions stated in § 1-15.102, the cost principles and procedures set forth in Subpart 1-15.4 are prescribed for mandatory use and shall be incorporated (by reference, if desired) in cost-reimbursement construction and architect-engineer contracts as the basis—

Section 1-15.105 is amended to prescribe a modified introductory statement as follows:

§ 1-15.105 Facilities contracts.

Subpart 1-15.5 contains principles and procedures for the evaluation and determination of costs under facilities contracts, as defined in § 1-15.501, and subcontracts thereunder. Subject to the exceptions stated in § 1-15.102, such principles and procedures are prescribed for mandatory use and shall be incorporated (by reference, if desired) in facilities contracts as the basis—

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This amendment is effective October 1, 1970, except that it shall be effective October 1, 1971, with respect to the applicability of Subpart 1-15.2 to contracts with nonprofit (non-educational) organizations, but may be observed earlier in either situation.

Dated: August 31, 1970.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 70-11813; Filed, Sept. 4, 1970;
8:49 a.m.]

**Chapter 101—Federal Property
Management Regulations**

SUBCHAPTER H—UTILIZATION AND DISPOSAL

PART 101-45—SALE, ABANDONMENT, OR DESTRUCTION OF PERSONAL PROPERTY

Subpart 101-45.3—Sale of Personal Property

SALE OF PERSONAL PROPERTY TO GOVERNMENT EMPLOYEES AND DESIGNATION OF BID OPENING TIME

Subpart 101-45.3 is amended by revising § 101-45.302 to provide that Government employees may purchase personal property unless prohibited by their agencies and by revising § 101-45.304-8 (c) (1) to provide new subdivisions (i) and (ii). Subdivision (ii) concerns the designation of bid opening time.

1. Section 101-45.302 is revised as follows:

§ 101-45.302 Sale to Government employees.

To the extent not prohibited by the regulations of an executive agency, an employee of such agency (either as a civilian or as a member of the Armed Forces of the United States, including the U.S. Coast Guard, on active duty) may be allowed to purchase Government personal property. The term employee as used in this section includes an agent or immediate member of the household of the employee.

2. Section 101-45.304-8(c) (1) is revised as follows:

§ 101-45.304-8 Forms prescribed.

(c) *Description of standard forms.*—

(1) *Standard Form 114, Sale of Government Property—Bid and Award.* (i) Standard Form 114, January 1970 edition and all subsequent editions (illustrated in § 101-45.4901), has spaces to be completed by the issuing sales activity and the bidder. Some of the information furnished by the issuing sales activity is as follows: Invitation for bids number; name and address of issuing sales activity; person to contact for sales information; address to which bids should be mailed; place, date, and time of bid opening; whether or not bid deposit is required; and the number of days for payment to be made and property to be removed. In addition, the form provides that the Standard Form 114C, General Sale Terms and Conditions, and the standard form of special conditions applicable to the method of sale being employed are made a part of the invitation for bids by reference. The block indicating the standard form of special conditions for the appropriate method of sale must be checked by the issuing sales agency. If special terms and conditions in addition to those contained in the prescribed standard forms are to be made a part of the invitation by reference, such additional terms and conditions should be identified by a form number and so indicated in the appropriate place on Standard Form 114. Special terms and conditions that are not identified by a form number must be included in the invitation and not made a part thereof by reference. Standard Form 114C and the applicable standard form of special conditions may be attached to the invitation for bids at the option of the executive agency. Information to be furnished by the bidder is as follows: Number of days but not less than 10, for Government's acceptance of the bid, if desired; total amount of bids; amount and form of bid deposit, when required; whether or not property was inspected; small business representation; and contingent fee representation. Standard Form 114 shall be made a part of all sealed bid sales and may be used in auction and spot bid sales.

(ii) The time set for bid opening or commencement of a sale shall be the local time at the place of bid opening or sale and shall be indicated in the appropriate block on Standard Form 114. The opening time shall include the phrase "local time at the place of bid opening" in lieu of references to "daylight time" or "daylight saving time" and abbreviations such as "EDT" or "PDT." Where the block on Standard Form 114 does not readily permit the inclusion of the phrase "local time at the place of bid opening," an asterisk shall be used to call attention to an explanatory phrase which shall be stated elsewhere in the invitation for bids. The time set for commencement of spot bid and auction sales shall also be the local time at the place of sale and shall be indicated in an appropriate place in invitations for bids and sales offerings.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. These regulations are effective upon publication in the FEDERAL REGISTER.

Dated: August 28, 1970.

ROBERT L. KUNZIG,
Administrator of general services.

[F.R. Doc. 70-11815; Filed, Sept. 4, 1970;
8:49 a.m.]

PART 101-47—UTILIZATION AND DISPOSAL OF REAL PROPERTY

Subpart 101-47.8—Identification of Unneeded Federal Real Property

ACTIONS TAKEN AFTER COMPLETION OF SURVEY REPORTS

Section 101-47.802 is amended to eliminate discussions of preliminary findings with the executive agency official and to provide instead for the soliciting of comments from that official on the completed survey report. Also, the procedure for processing completed GSA survey reports is clarified.

Section 101-47.802 is amended as follows:

§ 101-47.802 Procedures.

(b) * * *

(2) Upon completion of the field work for the survey, the GSA representative will so inform the executive agency official designated pursuant to subparagraph (1) of this paragraph. To avoid any possibility of misunderstanding or premature publicity, preliminary findings will not be discussed at this time. However, when the results of the field work have been evaluated and incorporated into a survey report, a copy of the report will be provided that official for review and comment. The executive agency official, after any necessary consultation with his higher headquarters, shall transmit his comments to the GSA regional office.

(5) A copy of the completed GSA survey report, together with the comments of the executive agency official (see subparagraph (2) of this paragraph), will be forwarded by the GSA regional office to the GSA Central Office. If the GSA survey report contains a finding that the property is not utilized, is underutilized, or is not being put to its optimum use, and includes a recommendation concurred in by the executive agency official that some or all of the property should be reported excess, the GSA Central Office will so notify the head of the executive agency and close the case. If agreement is not reached between the GSA regional office and the executive agency official, and the GSA Central Office agrees with the findings in the report, the GSA Central Office will coordinate the matter with the headquarters office of the executive agency in an attempt to reach an accord as to whether the property should be retained or reported excess by the executive

agency. When the General Services Administration concludes that the property should be reported excess for disposition by GSA under the provisions of the Federal Property and Administrative Services Act of 1949, as amended, and fails to obtain the concurrence of the head of the executive agency to such action, the General Services Administration will make a report to the President through the Property Review Board as prescribed in sections 2(3) and 3 of Executive Order 11508.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

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

Dated: August 31, 1970.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 70-11814; Filed, Sept. 4, 1970; 8:49 a.m.]

Title 42—PUBLIC HEALTH

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

SUBCHAPTER G—PREVENTION, CONTROL, AND ABATEMENT OF AIR POLLUTION

PART 81—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES

Metropolitan Charlotte Interstate Air Quality Control Region

On May 21, 1970, notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 7812) to amend Part 81 by designating the Metropolitan Charlotte Interstate Air Quality Control Region.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments, and a consultation with appropriate State and local authorities pursuant to section 107(a) of the Clean Air Act (42 U.S.C. 1857c-2(a)) was held on June 1, 1970. Due consideration has been given to all relevant material presented with the result that Catawba, Lincoln, Iredell, Rowan, and Stanly Counties, in the State of North Carolina, and Chester and Union Counties, in the State of South Carolina, have been added to the Region.

In consideration of the foregoing and in accordance with the statement in the notice of proposed rule making, § 81.75, as set forth below, designating the Metropolitan Charlotte Interstate Air Quality Control Region, is adopted effective on publication.

§ 81.75 Metropolitan Charlotte Interstate Air Quality Control Region.

The Metropolitan Charlotte Interstate Air Quality Control Region (North Carolina—South Carolina) consists of the territorial area encompassed by the boundaries of the following jurisdic-

tions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of North Carolina:

Cabarrus County.	Lincoln County.
Catawba County.	Mecklenburg County.
Cleveland County.	Rowan County.
Gaston County.	Stanly County.
Iredell County.	Union County.

In the State of South Carolina:

Chester County.	Union County.
Lancaster County.	York County.

(Secs. 107(a), 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857c-2(a), 1857g(a))

Dated: August 25, 1970.

JOHN G. VENEMAN,
Acting Secretary.

[F.R. Doc. 70-11557; Filed, Sept. 4, 1970; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

SUBCHAPTER E—FOREST MANAGEMENT (5000) [Circular 2277]

PART 5430—ADVERTISEMENT
Newspaper Advertisement of Timber Sale

On page 10153 of the FEDERAL REGISTER of June 20, 1970, there was published a notice and text of a proposed amendment to Part 5430 of Title 43, Code of Federal Regulations. The purpose of the amendment is to simplify the newspaper advertisement of timber to be auctioned by the Bureau of Land Management. The number of mandatory items to be included in a legal notice are reduced since such information is mailed to each prospective bidder in advance of the sale.

Interested persons were given 30 days within which to submit comments, suggestions, or objections to the proposed amendment. No comments were received.

The proposed amendment is hereby adopted without change, and is set forth below. This amendment shall become effective on publication in the FEDERAL REGISTER.

WALTER J. HICKEL,
Secretary of the Interior.

AUGUST 29, 1970.

Section 5430.1 is amended to read as follows:

§ 5430.1 Requirements.

The advertisement of sale shall state the location by county, section, township, range, meridian, of the tract or tracts on which timber or other vegetative resources are being offered, the estimated total quantity, the unit of measure, the total appraised value, the minimum deposit, time and place for

receiving bids, the office where additional information may be obtained, and such additional information as the authorized officer may deem necessary.

[F.R. Doc. 70-11806; Filed, Sept. 4, 1970; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter V—National Highway Safety Bureau, Department of Transportation

SUBCHAPTER A—MOTOR VEHICLE SAFETY REGULATIONS

[Docket No. 70-22; Notice 1]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

New Pneumatic Tires and Tire Selection and Rims; Passenger Cars

On October 5, 1968, guidelines were published in the FEDERAL REGISTER (33 F.R. 14964) by which routine additions could be added to Appendix A, Standard No. 109 and to Appendix A, Standard No. 110. These guidelines provided an abbreviated rule making procedure for adding tire sizes to Standard No. 109 and alternative rim sizes to Standard No. 110, whereby the addition becomes effective 30 days from date of publication in the FEDERAL REGISTER if no objections to the proposed additions are received. If comments objecting to the amendment warrant, rule making pursuant to the rule making procedures for motor vehicle safety standards (49 CFR Part 553) will be followed.

The Rubber Manufacturers Association has petitioned for the addition of the new F60-14, G60-14 and J60-14 tire size designations to Table I, Appendix A of Standard No. 109 and the appropriate test and alternative rims to Table I, Appendix A of Standard No. 110.

The Rubber Manufacturers Association has also petitioned for the addition of 16 p.s.i. and 18 p.s.i. inflation pressures and the corresponding tire load ratings to Table I-K, Appendix A of Standard 109.

The European Tyre and Rim Technical Organisation has petitioned for the addition of the new 185/60 R 13 tire size designation to Table I, Appendix A of Standard No. 109 and the appropriate test and alternative rims to Table I, Appendix A of Standard No. 110.

The Rubber Manufacturers Association has also petitioned for the addition of the 5½-JJ alternative rim for the B78-14 and J78-15 tire size designations, and the 6-JJ alternative rim for the 7.35-14 tire size designation to Table I, Appendix A of Standard No. 110.

The European Tyre and Rim Technical Organisation has also petitioned for the addition of the 6½-JJ, 7-JJ, and 8-JJ alternative rims for the FR70-14 tire size designation, and the 6½-JJ, 7-JJ, 7½-K, and 7½-L alternative rims for the FR70-15 tire size designation to Table I, Appendix A of Standard No. 110.

The Dunlop Co. Ltd., has petitioned for the addition of the 6½-JJ and 7-JJ alternative rims for the ER70-15 tire size

designation to Table I, Appendix A of Standard No. 110.

On the basis of the data submitted by the Rubber Manufacturers Association, the European Tyre and Rim Technical Organisation, and the Dunlop Co. Ltd., indicating compliance with the requirements of Federal Motor Vehicle Safety Standards No. 109 and No. 110 and other information submitted in accordance with the procedural guidelines set forth, Table I, Appendix A of Standard No. 109

is being amended and Table I, Appendix A of Standard No. 110 is being amended.

In consideration of the foregoing, § 571.21 of Part 571 Federal Motor Vehicle Safety Standards, Appendix A of Standard No. 109 (33 F.R. 14964) and Appendix A of Standard No. 110 (34 F.R. 11421) are being amended as set forth below effective 30 days from date of publication in the FEDERAL REGISTER.

(Secs. 103, 119, National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392,

1407); delegation from Secretary of Transportation contained in § 1.51 of Part 1 of the regulations of the Office of the Secretary (35 F.R. 4955); delegation to Associate Director for Motor Vehicle Programs, formerly Director of Motor Vehicle Safety Performance Service (33 F.R. 14964))

Issued on August 31, 1970.

RODOLFO A. DIAZ,
Acting Associate Director,
Motor Vehicle Programs.

MOTOR VEHICLE SAFETY STANDARD NO. 109

NEW PNEUMATIC TIRES—PASSENGER CARS

1. The existing Table I-K is deleted and in its place the following revised Table I-K is inserted:

TABLE I-K

TIRE LOAD RATINGS, TEST TMS, MINIMUM SIZE FACTORS AND SECTION WIDTHS FOR "60 SERIES" BIAS FLY TIRES

Tire size designation ¹	Maximum tire loads (pounds) at various cold inflation pressures (p.s.i.)												Test rim width (inches)	Minimum size factor (inches)	Section ² width (inches)	
	16	18	20	22	24	26	28	30	32	34	36	38				40
F60-14	1,020	1,090	1,160	1,220	1,280	1,340	1,400	1,450	1,500	1,550	1,610	1,650	1,700	7	34.44	8.55
G60-14	1,100	1,180	1,250	1,310	1,380	1,440	1,500	1,560	1,620	1,680	1,730	1,780	1,830	7	35.23	8.55
J60-14	1,260	1,350	1,430	1,500	1,580	1,650	1,720	1,790	1,860	1,920	1,980	2,040	2,100	7½	36.90	10.65
L60-14	1,340	1,430	1,520	1,600	1,680	1,750	1,830	1,900	1,970	2,040	2,100	2,170	2,230	8	37.83	11.10
E60-15	950	1,010	1,070	1,130	1,190	1,240	1,300	1,350	1,400	1,440	1,490	1,540	1,580	6	33.83	8.70
F60-15	1,020	1,090	1,160	1,220	1,280	1,340	1,400	1,450	1,500	1,550	1,610	1,650	1,700	7	34.94	9.40
G60-15	1,100	1,180	1,250	1,310	1,380	1,440	1,500	1,560	1,620	1,680	1,730	1,780	1,830	7	35.73	9.70
J60-15	1,260	1,350	1,430	1,500	1,580	1,650	1,720	1,790	1,860	1,920	1,980	2,040	2,100	7½	37.41	10.45
L60-15	1,340	1,430	1,520	1,600	1,680	1,750	1,830	1,900	1,970	2,040	2,100	2,170	2,230	7½	38.10	10.70

¹ The letter "H," "S," or "V" may be included in any specified tire size designation adjacent to or in place of the "dash."

² Actual section width and overall width shall not exceed the specified section width by more than 7 percent.

2. The following new Table I-S is added to Appendix A listing a new category of tire size designations:

TABLE I-S

TIRE LOAD RATINGS, TEST RIMS, MINIMUM SIZE FACTORS, AND SECTION WIDTHS FOR "60 SERIES" RADIAL FLY TIRES

Tire size ¹ designation	Maximum tire loads (pounds) at various cold inflation pressures (p.s.i.)										Test rim width (inches)	Minimum size factor (inches)	Section ² width (inches)	
	20	22	24	26	28	30	32	34	36	38				40
185/60 R 13	780	815	845	880	915	945	980	1,010	1,045	1,075	1,110	5	28.61	7.28

¹ The letter "H," "S," or "V" may be included in any specified tire size designation adjacent to the "R."

² Actual section width and overall width shall not exceed the specified section width by more than 7 percent.

MOTOR VEHICLE SAFETY STANDARD NO. 110

TIRE SELECTION AND RIMS—PASSENGER CARS

Delete Table I of Appendix A and insert the following new Table I of Appendix A:

APPENDIX A—TABLE I

ALTERNATIVE RIMS

Tire size ³	Rim ^{1,2}
Table I-A:	
6.00-13	5-JJ.
7.00-15	5.00F, 5K.
7.35-14	6-JJ.
8.25-15	5-JJ, 5½-JJ, 6-JJ, 6-K, 6-L.
8.55-15	5½-JJ, 6-JJ, 6-K, 6-L, 6½-JJ.
8.90-15	6-JJ, 6½-L, 7-L.
9.15-15	5½-JJ, 5½-K.
L84-15	5½-JJ, 6-JJ, 6½-JJ, 7-JJ.
Table I-B:	
A70-13	5½-JJ, 6-JJ.
D70-13	5½-JJ, 5½-K.
E70-14	7-JJ.
F70-14	7-JJ.
G70-14	7-JJ.
C70-15	5½-JJ.
E70-15	7-JJ.
F70-15	8-JJ.
G70-15	7-JJ, 7½-K, 8-JJ.
H70-15	8-JJ.
Table I-C:	
4.80-10	3.50D.
5.60-14	4½-JJ.
6.40-15	4-JJ, 4½-JJ, 4½-K, 4.50E, 5.00E, 5-JJ, 5-K, 5½-J.

APPENDIX A—TABLE I—Continued

ALTERNATIVE RIMS—continued

Tire size ³	Rim ^{1,2}
Table I-C—Continued	
155-13/6.15-13.	5-JJ.
5.0-15	3.50B, 3.50D, 3½-JJ, 4-JJ, 4.00C.
5.5-15	3.50D, 3½-JJ, 4-JJ, 4½-JJ.
Table I-D:	
145-10	3.50B.
145-13	3½-JJ, 4½-JJ.
165-13	4½-JJ.
135-15	4½-JJ.
185-15	4½-JJ.
Table I-F:	
5.20-13	4½-JJ.
5.60-13	3½-JJ, 4-JJ.
6.00-13	4-JJ.
5.60-15	5-K.
Table I-G:	
FR70-14	5½-JJ, 6½-JJ, 7-JJ, 8-JJ.
ER70-15	6-JJ, 6½-JJ, 7-JJ.
FR70-15	6½-JJ, 7-JJ, 7½-K, 7½-L.
GR70-15	6½-JJ, 7-L.
HR70-15	6-JJ.
Table I-H:	
155 R 12	4-JJ.
135 R 13	4½-JJ.
145 R 13	4½-JJ, 4.50B.
155 R 13	4.50B, 5-JJ.
165 R 13	4-JJ, 4.50B.
165 R 14	5½-JJ.
175 R 14	4½-JJ.
135 R 15	4½-JJ.
165 R 15	5-K.
205 R 15	7-L.

APPENDIX A—TABLE I—Continued

ALTERNATIVE RIMS—continued

Tire size ³	Rim ^{1,2}
Table I-J:	
A78-13	4½-JJ, 5-JJ, 5½-JJ, 6-JJ.
B78-13	5-JJ.
C78-13	5½-JJ.
B78-14	4½-JJ, 4½-K, 5-JJ, 5-K, 5½-JJ.
C78-14	4½-JJ, 5-JJ, 5-K, 5½-JJ, 6-JJ.
D78-14	4½-JJ, 5-JJ, 5-K, 5½-JJ, 6-JJ.
E78-14	4½-JJ, 5-JJ, 5-K, 5½-JJ, 5½-K, 6-JJ, 6½-JJ, 7-JJ.
F78-14	5-JJ, 5-K, 5½-JJ, 5½-K, 6-JJ, 6-K, 6½-JJ, 7-JJ.
G78-14	5-JJ, 5½-JJ, 5½-K, 6-JJ, 6-K, 7-JJ.
H78-14	5½-JJ, 6-JJ, 6-K, 6½-JJ, 6½-K, 7-JJ.
J78-14	6-JJ, 6-K, 6½-JJ.
C78-15	4½-JJ, 4½-K, 5-JJ, 5-K.
D78-15	5-JJ, 5-K.
E78-15	4½-K, 5-JJ, 5-K, 5½-JJ, 5½-K, 6-JJ.
F78-15	4½-K, 5-JJ, 5-K, 5½-JJ, 5½-K, 6-JJ.
G78-15	5-JJ, 5-K, 5½-JJ, 5½-K, 6-JJ, 6-K, 6-L, 7-JJ.
H78-15	5½-JJ, 5½-K, 6-JJ, 6-K, 6-L, 6½-K, 6½-JJ, 7-JJ.
J78-15	5½-JJ, 6-JJ, 6-K, 6-L, 6½-JJ, 7-JJ.
L78-15	5½-JJ, 5½-K, 6-JJ, 6-K, 6-L, 6½-JJ, 7-JJ, 8-JJ.
N78-15	6-JJ, 7-JJ.

APPENDIX A—TABLE I—Continued
ALTERNATIVE RIMS—continued

Tire size ^a	Rim ^b
Table I-K:	
F60-14	7-JJ.
G60-14	7-JJ.
J60-14	7½-JJ.
L60-14	8-JJ.
E60-15	6-JJ, 7-JJ, 8-JJ.
F60-15	6½-JJ, 7-JJ, 8-JJ.
G60-15	7-JJ, 8-JJ.
J60-15	7½-JJ.
L60-15	7½-JJ.
Table I-L:	
E50C-16	3½.
F50C-16	3½.
G50C-17	3½.
H50C-17	3½.
L50C-18	3½, 4.
Table I-M:	
BR78-13	4½-JJ.
CR78-14	5-JJ.
DR78-14	5-JJ.
ER78-14	5-JJ.
FR78-14	5½-JJ.
GR78-14	6-JJ.
HR78-14	6-JJ.
JR78-14	6½-JJ.
BR78-15	4½-JJ.
ER78-15	5½-JJ.
FR78-15	5½-JJ.
GR78-15	6-JJ.
HR78-15	5½-JJ, 6-JJ.
JR78-15	6-JJ, 6½-JJ.
LR78-15	6-JJ, 6½-JJ.
Table I-N:	
165/70 R 13	4½-JJ, 5-JJ.
175/70 R 13	5-JJ, 5½-JJ.
185/70 R 13	4½-JJ, 5-JJ, 5½-JJ.
195/70 R 13	5½-JJ, 6-JJ.
155/70 R 14	4-JJ.
185/70 R 14	4½-JJ, 5-JJ, 5½-JJ.
195/70 R 14	5½-JJ, 6-JJ.
175/70 R 15	5-JJ.
185/70 R 15	5-JJ, 5½-JJ, 6-JJ.
Table I-O:	
150 R 13	3½-JJ, 4.00B, 4½-JJ, 5-JJ.
160 R 13	4.00B, 4½-JJ, 5-JJ, 5½-JJ.
170 R 13	4½-JJ, 5-JJ, 5½-JJ, 6-JJ.
Table I-P:	
G45C-16	5.
Table I-R:	
FR60-15	7-JJ.
GR60-15	7-JJ.
Table I-S:	
185/60 R 13	5-JJ, 5½-JJ.

¹ Italic designations denote Test Rims.
² Where JJ rims are specified in the above Table, J and JK rim contours are permissible.
³ Table designations refer to tables listed in Appendix A of FMVSS No. 109.
[F.R. Doc. 70-11748; Filed, Sept. 4, 1970; 8:45 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior
PART 32—HUNTING
Noxubee National Wildlife Refuge, Miss.

The following regulations are issued and are effective on date of publication in the FEDERAL REGISTER. These regulations apply to public hunting on Noxubee National Wildlife Refuge, Miss.
General conditions. Hunting shall be in accordance with applicable State regulations. Portions of the refuge which

are open to hunting are designated by signs and delineated on maps available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

Squirrels, rabbits, quail, turkey, raccoons, and opossum may be hunted in accordance with the following special conditions.

(1) Squirrels and rabbits may be hunted October 10 through October 24, 1970, excluding Sundays, on 42,386 acres, and may continue to be hunted on 24,388 acres until November 21, 1970. Areas open to hunting will be designated by signs.

(2) Quail may be hunted January 12 through February 22, 1971, excluding Sundays.

(3) Turkeys (gobblers only) may be hunted March 27 through April 11, 1971, and April 24 through May 2, 1971, excluding Sundays.

(4) Raccoons and opossums may be hunted during the periods October 31 through November 19, December 2 through December 18, 1970, and January 12 through February 15, 1971, excluding Sundays. Hunt hours are from sunset to sunrise only.

(5) Fires and cutting of trees are not permitted.

(6) Dogs are permitted during the quail, raccoon, and opossum hunts only.

(7) Turkeys killed must be reported to refuge headquarters.

(8) Raccoons and opossums may be hunted only with .22 caliber rifles or hand guns.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

White-tailed deer may be hunted in accordance with the following special conditions.

(1) Hunting with guns is permitted November 21 through December 1, 1970, and from December 19 through 22, 1970, and from December 26, 1970, through January 11, 1971, excluding Sundays.

(2) Bag limits are as follows: November 21 through December 22, 1970, one buck; December 26, 1970, through January 11, 1971, one deer of either sex.

(3) A kill quota of 800 deer is established, 400 of which may be antlerless. The hunt will be terminated if these quotas are reached prior to the above specified closing date.

(4) Shotguns smaller than 20 gauge and rifles .22 caliber and smaller are prohibited.

(5) Shotgun shells containing buck-shot smaller than No. 1 are prohibited.

(6) The use of dogs is not permitted.

(7) Fires and cutting of trees is not permitted.

(8) Hunting of deer with long bows only is permitted from October 1 through October 11, October 17 through October 31, and November 2 through November 19, 1970, excluding Sundays. The use of long bows is also permitted during the periods when the refuge is open to hunting deer with guns.

(9) Firearms and crossbows are prohibited during the season established for archery hunting only.

(10) All deer killed must be checked out at one of the designated refuge checking stations.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations and are effective through May 15, 1971.

C. EDWARD CARLSON,
Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 28, 1970.

[F.R. Doc. 70-11823; Filed, Sept. 4, 1970; 8:50 a.m.]

Chapter II—Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER E—NORTHWEST ATLANTIC COMMERCIAL FISHERIES

PART 240—GROUND FISH FISHERIES

Certain Persons and Vessels Exempted

On page 12225 of the FEDERAL REGISTER dated July 30, 1970, there was published a notice of proposed rule making which would amend § 240.5(d) (6) to provide a penalty for the failure of owners or operators of fishing vessels to submit catch reports.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the proposed regulations is hereby adopted without change and is set forth below.

Effective date. This amendment shall be effective as of September 7, 1970.

Issued in Washington, D.C., on September 1, 1970.

WILLIAM M. TERRY,
Acting Director,
Bureau of Commercial Fisheries.

Subparagraph (6) of § 240.5(d) is amended as follows:

§ 240.5 Certain persons and vessels exempted.

.....
(d) * * *

(6) The owner or operator of a fishing vessel for which a certificate of exemption is in force shall furnish on a form supplied by the Bureau of Commercial Fisheries, immediately following the delivery or sale of a catch of fish made by means of such vessel, a report certified to be correct by the owner or operator, listing separately by species and weight the total quantities of all fish sold or delivered. Failure to submit a certified report pertaining to the catches of fish as required by this subparagraph shall be cause to revoke the certificate of exemption by the Regional Director issued to the owner or operator of the fishing vessel.

[F.R. Doc. 70-11819; Filed, Sept. 4, 1970; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 44, 45, 301]

OCCUPATIONAL TAX STAMPS

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, preferably in quintuplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any 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 sections 4905 and 7805 of the Internal Revenue Code of 1954 (68A Stat. 594, 917; 26 U.S.C. 4905, 7805).

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

In order to conform the Miscellaneous Excise Tax Regulations under 26 CFR Parts 44 and 45 and the Regulations on Procedure and Administration under 26 CFR Part 301 to sections 203-205 of the Gun Control Act of 1968 (82 Stat. 1213), such regulations are amended as follows:

PART 44—TAXES ON WAGERING; EFFECTIVE JANUARY 1, 1955

PARAGRAPH 1. Section 44.4905-2 is amended by revising paragraphs (b) and (c) to read as follows:

§ 44.4905-2 Change of address.

(b) *Procedure by district director; removal within district.* When registration of a change of address within the same district is made by a taxpayer in the manner specified in paragraph (a) of this section, the district director, if necessary, will enter on his records the new address and the date of change. If the information disclosed on the supple-

mental return is such as to require a change on the face of the special tax stamp, the district director will make the proper change and return the stamp to the taxpayer.

(c) *Procedure by district director; removal to another district.* In case of removal of the taxpayer's office or principal place of business (or residence address, if he has no office or principal place of business) to another district, the district director, after noting the transfer on his records, shall transmit the special tax stamp to the district director for the district to which such office or business was removed. The latter will make an entry on his records, as in the case of an original registration in his district, correct the address on the stamp, if necessary, and note also thereon his name, title, date, and district, and then forward the stamp to the taxpayer.

§ 44.6806(c) [Deleted]

PAR. 2. Section 44.6806(c) is deleted.

§ 44.6806(c)-1 [Deleted]

PAR. 3. Section 44.6806(c)-1 is deleted.

§ 44.7273(b) [Deleted]

PAR. 4. Section 44.7273(b) is deleted.

PART 45—MISCELLANEOUS STAMP TAXES

PAR. 5. Section 45.6806 and the historical note thereto are amended to read as follows:

§ 45.6806 Statutory provisions; occupational tax stamps.

SEC. 6806. *Occupational tax stamps.* Every person engaged in any business, avocation, or employment, who is thereby made liable to a special tax (other than a special tax subchapter B of chapter 35, under subchapter B of chapter 36, or under subtitle E) shall place and keep conspicuously in his establishment or place of business all stamps denoting payment of such special tax.

[Sec. 6806 as amended by sec. 204, Gun Control Act 1968 (82 Stat. 1235)]

PAR. 6. Section 45.6806-1 is amended to read as follows:

§ 45.6806-1 Posting of special tax stamps.

(a) *In general.* The special tax stamp issued to a taxpayer as evidence of the payment of tax imposed under section 4821 (adulterated, process or renovated butter), and section 4841 (filled cheese), must be kept posted conspicuously on the premises where the business is operated. Failure to comply will subject the taxpayer to the penalties prescribed in § 45.7273.

(b) *Posting of certificate in lieu of stamp.* When a special tax stamp has been lost or destroyed, such fact should be reported at once to the internal revenue

officer from whom the stamp was obtained for the purpose of obtaining from him a certificate of payment. Such certificate must be posted in place of the stamp, if the stamp is required by paragraph (a) of this section to be kept posted; otherwise the penalty referred to in paragraph (a) of this section for failure to post the stamp will be applicable.

§ 45.7273(a) [Deleted]

PAR. 7. Section 45.7273(a) is deleted and the following new section is inserted in lieu thereof:

§ 45.7273 Statutory provisions; penalties for offenses relating to special taxes.

SEC. 7273. *Penalties for offenses relating to special taxes.* Any person who shall fail to place and keep stamps denoting the payment of the special tax as provided in section 6806 shall be liable to a penalty (not less than \$10) equal to the special tax for which his business rendered him liable, unless such failure is shown to be due to reasonable cause. If such failure to comply with section 6806 is through willful neglect or refusal, then the penalty shall be double the amount above prescribed.

[Sec. 7273 as amended by sec. 205, Gun Control Act 1968 (82 Stat. 1235)]

PART 301—PROCEDURE AND ADMINISTRATION

§ 301.6107 [Deleted]

PAR. 8. Section 301.6107 is deleted.

§ 301.6107-1 [Deleted]

PAR. 9. Section 301.6107-1 is deleted.

PAR. 10. Section 301.6806 is amended, and a historical note is added thereto, to read as follows:

§ 301.6806 Statutory provisions; occupational tax stamps.

SEC. 6806. *Occupational tax stamps.* Every person engaged in any business, avocation, or employment, who is thereby made liable to a special tax (other than a special tax under subchapter B of chapter 35, under subchapter B of chapter 36, or under subtitle E) shall place and keep conspicuously in his establishment or place of business all stamps denoting payment of such special tax.

[Sec. 6806 as amended by sec. 204, Gun Control Act 1968 (82 Stat. 1235)]

PAR. 11. Section 301.7273 is amended, and a historical note is added thereto, to read as follows:

§ 301.7273 Statutory provisions; penalties for offenses relating to special taxes.

SEC. 7273. *Penalties for offenses relating to special taxes.* Any person who shall fail to place and keep stamps denoting the payment of the special tax as provided in section 6806 shall be liable to a penalty (not less than \$10) equal to the special tax for which his business rendered him liable, unless such failure is shown to be due to reasonable cause. If such failure to comply with section

6806 is through willful neglect or refusal, then the penalty shall be double the amount above prescribed.

[Sec. 7273 as amended by sec. 205, Gun Control Act 1968 (82 Stat. 1235)]

[F.R. Doc. 70-11820; Filed, Sept. 4, 1970; 8:50 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 117]

[CGFR 70-96]

BLACK CREEK, FLA.

Drawbridge Operation

1. The Commandant, U.S. Coast Guard is considering a request by the Florida Department of Transportation to revise the special operation regulations for its bridge across Black Creek on U.S. 17 near Green Cove Springs. Present regulations governing this bridge require that the draw be opened promptly on signal from 10 a.m. to 7 p.m. From 7 p.m. to 10 a.m. the draw need not be opened for the passage of vessels. The proposed regulations would require that from 6 p.m. to 10 a.m. a 4-hour advance notice would be required. At all other times the draw would be opened promptly on signal. Authority for this action is set forth in section 5, 28 Stat. 362, as amended (33 U.S.C. 499), section 6(g) (2) of the Department of Transportation Act (49 U.S.C. 1655(g) (2)) and 49 CFR 1.46(c) (5).

2. Accordingly, it is proposed to revise 33 CFR 117.431a to read as follows:

§ 117.431a Black Creek, Fla.

(a) *U.S. 17 Highway Bridge near Green Cove Springs.* The draw shall be opened promptly on signal from 10 a.m. to 6 p.m. At all other times 4 hours' advance notice is required.

(b) *Seaboard Coast Line Railroad Bridge near Doctors Inlet.* The draw shall be opened promptly on signal from 10 a.m. to 7 p.m. At all other times the draw need not be opened for the passage of vessels.

(c) *Posting regulations.* The owners of or agencies controlling the bridges shall conspicuously post notices both upstream and downstream of the bridges, in such a manner that they may readily be read at all times, under normal conditions from an approaching vessel. These notices shall set forth the salient features of the regulations in this section.

3. Interested persons may participate in this proposed rule making by submitting written data, views, arguments, or comments as they may desire on or before October 9, 1970. All submissions should be made in writing to the Commander, Seventh Coast Guard District, 51 Southwest First Avenue, Miami, Fla. 33130.

4. It is requested that each submission state the subject to which it is directed, the specific wording recommended, the

reason for any recommended change, and the name, address, and firm or organization, if any, of the person making the submission.

5. Each communication received within the time specified will be fully considered and evaluated before final action is taken on the proposal in this document. This proposal may be changed in light of the comments received. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Seventh Coast Guard District.

6. After the time set for the submission of comments by the interested parties, the Commander, Seventh Coast Guard District will forward the record, including all written submissions and his recommendations with respect to the proposals and the submissions, to the Commandant, U.S. Coast Guard, Washington, D.C. The Commandant will thereafter make a final determination with respect to these proposals.

Dated: August, 28, 1970.

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

[F.R. Doc. 70-11826; Filed, Sept. 4, 1970; 8:50 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Parts 201, 260]

[Docket No. R-397]

UNIFORM SYSTEM OF ACCOUNTS AND ANNUAL REPORT FORM FOR NATURAL GAS COMPANIES

Notice of Proposed Rule Making

AUGUST 28, 1970.

Amendments to the Uniform System of Accounts for Class A and B Natural Gas Companies and FPC Form No. 2 to separate gathering and production plant facilities, and to separate costs relating to leases acquired October 6, 1969, and before and leases acquired October 7, 1969, and after.

Pursuant to 5 U.S.C. 553, the Commission gives notice it proposes to amend, effective for the reporting year 1970:

A. Certain accounts in the Uniform System of Accounts for Class A and B, Natural Gas Companies, prescribed in Part 201, Chapter I, Title 18, CFR.

B. Certain schedules of FPC Form No. 2, Annual Report for Natural Gas Companies, Class A and B, prescribed by § 260.1, Chapter I, Title 18, CFR.

These amendments to the Uniform System of Accounts are consistent with the Commission's Opinion 568, Pipeline Production Area Rate Proceeding (Phase I), issued October 7, 1969 (42 FPC 738; 34 F.R. 17803, Nov. 5, 1969) and Opinion 568-A issued December 5, 1969 (42 FPC 1089) to Natural Gas Pipeline Companies, wherein pipelines were directed "28. Pipelines should keep their records on a basis which will en-

able them and the Commission to achieve the necessary division of costs. We have instructed our Staff to examine the need for amendments to our Uniform System of Accounts and rules governing our pipeline rate filings." (42 FPC 738 at 752-753)

Basically, the Commission proposes to amend its Uniform System of Accounts and Annual Report Form No. 2, for Natural Gas Companies, Classes A and B, to require separation of Gathering Plant facilities now classified as a part of Production Plant, therefrom and create a new plant function for the classification of Gathering Plant facilities and to require a clear separation in the accounting for all costs relating to "old" leases which were acquired on or before October 6, 1969, and "new" leases acquired on or after October 7, 1969.

The principal proposed changes to the Uniform System of Accounts are:

A. The incorporation, in the Definitions section, of a definition defining "Production System" and "Gathering System."

B. The incorporation, in the General Instructions section, of an explanation of the full significance of aforementioned Commission Opinions 568 and 568-A, along with instructions directing the separation of certain costs, as before and after October 7, 1969.

C. The incorporation, in the Balance Sheet Accounts section, of a new account to accumulate amortization of gathering natural gas land and land rights along with provisions to establish "Gathering—natural gas" as a functional classification for depreciation purposes.

D. The incorporation, in the Gas Plant Accounts section, of provisions for separation of all Production Plant and Gathering Plant and the establishment of a new plant function with appropriate accounts under the heading of "Gathering Plant."

E. The incorporation, in the Income Accounts section, of a new account to accumulate charges for amortization and depletion of Gathering Natural Gas Land and Land Rights.

F. The incorporation, in the Operation and Maintenance Expense Accounts section, of provisions for separation of all expense items relating to gathering operations from the production operations, by establishing a new function heading "Gathering Expenses" with appropriate expense accounts.

The major proposed changes to Annual Report Form No. 2, as set forth below, include:

A. In Statement B—Summary of Utility Plant and Accumulated Provisions for Depreciation, Amortization and Depletion schedule (page 113) create a space following line item 18, for an added item which would require the reporting of expenses relating to "Amortization of Gathering Plant Land and Land Rights."

B. In the Distribution of Salaries and Wages schedule (pages 355 and 356) create a space, following line items 30, 41, and 54, for reporting direct payroll distribution relating to "Gathering" plant.

C. In the Gas Plant in Service schedule (pages 501 through 504):

(1) Page 501, line item 7, change sub-heading "Natural Gas Production and Gathering Plant" to read "Gas Production Plant."

(2) Page 501, line item 19, delete item "332 Field Lines."

(3) Page 501, line item 25, change "Total Production and Gathering Plant" to read "Total Production Plant."

(4) Page 502, following line item 39, create space to provide for reporting details concerning a new primary plant function entitled, 3. Gathering Plant, which will be followed by ten new plant accounts.

(5) Page 502, line item 40, change "3. Storage Plant" to read "4. Storage Plant."

(6) Page 503, line item 68, change "4. Transmission Plant" to read "5. Transmission Plant."

(7) Page 503, line item 80, change "5. Distribution Plant" to read "6. Distribution Plant."

(8) Page 504, line item 106, change "6. General Plant" to read "7. General Plant."

D. In the Accumulated Provisions for Depreciation of Gas Plant (Accounts 108, 109, 110) (page 508), following line item 20, create space to allow reporting depreciation provisions for the new plant function, Gathering—natural gas.

E. Addition of a new schedule entitled Accumulated Provision for Amortization of Gathering Natural Gas Land and Land Rights (Account 111.4) (to be designated page 511A) to allow for reporting amortization charges relating to the new proposed primary plant function, Gathering Plant.

F. In the Gas Operation and Maintenance Expenses schedule (page 527 through 532):

(1) Page 527, line item 5 change sub-heading "B1. Gas Production and Gathering" to read "B1. Gas Production."

(2) Page 527, line item 10, delete item "753 Field lines expenses."

(3) Page 527, line item 23, delete item "764 Maintenance of field lines."

(4) Page 527, line item 30, change "Total natural gas production and gathering" to read, "Total natural gas production."

(5) Page 528, following line item 93, create space to provide for reporting operation and maintenance expenses relating to the new plant function Gathering Plant. The new space provided, headed, "2. Gathering Expenses," will be followed by nine new accounts subheaded, "Operation," and seven new accounts subheaded, "Maintenance."

(6) Page 529, line 94, change "2. Underground Storage Expenses" to read "3. Underground Storage Expenses."

(7) Page 529, line item 121, change "3. Local Storage Expenses" to read, "4. Local Storage Expenses."

(8) Page 530, change "4. Transmission Expenses" to read, "5. Transmission Expenses."

(9) Page 530, line item 158, change "5. Distribution Expenses" to read, "6. Distribution Expenses."

(10) Page 531, line item 186, change "6. Customer Accounts Expenses" to read, "7. Customer Accounts Expenses."

(11) Page 531, line item 194, change "7. Sales Expenses" to read, "8. Sales Expenses."

(12) Page 531, line item 203, change "8. Administrative and General Expenses" to read, "9. Administrative and General Expenses."

(13) Page 532, line item 226, change "Production and Gathering" to read, "Production."

(14) Page 532, following line item 231, provide space to include the new proposed functional classification, Gathering.

G. In the Gas Purchases (Accounts 800, 801, 802, 803, 804, 805) schedule (pages 535 and 536) provide for reporting Interdepartmental sales on or after October 7, 1969, in schedule instructions number 5. In addition, this schedule is proposed for a major updating. Similar proposals were initially announced by the Commission in Docket R-311. Certain objections to the schedule as originally proposed in Docket R-311, have been considered and deleted from the proposal herein. It is believed the schedule as now proposed reconciles the differences found in the initial proposal. An additional page 536A is proposed to be added to this schedule.

H. In the Depreciation, Depletion and Amortization of Gas Plant (Accounts 403, 404.1, 404.2, 404.3, 405) schedule (page 545):

(1) Provide space between columns (e) and (g) to allow reporting of amounts relating to Amortization of gathering natural gas land and land rights (account 404.4).

(2) Line item 3, change "Production and gathering plant, natural gas" to read, "Production plant, natural gas."

(3) Following line item 4, allow space for an item entitled, Gathering plant, natural gas.

I. Addition of a new two page schedule entitled, Natural Gas Production and Gathering Statistics (relating to leases acquired on or before Oct. 6, 1969) (to be designated pages 552 and 553).

J. Addition of a new schedule entitled Natural Gas Production and Gathering Statistics (relating to leases acquired on or after Oct. 7, 1969) (to be designated pages 553A and 553B).

K. In the Compressor Stations schedule (page 556) amend schedule instruction 1, to allow for reporting data on gas production and gathering plant compressor stations.

L. In the Field and Storage Lines schedule (page 559):

(1) Change the schedule title to "Gathering and Storage Lines."

(2) In schedule instruction 2(a), delete the word "field."

(3) In schedule instruction 5, change the word "field" to read, "gathering."

M. In the Gas Account—Natural Gas schedule (page 568):

(1) Page 568, line item 7, delete "b. Field lines" and create space to add two new items entitled, "b. Production lines," and "c. Gathering lines."

(2) Page 569, following line item 57, create space for an additional line item, entitled, Gathering lines losses.

The proposed amendments to Part 201 of the Commission's Uniform System of Accounts under the Natural Gas Act and to FPC Form No. 2 would be issued under authority granted the Federal Power Commission by the Natural Gas Act, particularly sections 8, 10, and 16 (52 Stat. 825, 826, 830; 15 U.S.C. 717g, 717i, 717o).

Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than October 12, 1970, data, views, comments, or suggestions, in writing, concerning the proposed revised report forms and regulations. An original and 14 conformed copies should be filed with the Commission. In addition, interested persons wishing to have their comments considered in the clearance of the proposed revisions in the report forms under the provisions of the Federal Reports Act of 1942 may, at the same time, submit a conformed copy of their comments directly to the Clearance Officer, Office of Statistical Policy, Office of Management and Budget, Washington, D.C. 20503. Submissions to the Commission should indicate the name, address, and telephone number of the person to whom correspondence in regard to the proposal should be addressed, and whether the person filing them requests a conference at the Federal Power Commission to discuss the proposed revisions in the report form and regulations. The Commission will consider all such written submissions before acting on the matters herein proposed.

A. The following are proposed amendments and revisions to the Uniform System of Accounts for Class A and Class B, Natural Gas Companies in Part 201, Title 18 of the Code of Federal Regulations:

1. In the Definitions section immediately following definition "22. Premium," add a new definition "23. Production, gathering, transmission, and distribution plant," and renumber the remaining definitions "23. Property retired," "24.A. Replacing," "24.B. Research and development," "25. Retained earnings," "26. Retirement units," "27. Salvage value," "28. Service life," "29. Service value," "30. Utility," as 24, 24.A., 25.B., 26, 27, 28, 29, 30 and 31, respectively. New definition 23 will read:

Definitions

23. "Production, gathering, transmission, and distribution plant." For the purposes of this system of accounts:

A. "Production system" means the producing lands and leaseholds, gas rights-of-way, other land rights, gas wells, wellhead equipment, lease separators, structures, lines and equipment, drilling, purifying, drying and cleaning equipment, measuring and regulating equipment, and any other plant and equipment used in the production of natural gas. The production system ends at the point where the gas enters a gathering system or transmission system. The

metering and/or auxiliary equipment found at the point, linking the production and gathering system, are considered production plant equipment.

B. "Gathering system" means the land and land rights, rights-of-way, lines, separators, compressor stations, measuring and regulating stations, purification and dehydration plant, and other plant and equipment used in the collecting of gas from various wells and bringing it by separate and individual lines to a central point, usually in the producing field, for delivery into a single line where the transmission system begins. Gathering ends when the gas reaches this central point. This definition is not to be construed as including wellhead equipment. The metering and/or other auxiliary equipment found at the junction point, linking the gathering and transmission systems are considered gathering plant equipment. The metering and/or other auxiliary equipment found at the junction point, linking the production and gathering system, are considered production plant equipment.

C. "Transmission system" means the land, structures, mains, valves, meters, boosters, regulators, tanks, compressors and their driving units and appurtenances, and other equipment used primarily for transmitting gas from a production plant, delivery point of purchased gas, gathering system, storage area, or other wholesale source of gas, to one or more distribution areas. The transmission system begins at the outlet side of the valve at the connection to the last equipment in a manufactured gas plant, the connection to gathering lines to delivery point of purchased gas, and includes the equipment at such connection that is used to bring the gas to transmission pressure, and ends at the outlet side of the equipment which meters or regulates the entry of gas into the distribution system or into a storage area. It does not include storage land, structures or equipment. Pipeline companies, including those companies which measure deliveries of gas to their own distribution systems, shall include city gate and main line industrial measuring and regulating stations in the transmission function.

D. "Distribution system" means the mains which are provided primarily for distributing gas within a distribution area, together with land, structures, valves, regulators, services and measuring devices, including the mains for transportation of gas from production plants or points of receipt located within such distribution area to other points therein. The distribution system owned by companies having no transmission facilities connected to such distribution system begins at the inlet side of the distribution system equipment which meters or regulates the entry of gas into the distribution system and ends with and includes property on the customer's premises. For companies which own both transmission and distribution facilities on a continuous line, the distribution system begins at the outlet side of the equipment which meters or regulates the

entry of gas into the distribution system and ends with and includes property on the customer's premises. The distribution system does not include storage land, structures, or equipment.

E. "Distribution area" means a metropolitan area or other urban area comprising one or more adjacent or nearby cities, villages, or unincorporated areas, including developed areas contiguous to main highways.

2. In the General Instructions section, add a new general instruction 16. New instruction 16 will read:

General Instructions

16. *Significance of Commission Opinion No. 568 on accounting.* On October 7, 1969, the Commission issued Opinion No. 568, amending Part 2, General Policy and Interpretations, Subchapter A, General Rules, Chapter I of Title 18 of the Code of Federal Regulations by adding a new § 2.66 which reads in part:

Sec. 2.66 *Pricing of new gas produced by Pipelines and pipeline affiliates.* * * *

(b) Pipelines acquiring production leases subsequent to the date of this opinion either on their own part or through affiliates should:

(1) Where they have their own production, maintain separate subdivisions of their plant and expense accounts related to production properties and production activities, so as to show separately costs related to production from present leases and costs related to production from leases acquired after the date of this opinion;

(2) In making a rate filing provide additional detail in subdivisions within the production function, i.e., as between gas from present leases and gas from leases acquired after the date of this opinion with respect to their own production and also with respect to any production of their affiliates."

Pursuant to this statement of policy, subdivisions shall be maintained in the following accounts so that costs relating to leases acquired up to and including October 6, 1969, and costs relating to leases acquired as of October 7, 1969, and thereafter, can be readily identified. However, these provisions do not apply if the leases were acquired, either directly or through intermediaries, from other pipelines or their affiliates which had held them prior to October 7, 1969 (Opinion No. 568-A).

- 325.1-337 Gas Production Plant.
- 340-347 Products Extraction Plant.
- 348.1-348.10 Gathering Plant.
- 403 Depreciation expense.
- 404.1 Amortization and depletion of producing natural gas land and land rights.
- 404.4 Amortization of gathering natural gas land and land rights.
- 408 Taxes other than income taxes.
- 484 Interdepartmental sales.
- 750-769 Natural Gas Production.
- 770-791 Products Extraction.
- 813.1-813.16 Gathering Expenses.

3. In the Gas Plant Instructions section delete instruction "14. Transmission and distribution plant." and renumber instructions "15. Employee villages and living quarters." and "16. Fees for applications filed with the Commission." as "14." and "15." respectively.

4. In the chart of Balance Sheet Accounts, add a new account "111.4, Accumulated Provision for Amortization of Gathering Natural Gas Land and Land Rights," immediately following account "111.3, Accumulated Provision for Amortization of Other Gas Plant in Service." As so revised, the chart of accounts will read:

Balance Sheet Accounts

(Chart of Accounts)

1. UTILITY PLANT

111.4 Accumulated provision for amortization of gathering natural gas land and land rights.

5. In the text of Balance Sheet Accounts, revise the second sentence in paragraph C of account "108, Accumulated Provision for Depreciation of Gas Plant in Service." Immediately following account "111.3, Accumulated Provision for Amortization of Other Gas Plant in Service," add a new account "111.4, Accumulated Provision for Amortization of Gathering Natural Gas Land and Land Rights." As revised, this portion of paragraph C of account 108 and new account 111.4 will read:

Balance Sheet Accounts

ASSETS AND OTHER DEBITS

1. UTILITY PLANT

108 Accumulated provisions for depreciation of gas plant in service.

C. * * * For purposes of analysis, however, each utility shall maintain subsidiary records in which this account is segregated according to the following functional classification for gas plant: (1) Production—manufactured gas, (2) Production—natural gas, (3) Gathering—natural gas, (4) Products extraction—natural gas, (5) Underground gas storage, (6) Local storage, (7) Transmission, (8) Distribution, and (9) General. * * *

111.4 Accumulated provision for amortization of gathering natural gas land and land rights.

A. This account shall be credited with amounts charged to account 404.4, Amortization—Natural Gas Land and Land Rights, to provide for the current amortization of land and land rights utilized in the gathering of natural gas. (See gas plant instruction 7-H.)

B. When any property to which this account applies is sold, relinquished, or otherwise retired from service, this account shall be charged with the amount previously credited in respect to such property. The book cost of the property so retired less the amount chargeable to this account and less the net proceeds realized at retirement shall be included in account 421.1, Gain on Disposition of Property, or account 421.2, Loss on Disposition of Property, as appropriate.

C. Records shall be maintained so as to show separately the balance applicable

to each item of land and land rights which is being amortized.

D. The utility is restricted in its use of the accumulated provision for amortization to the purpose set forth above. It shall not transfer any portion of this account to retained earnings or make any other use thereof without authorization by the Commission.

6. In the chart of Gas Plant Accounts, revise subheading "B.1. Natural Gas Production and Gathering Plant" to read "B.1. Gas Production Plant"; delete account "332, Field Lines"; insert immediately following account "347, Other Equipment," a new subheading "3. Gathering Plant" to be followed by ten new primary plant accounts to be numbered 348.1 through 348.10; renumber subheadings "3. Storage Plant," "4. Transmission Plant," "5. Distribution Plant," and "6. General Plant," as 4 through 7, respectively. The revised portions of the chart of Gas Plant Accounts will read:

Gas Plant Accounts
(Chart of Accounts)

B.1. Gas Production Plant

325.1	Producing lands.
325.2	Producing leaseholds.
325.3	Gas rights.
325.4	Rights-of-way.
325.5	Other land and land rights.
326	Gas well structures.
327	Field compressor station structures.
328	Field measuring and regulating station structures.
329	Other structures.
330	Producing gas wells—Well construction.
331	Producing gas wells—Well equipment.
333	Field compressor station equipment.
334	Field measuring and regulating station equipment.
335	Drilling and cleaning equipment.
336	Purification equipment.
337	Other equipment.

B.2. Products Extraction Plant

3. GATHERING PLANT

348.1	Rights-of-way.
348.2	Land and land rights.
348.3	Compressor station structures.
348.4	Measuring and regulating station structures.
348.5	Other structures.
348.6	Gathering lines.
348.7	Compressor station equipment.
348.8	Measuring and regulating equipment.
348.9	Purification equipment.
348.10	Other equipment.

7. In the text of Gas Plant Accounts:
a. Revise subheading "B.1. Natural Gas Production and Gathering Plant" to read "B.1. Gas Production Plant" and add a reference to general instruction 16. As revised, the subheading will read:

B.1. Gas Production Plant

(See general instruction 16.)

b. In account "327, Field Compressor Station Structures," amend the account

text by deleting the word "field" and substituting the words "gathering system" therefor. As amended, account 327 will read:

327 Field compressor station structures.

This account shall include the cost of structures and improvements used in connection with the housing of compressor station equipment used to raise the pressure of natural gas before it is conveyed to the terminus of the gathering system lines. (See gas plant instruction 8.)

c. In account "328, Field Measuring and Regulating Station Structures," amend the account text by deleting "transmission and distribution system" from the end of the sentence and by substituting the words "terminus of the gathering system lines" therefor. As amended, account 328 will read:

328 Field measuring and regulating stations structures.

This account shall include the cost of structures and improvements used in connection with the housing of meters, regulators, and appurtenant appliances for measuring and regulating natural gas before the point where it enters the terminus of the gathering system lines. (See gas plant instruction 8.)

d. In account "329, Other Structures," amend the account text by deleting the words "and gathering" immediately following the word "production." As amended, account 329 will read:

329 Other structures.

This account shall include the cost of structures and improvements used in connection with natural gas production not provided for elsewhere. (See gas plant instruction 8.)

e. In account "331, Producing Gas Wells—Well Equipment," add a new item 10 to list of items. New item 10 will read:

331 Production gas wells—well equipment.

10. Production pipelines from the well area to where they connect with the gathering system. (See definition 13A.)

f. Delete account "332 Field lines."

g. In account "333, Field Compressor Station Equipment," amend the account text by substituting "gathering system" for the words, "field lines." As amended, account 333 will read:

333 Field compressor station equipment.

This account shall include the cost installed of compressor station equipment and associated appliances used to raise the pressure of natural gas before it is conveyed to the terminus of the gathering system.

ITEMS

h. In account "334, Field Measuring and Regulating Station Equipment," amend the account text by deleting all of the account text following the word "collected," and substituting the following therefor, "in production pipe lines

before the point where it enters the gathering system." As amended, account 334 will read:

334 Field measuring and regulating station equipment.

This account shall include the cost installed of meters, gauges, and other equipment used in measuring and regulating natural gas collected in production pipe lines before the point where it enters the gathering system.

ITEMS

i. In account "336, Purification Equipment," add the words "used in the production of natural gas" at the end of the account text. As amended, account 336 will read:

336 Purification equipment.

This account shall include the cost installed of apparatus used for the removal of impurities from gas and apparatus for conditioning gas used in the production of natural gas.

ITEMS

j. In account "337, Other Equipment," amend the account text by deleting the words "and gathering" following the word "production." As amended, account 337 will read:

337 Other equipment.

This account shall include the cost installed of equipment used in the production of natural gas, when not assignable to any of the foregoing accounts.

ITEMS

k. Add a reference to General instruction 16 immediately following subheading "B.2. Products Extraction Plant." As revised the subheading will read:

B 2. Products Extraction Plant

(See general instruction 16.)

1. Immediately following account "347, Other Equipment," add a new heading "3. Gathering Plant," with 10 new primary accounts. As added, the new section 3. will read:

3. GATHERING PLANT

(See general instruction 16.)

348.1 Rights-of-way.

This account shall include the cost of all interests in land which terminate more than 1 year after they become effective and on which are located gathering pipe lines, telephone pole lines, and like property used in connection with the gathering of natural gas. Also see account 795.

348.2 Land and land rights.

This account shall include the cost of land and land rights specifically acquired for use in connection with the gathering of natural gas.

343.3 Compression station structures.

This account shall include the cost of structures and improvements used in connection with the housing of compressor station equipment used to raise the pressure of natural gas once it has entered the gathering system, from its point of entry to the terminus of the transmission or distribution system. (See gas plant instruction 8.)

343.4 Measuring and regulating station structures.

This account shall include the cost of structures and improvements used in connection with the housing of meters, regulators, and appurtenant appliances for measuring and regulating natural gas before the point where it enters the transmission or distribution system. (See gas plant instruction 8.)

343.5 Other structures.

This account shall include the cost of structures and improvements used in connection with natural gas gathering not provided for elsewhere. (See gas plant instruction 9.)

343.6 Gathering lines.

This account shall include the cost installed of field lines used in conveying natural gas from the production well pipe lines to the point where it enters the transmission or distribution system. Costs related to installed gas and liquids pipe lines used in connection with the products extraction process will be excluded from this account and will be included in Account 343, Pipe Lines. (See definition 13A.)

ITEMS

1. Gathering lines, including pipe, valves, fittings, and supports.
2. Cathodic protection equipment.
3. Creek crossings, suspension bridges, and other special construction.
4. Line drips and separators.

343.7 Compressor station equipment.

This account shall include the cost installed of compressor station equipment and associated appliances used to raise the pressure of natural gas once it has entered the gathering system, from its point-of-entry to the terminus of the transmission or distribution system.

ITEMS

(See Account 333 for items list.)

343.8 Measuring and regulating equipment.

This account shall include the cost installed of meters, gauges, and other equipment used in measuring and regulating natural gas collected in gathering lines before the point where it enters the transmission or distribution system.

ITEMS

(See Account 334 for items list.)

343.9 Purification equipment.

This account shall include the cost installed of apparatus used in for the removal of impurities from gas and apparatus for conditioning of natural gas,

while the gas is within the gathering system.

ITEMS

(See Account 336 for items list.)

343.10 Other equipment.

This account shall include the cost installed of equipment used in the gathering of natural gas, when not assignable to any of the foregoing accounts.

m. In the text of Gas Plant Accounts, renumber headings "3. Storage Plant," "4. Transmission Plant," "5. Distribution Plant," "6. General Plant," as 4. through 7., respectively.

8. In the chart of Income Accounts, immediately following account title "404.3, Amortization of Other Limited-Term Gas Plant" add a new account title "404.4, Amortization of Gathering Natural Gas Land and Land Rights." As so revised, the chart of accounts will read:

Income Accounts

(Chart of Accounts)

1. UTILITY OPERATING INCOME

404.4 Amortization of gathering natural gas land and land rights.

9. In the text of Income Accounts: amend paragraph B of accounts "403, Depreciation Expense," and "404.1, Amortization of Producing Natural Gas Land and Land Rights," by adding a reference at the end of paragraph B to general instruction 16; add a new account "404.4, Amortization of Gathering Natural Gas Land and Land Rights" immediately following account "404.3, Amortization of Other Limited-Term Gas Plant"; amend paragraph A of account "408, Taxes Other Than Income Taxes" by adding a reference at the end thereof to general instruction 16. The amended portions of the text of Income Accounts will read:

Income Accounts

1. UTILITY OPERATING INCOME

403 Depreciation Expense.

B. * * * (See general instruction 16.)

404.1 Amortization and depletion of producing natural gas land and land rights.

B. * * * (See general instruction 16.)

404.4 Amortization of gathering natural gas land and land rights.

A. This account shall include charges for amortization and depletion of producing natural gas land and land rights. (See account 111.4, Accumulated Provision for Amortization of Gathering Natural Gas Land and Land Rights.)

B. The charges to this account shall be made in such manner as to distribute the cost gathering natural gas land and land rights over the period of their benefit to the utility. (See general instruction 16.)

408 Taxes other than income taxes.

A. * * * (See general instruction 16.)

10. In the text of the Operating Revenue Accounts, amend account "484, Interdepartmental Sales," by adding an additional paragraph "C". As so amended, account 484 will read:

Operating Revenue Accounts

1. SALES OF GAS

484 Interdepartmental sales.

C. This account shall be credited for gas supplied from the company's own leases that were acquired on or after October 7, 1969, at the applicable area ceiling rate. The debits for the amounts so credited shall be made to accounts 800, Natural Gas Well Head Purchases, 801, Natural Gas Gathering Purchases, or 802, Natural Gas Gasoline Plant Outlet Purchases, as appropriate. (See general instruction 16.)

11. In the chart of Operation and Maintenance Expense Accounts, revise subheading "B.1. Natural Gas Production and Gathering" to read "B.1. Natural Gas Production"; delete accounts "753, Field Lines Expenses" and "764, Maintenance of Field Lines"; revise title of account "801, Natural Gas Field Line Purchases" to read "801, Natural Gas Gathering Line Purchases"; redesignate account "813, Other gas supply expenses" as "812.1"; insert immediately following redesignated account "812.1, Other Gas Supply Expenses," a new heading "2. Gathering Expenses" with 16 new primary operations and maintenance expense accounts to be numbered 813.1 through 813.15; and renumber headings "2. Underground Storage Expenses," "3. Local Storage Expenses," "4. Transmission Expenses," "5. Distribution Expenses," "6. Customer Accounts Expenses," "7. Sales Expenses" and "8. Administrative and General Expenses" as 3 through 9, respectively. The revised portions of the chart of Operation and Maintenance Expense Accounts will read:

Operation and Maintenance Expense Accounts
(Chart of Accounts)

B. NATURAL GAS PRODUCTION EXPENSES

B.1. Gas Production

Operation

- 750 Operation supervision and engineering.
- 751 Production maps and records.
- 752 Gas wells expenses.
- 754 Field compressor station expenses.
- 755 Field compressor station fuel and power.
- 756 Field measuring and regulating station expenses.
- 757 Purification expenses.
- 758 Gas well royalties.
- 759 Other expenses.
- 760 Rents.
- Maintenance
- 761 Maintenance supervision and engineering.

PROPOSED RULE MAKING

- 762 Maintenance of structures and improvements.
 763 Maintenance of producing gas wells.
 765 Maintenance of field compressor station equipment.
 766 Maintenance of field measuring and regulating station equipment.
 767 Maintenance of purification equipment.
 768 Maintenance of drilling and cleaning equipment.
 769 Maintenance of other equipment.

B.2. Products Extraction

D. OTHER GAS SUPPLY EXPENSES

Operation

- 801 Natural gas gathering line purchases.
 812.1 Other gas supply expenses.

2. GATHERING EXPENSES

Operation

- 813.1 Operation supervision and engineering.
 813.2 Maps and records.
 813.3 Gathering lines expenses.
 813.4 Compressor station expenses.
 813.5 Compressor station fuel and power.
 813.6 Measuring and regulating station expenses.
 813.7 Purification expenses.
 813.8 Other expenses.
 813.9 Rents.

Maintenance

- 813.10 Maintenance supervision and engineering.
 813.11 Maintenance of structures and improvements.
 813.12 Maintenance of gathering lines.
 813.13 Maintenance of compressor station equipment.
 813.14 Maintenance of measuring and regulating station equipment.
 813.15 Maintenance of purification equipment.
 813.16 Maintenance of other equipment.

12. In the text of Operation and Maintenance Expense Accounts:

a. Revise subheading "B.1. Natural Gas Production and Gathering" to read "B.1. Gas Production," and add a reference to general instruction 16. As revised, the subheading will read:

B.1. Gas Production

(See general instruction 16.)

Operation

b. In account "750, Operation Supervision and Engineering," amend the first sentence of the account text by deleting the words "and gathering" following the word "production." Revise item 4 in the list of items. The amended portions of account 750 will read:

750 Operation supervision and engineering.

This account shall include the cost of labor and expenses incurred in the general supervision and direction of the operation of production systems. * * *

ITEMS

4. Rights-of-way office activities and supervision, not in connection with construction or retirement work, storage, or gathering.

c. In account "751, Production Maps and Records," revise items 2 and 14, in list of items. As revised, these portions of account 751 will read:

751 Production maps and records.

ITEMS

Labor:
 With respect to production maps:
 * * * * *
 2. Preparing farm maps, well location plats, and other maps used in connection with natural gas production operations.

With respect to land records:

14. Patrolling production land.

d. Delete account "753 Field lines expenses."

e. In account "759, Other Expenses," delete the words "and gathering" immediately following the word "producing." The amended portion of account 759 will read:

759 Other expenses.

This account shall include the cost of labor, materials used and expenses incurred in producing natural gas and not includible in any of the foregoing accounts.

ITEMS

f. In account "760, Rents," delete the words "and gathering" immediately following the word "production." As amended, account 760 will read:

760 Rents.

This account shall include rents for property of others used, occupied, or operated in connection with the production of natural gas, other than rentals on land and land rights held for the supply of natural gas. (See operating expense instruction 3.)

NOTE: See account 795, Delay Rentals, for rentals paid on lands held for the purpose of obtaining a supply of gas in the future.

g. In the first sentence of account "761, Maintenance Supervision and Engineering," delete the words "and gathering" immediately following the word "production." The amended portion of account 761 will read:

761 Maintenance supervision and engineering.

This account shall include the cost of labor and expenses incurred in the general supervision and direction of maintenance of the production facilities as a whole. * * *

h. Delete account "764 Maintenance of field lines."

i. In account "769, Maintenance of Other Equipment," delete the words "and gathering" immediately following the word "production." As amended, account 769 will read:

769 Maintenance of other equipment.

This account shall include the cost of labor, materials used and expenses incurred in maintenance of other production equipment includible in account 337,

Other Equipment. (See operating expense instruction 2.)

j. Revise the title of account "801, Natural Gas Field Line Purchases" to read "801 Natural gas gathering line purchases."

k. Amend paragraph B of account "803 Natural gas transmission line purchases" by adding a reference to general instruction 16. The amended portion of account 803 will read:

803 Natural gas transmission line purchases.

B. * * * (See general instruction 16.)
 1. Redesignate account "813, Other Gas Supply Expenses," as "812.1, Other gas supply expenses."

m. Immediately following redesignated account "812.1, Other gas supply expenses," add a new section heading "2. Gathering Expenses" with a subheading "Operation" and nine new accounts thereunder, and a subheading "Maintenance" and seven new accounts thereunder. The text of new section 2 will read:

2. GATHERING EXPENSES

(See general instruction 16.)

Operation

813.1 Operation supervision and engineering.

This account shall include the cost of labor and expenses incurred in the general supervision and direction of the operation of gathering systems. Direct supervision of specific activities such as turning on and shutting off wells, operating measuring and regulating stations, etc., shall be charged to the appropriate account. (See operating expense instruction 1.)

ITEMS

- Supervision. (See operating expense instruction 1.)
- Rights-of-way office activities and supervision not in connection with construction or retirement work, storage, or production.

813.2 Maps and records.

This account shall include the cost of labor, materials used and expenses incurred in the preparation and maintenance of maps and records solely in connection with the gathering system.

ITEMS

- Labor:
 With respect to maps:
 1. Supervising.
 2. Preparing farm maps, field inventory maps, well location plats, and other maps used in connection with natural gas gathering operations.
 3. Posting changes and making corrections of maps.
 4. Maintaining files of maps and tracings.
 5. Surveying deeds, leases, rights-of-way, well locations, etc., for map revisions.
 6. Reproducing maps (blueprints, photo-stats, etc.).
 With respect to land records:
 7. Supervising.
 8. Abstracting titles to date for extension and renewal of leases.
 9. Adjusting land and rentals.
 10. Checking free gas rights.
 11. Maintaining land and lease records.
 12. Delivering rental checks.
 13. Assigning, pooling, merging, renewing, and extending leases.

- 14. Patrolling gathering system land.
- 15. Replacing leases (not involving additional consideration).
- 16. Transferring payees.
- Materials and expenses.
- 17. Blueprints, photostats, etc.
- 18. Drafting materials and supplies.
- 19. Surveying materials and supplies.
- 20. Employee transportation and travel expenses.
- 21. Freight, express, parcel post, trucking, and other transportation.
- 22. Janitor and washroom supplies, etc.
- 23. Office supplies, stationery and printed forms.
- 24. Utility services: light, water, and telephone.

813.3 Gathering lines expenses.

This account shall include the cost of labor, materials used and expenses incurred in operating gathering system lines.

ITEMS

- Labor:
- 1. Supervising.
 - 2. Walking or patrolling lines.
 - 3. Attending valves, lubricating valves and other equipment, blowing and cleaning lines and drips, draining water from lines, operating and cleaning scrubbers, thawing freezes.
 - 4. Taking line pressures, changing pressure charts, operating alarm gauges.
 - 5. Building and repairing gate boxes, foot bridges, stiles, tool boxes, etc., used in line operations, erecting line markers and warning signs, repairing old line roads.
 - 6. Cleaning debris, cutting grass and weeds on rights-of-way.
 - 7. Inspecting and testing not specifically to determine necessity for repairs.
 - 8. Protecting utility property during work by others.
 - 9. Standby time of emergency crews, responding to fire calls, etc.
 - 10. Locating valve boxes or drip riser boxes.
 - 11. Cleaning and repairing tools used in mains operations, making tool boxes, etc.
 - 12. Cleaning structures and equipment.
 - 13. Driving trucks.
 - Materials and expenses:
 - 14. Line markers and warning signs.
 - 15. Lumber, nails, etc., used in building and repairing gate boxes, foot bridges, stiles, tool boxes, etc.
 - 16. Charts.
 - 17. Scrubber oil.
 - 18. Hand tools.
 - 19. Lubricants, wiping rags, waste, etc.
 - 20. Freight, express, parcel post, trucking and other transportation charges.
 - 21. Employees' transportation and travel expenses.
 - 22. Janitor and washroom supplies.
 - 23. Utility services: light, water, telephone.
 - 24. Gas used in gathering system line operations.

813.4 Compressor station expenses.

This account shall include the cost of labor materials used, except fuel, and expenses incurred in operating gathering system compressor stations.

ITEMS

(See account 754 for items.)

813.5 Compressor station fuel and power.

A. This account shall include the cost of gas, coal, oil, or other fuel, or electricity, used for the operation of the gathering system compressor stations, including applicable amounts of fuel stock expenses.

B. Records shall be maintained to show the quantity of each type of fuel

consumed or electricity used at each compressor station, and the cost of such fuel or power. Respective amounts of fuel stock and fuel stock expenses shall be readily available.

NOTE: The cost of fuel, except gas, and related fuel stock expenses shall be charged initially to appropriate fuel accounts carried in accounts 151, Fuel Stock, and 152, Fuel Stock Expenses Undistributed, and cleared to this account on the basis of fuel used. See accounts 151 and 152 for the basis of fuel costs and includible fuel stock expenses.

813.6 Measuring and regulating station expenses.

This account shall include the cost of labor, materials used and expenses incurred in operating measuring and regulating stations.

ITEMS

(See account 756 for items.)

813.7 Purification expenses.

This account shall include the cost of labor, materials used and expenses incurred in operating equipment used for purifying, dehydrating, and conditioning of natural gas while the gas is within the gathering system.

ITEMS

(See account 757 for items.)

813.8 Other expenses.

This account shall include the cost of labor, materials used and expenses incurred in gathering natural gas and not includible in any of the foregoing accounts.

ITEMS

(See account 759 for items.)

813.9 Rents.

This account shall include rents for property of others used, occupied or operated in connection with the gathering of natural gas. (See operating expense instruction 3.)

MAINTENANCE

813.10 Maintenance supervision and engineering.

This account shall include the cost of labor and expenses incurred in the general supervision and direction of maintenance of the gathering system facilities. Direct field supervision of specific jobs shall be charged to the appropriate maintenance account. (See operating expense instruction 1.)

813.11 Maintenance of structures and improvements.

This account shall include the cost of labor, materials used and expenses incurred in the maintenance of structures and improvements, the book cost of which is includible in accounts 348.3, Compressor Station Structures, 348.4, Measuring and Regulating Station Structures, and 348.5, Other Structures. (See operating expense instruction 2.)

813.12 Maintenance of gathering lines.

This account shall include the cost of labor, materials used and expenses incurred in maintenance of gathering lines the book cost of which is includible in account 348.6, Gathering Lines. (See operating expense instruction 2.)

ITEMS

- 1. Electrolysis and leak inspections (not routine).
- 2. Installing and removing temporary lines, when necessitated by maintenance.
- 3. Lamping and watching while making repairs.
- 4. Lowering and changing location of portion of lines, when the same pipe is used.
- 5. Protecting lines from fires, floods, land slides, etc.
- 6. Rocking creek crossings.

813.13 Maintenance of compressor station equipment.

This account shall include the cost of labor, materials used and expenses incurred in maintenance of field compressor station equipment includible in account 348.7, Compressor Station Equipment. (See operating expense instruction 2.)

813.14 Maintenance of measuring and regulating station equipment.

This account shall include the cost of labor, materials used and expenses incurred in maintenance of gathering system, measuring and regulating station equipment includible in account 348.8, Measuring and Regulating Station Equipment. (See operating expense instruction 2.)

813.15 Maintenance of purification equipment.

This account shall include the cost of labor, materials used and expenses incurred in the maintenance of purification equipment includible in account 348.9, Purification Equipment. (See operating expense instruction 2.)

NOTE: Inclusion of dehydration maintenance expenses in this account shall be consistent with the functional classification of dehydration plant as to which see the note to account 336, Purification Equipment, relating to cases where dehydrators may be located some distance from the production sources of gas.

813.16 Maintenance of other equipment.

This account shall include the cost of labor, materials used and expenses incurred in maintenance of other gathering equipment includible in account 348.10, Other Equipment. (See operating expense instruction 2.)

n. In the text of Operation and Maintenance Expense Accounts renumber section headings "2. Underground Storage Expenses," "3. Local Storage Expenses," "4. Transmission Expenses," "5. Distribution Expenses," "6. Customer Accounts Expenses," "7. Sales Expenses," and "8. Administrative and General Expenses" as 3 through 9.

B. Effective for the reporting year 1970, it is proposed to revise certain pages of FPC Form No. 2, Annual Report for Natural Gas Companies (Class A and B) prescribed by § 260.1, Chapter I, Title 18 of the Code of Federal Regulations all as set out in Attachment A hereto.¹

The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

¹ Attachment A filed as part of original document.

By direction of the Commission.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 70-11793; Filed, Sept. 4, 1970;
8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Mines

[30 CFR Part 75]

MANDATORY SAFETY STANDARDS, UNDERGROUND COAL MINES

Notice of Extension of Time for Comments

In the FEDERAL REGISTER for August 14, 1970 (35 F.R. 12911) there were published proposed mandatory safety standards for Underground Coal Mines under the Federal Coal Mine Health and Safety Act of 1969. The proposed standards would be added to Title 30 of the Code of Federal Regulations as Part 75 relating to Underground Coal Mines.

A period of 30 days from publication in the FEDERAL REGISTER was afforded to submit written comments, suggestions, or objections. The time within which to submit comments upon the proposed standards is extended until September 30, 1970. Communications should be addressed to Director, Bureau of Mines, Department of the Interior, Washington, D.C. 20240.

FRED J. RUSSELL,
Acting Secretary of the Interior.

SEPTEMBER 4, 1970.

[F.R. Doc. 70-11949; Filed, Sept. 4, 1970;
12:18 p.m.]

[30 CFR Part 80]

NOTIFICATION, INVESTIGATION, RE- PORTS, AND RECORDS OF ACCI- DENTS

Notice of Extension of Time for Comments

In the FEDERAL REGISTER for August 12, 1970 (35 F.R. 12765) there were published

under the Federal Coal Mine Health and Safety Act of 1969, proposed procedures with respect to notification, investigation, reporting, and recording of accidents occurring in coal mines. The proposed procedures would be added to Title 30 of the Code of Federal Regulations as Part 80.

A period of 30 days from publication in the FEDERAL REGISTER was afforded to submit written comments, suggestions, or objections. The time within which to submit such comments, suggestions or objections is hereby extended until September 30, 1970. Communications should be addressed to the Director, Bureau of Mines, Department of the Interior, Washington, D.C. 20240.

FRED J. RUSSELL,
Acting Secretary of the Interior.

SEPTEMBER 4, 1970.

[F.R. Doc. 70-11950; Filed, Sept. 4, 1970;
12:18 p.m.]

Notices

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense
ASSISTANT SECRETARY OF DEFENSE
(INSTALLATIONS AND LOGISTICS)

Delegation of Authority

The Deputy Secretary of Defense approved the following delegation of authorities June 12, 1970:

References:

- (a) Public Law 91-142 (Military Construction Authorization Act, 1970).
(b) Public Law 91-170 (Military Construction Appropriation Act, 1970).

By virtue of the authority vested in the Secretary of Defense by section 133(d) of title 10, United States Code, there is hereby delegated to the Assistant Secretary of Defense (Installations and Logistics) the following authorities of the Secretary of Defense contained in references (a) and (b) and similar authorities which are contained in prior statutes, and as may be similarly provided by future statutes:

1. To determine that it would be inconsistent with the interests of national security to defer for inclusion in the next Military Construction Authorization Act construction made necessary by changes in military departments' missions and responsibilities which have been occasioned by unforeseen security considerations, new weapons developments, new and unforeseen research and development requirements, or improved production schedules, as provided by sections 102, 203, and 303 of Public Law 91-142, reference (a).

2. To increase the amounts specified for construction and acquisition for Defense agencies authorized in title IV of reference (a), and to make the required determinations in connection with such increases, as provided by section 703(a) of reference (a).

3. To determine the necessity for increasing up to 25 per centum the amount authorized for construction or acquisition of a project when the amount involves only one project at a military installation, as provided by section 703(b) of reference (a).

4. To approve the use of a department or Government agency for execution of contracts for construction for performance within the United States and its possessions on the basis of the most efficient, expeditious and cost-effective means of accomplishing the construction, as provided by section 704 of reference (a).

5. To determine that because of special circumstances, it is impracticable to apply to a building construction project inside the United States the limitations on unit costs of cold-storage and regular warehousing, permanent barracks,

and bachelor officer quarters, which are imposed by section 706 of reference (a).

6. To approve the expenditure of funds for payments under cost-plus-a-fixed-fee contract for work, where the cost estimates exceed \$25,000, to be performed within the United States, except Alaska, as provided by section 102 of Public Law 91-170, reference (b).

7. To certify that the expenditure of funds to defray additional costs for expediting construction of a project is necessary to protect the national interest, and to establish a reasonable construction completion date for each such project as provided by section 103 of reference (b).

These authorities may be redelegated to the Deputy Assistant Secretary of Defense (Installations and Housing).

MAURICE W. ROCHE,
Director, Correspondence and
Directives Division, OASD
(Administration).

[F.R. Doc. 70-11791; Filed, Sept. 4, 1970;
8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

IDAHO

Notice of Filing of Plats of Survey

AUGUST 31, 1970.

1. A plat of survey of the following described lands, accepted July 27, 1970, will be officially filed in the Land Office, Boise, Idaho, effective at 10 a.m. on October 5, 1970:

BOISE MERIDIAN, IDAHO

T. 40 N., R. 11 E.,
Sec. 17, lots 1, 2, 3, N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 18, lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 19, lots 1, 2, 3, 4, 5, 6 and 7, E $\frac{1}{2}$ E $\frac{1}{2}$,
NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

The lands described aggregate 1,699.42 acres.

2. The surveys were executed to accommodate lieu selection applications for some of the lands by the Northern Pacific Railroad.

3. All of the lands are included in the Clearwater National Forest. Those lands not included in the lieu selection applications will be opened to such forms of disposition as may by law be made of national forest land.

4. Inquiries concerning the lands should be addressed to the Manager, Idaho Land Office, 550 West Fort Street, Boise, Idaho 83702.

ORVAL G. HADLEY,
Manager, Land Office,
Boise, Idaho.

[F.R. Doc. 70-11822; Filed, Sept. 4, 1970;
8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI71-181 etc.]

EDWIN L. COX ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

AUGUST 25, 1970.

The respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before October 12, 1970.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

¹ Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI71-181..	Edwin L. Cox.....	32	4	Panhandle Eastern P/L Co. (Carthage Field, Texas County, Okla.) (Panhandle Area).	\$105	7-30-70	10- 1-70	3- 1-71	16.01	17.01	RI68-130.
RI71-182..	Union Oil Co. of California.	20	14	Kansas Nebraska Natural Gas Co., Inc. (Camrick Area, Beaver and Texas Counties, Okla.) (Panhandle Area).	880	7-31-70	9- 1-70	2- 1-71	18.4	18.6	RI70-137.
	.....do.....	123	17	Michigan Wisconsin P/L Co. (Laverne Field, Harper County, Okla.) (Panhandle Area).	6,900	7-31-70	8-31-70	1-31-71	19.5	21.0	RI66-317.
RI71-183..	PetroDynamics, Inc....	6	3	Panhandle Eastern P/L Co. (Mocane-Laverne Gas Area, Beaver County, Okla.) (Panhandle Area).	6,457	8- 3-70	9- 3-70	2- 3-71	17.0	18.01	
RI71-184..	Graham-Michaels Drilling Co.	8	24	Northern Natural Gas Co. (Hugoton Field, Seward, Haskell, Finney and Kearny Counties, Kans.).	3,071	8- 3-70	9- 3-70	2- 3-71	12.0	13.0	RI69-767.
RI71-185..	Gulf Oil Corp.....	262	5	Natural Gas P/L Co. of America (Northwest Dower Gas Pool, Beaver County, Okla.) (Panhandle Area).	64	8- 3-70	9- 3-70	2- 3-71	18.4	18.8	RI70-994.
RI71-186..	Cabot Corp. (SW).....	71	3	Natural Gas P/L Co. of America (Southeast Camrick Gas Pool, Beaver County, Okla.) (Panhandle Area).	1,470	7-30-70	9- 1-70	2- 1-71	17.0	18.5	
RI71-187..	Phillips Petroleum Co..	478	1	Panhandle Eastern P/L Co. (Anadarko Basin Area, Cimarron Plant, Woodward County, Okla.) (Panhandle Area and Okla. Other Area).	126,036 0	8- 3-70 8- 3-70	9- 3-70 9- 3-70	2- 3-71 2- 3-71	21.006 20.8893	24.507 24.507	RI70-319.
RI71-188..	Mana Resources, Inc....	18	5	El Paso Natural Gas Co. (Hansford Field, Hansford and Ochiltree Counties, Texas RR. District No. 10).	1,687	7-30-70	9- 1-70	2- 1-71	19.0712	21.0787	RI69-565.
RI71-189..	Graham-Michaels Drilling Co.	45	3	Transwestern P/L Co. (Share-Upper Morrow Field, Ochiltree and Hansford Counties, Texas RR. District No. 10).	2,133	8- 6-70	9- 6-70	2- 6-71	17.0744	26.11375 P/T	RI70-769.
	.....do.....	50	11	Northern Natural Gas Co. (Sitka Field, Clark County, Kans.).	4,400	8- 6-70	9- 6-70	2- 6-71	16.0	17.0	
	.....do.....	39	4	Northern Natural Gas Co. (Harper Ranch Field, Clark County, Kans.).	62	7-27-70	8-27-70	1-27-71	16.0	17.0 (P)	RI62-350.
	.....do.....	57	2	Northern Natural Gas Co. (Sitka Field, Clark County, Kans.).	900	8- 6-70	9- 6-70	2- 6-71	16.0	17.0	
RI71-190..	Sierra Petroleum Co., Inc.	3 3	9 10	Panhandle Eastern P/L Co. (Fred Flemming Unit No. 1 Cimarron County, Okla.) (Panhandle Area).	500	8- 5-70 8- 5-70	9- 5-70 9- 5-70	2- 5-71 2- 5-71	16.0 16.0	18.0	
RI71-191..	Houston Natural Gas Production Co.	17	13	Texas Eastern Transmission Corp. (Salem Field, Victoria County, Tex., R.R. District No. 2).	1,691	8- 5-70	9- 5-70	2- 5-71	14.3733	14.8777	RI63-326.
RI71-192..	Humble Oil & Refining Co.	375	5	Northern Natural Gas Co. (Ozona Field, Crockett County, Texas, R.R. District No. 70) (Permian Basin).	164	8- 5-70	9- 5-70	2- 5-71	17.0329	17.0638	
RI71-193..	Pan American Petroleum Corp.	329	5	Transwestern Pipeline Co. (South Kermit Field, Winkler County, Tex., R.R. District No. 8) (Permian Basin).	35,713	7-31-70	8-31-70	1-31-71	19.59	27.32	RI70-781.
RI71-194..	George Jackson.....	10	7	Equitable Gas Co. (Otter District, Braxton County, West Virginia).	293	8- 3-70	9- 3-70	2- 3-71	27.0	28.0	RI70-377.
RI69-395..	Texaco, Inc.....	324	8	Southern Union Gathering Co. (Basin Dakota Field, San Juan County, N. Mex., San Juan Basin).	5,738	8- 3-70	9- 3-70	9- 3-70	15.0	15.2869	RI69-395.
RI71-195..	Petroleum Distributors, Inc.	2	4	El Paso Natural Gas Co. (Basin Dakota Field, Rio Arriba County, N. Mex., San Juan Basin).	386	7-30-70	8-30-70	1-30-71	13.0	14.0578	
	.....do.....	3	148	El Paso Natural Gas Co. (Ignacio-Bondad Field, La Plata County, Colo.).	18,469	7-30-70	8-30-70	1-30-71	13.0	15.0 (P)	
	.....do.....	4	144	El Paso Natural Gas Co. (Basin Dakota Field and Ignacio-Bondad Field, San Juan County, N. Mex., San Juan Basin and La Plata County, Colo.).	3,650	7-30-70	8-30-70	1-30-71	13.0	14.0578	
RI71-196..	Gulf Oil Corp.....	223	8	Colorado Interstate Gas Co. (Patrick Draw Field; Sweetwater County, Wyo.).	2,330	8- 5-70	9- 5-70	2- 5-71	16.0	17.0	RI65-599.
RI71-197..	Petroleum Distributors, Inc.	1	6	El Paso Natural Gas Co. (Gavilan & South Blanco Fields, Rio Arriba and San Juan Counties, N. Mex., San Juan Basin).	3,223	7-30-70	8-30-70	1-30-71	11.0 12.0	13.0536	
RI71-198..	John L. May.....	(20)	(20)	Northern Natural Gas Co. (Coyanosa Field, Pecos County, Tex., R.R. District 8) (Permian Basin).	565	7-30-70	10- 1-70	3- 1-71	16.5619	17.5656	RI70-1216 (CS66-90).
RI71-199..	Clayton W. Williams, Jr.	(20)	(20)	.....do.....	565	7-30-70	10- 1-70	3- 1-71	16.5619	17.5656	RI70-1217 (CS66-91).
RI71-200..	Betty M. Williams.....	(20)	(20)	.....do.....	565	7-30-70	10- 1-70	3- 1-71	16.5619	17.5656 (P/T)	RI70-1218 (CS66-92).
RI71-201..	W. R. Weaver.....	(20)	(20)	.....do.....	1,129	7-30-70	10- 1-70	3- 1-71	16.5619	17.5656 (P/T)	RI70-1219 (CS66-93).
RI71-202..	Shirley H. Weaver.....	(20)	(20)	.....do.....	1,129	7-30-70	10- 1-70	3- 1-71	16.5619	17.5656 (P/T)	RI70-1220 (CS66-94).

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI71-203..	W. C. Tyrrell, Jr.....	(2)	(1)	El Paso Natural Gas Co. (Leases in Pecos County, Tex., R.R. District No. 8) (Permian Basin).	\$2,358	8- 3-70	9- 3-70	2- 3-71	16.5618	17.5656	

* Unless otherwise specified, pressure base is 14.65 p.s.i.a.
 † Subject to downward B.t.u. adjustment.
 ‡ Includes base rates of 18 cents (Panhandle Area) and 17.9 cents (Other Area) before increase and 21 cents after plus upward B.t.u. adjustments.
 § Oklahoma Pandhandle Area.
 ¶ Oklahoma Other Area.
 † Subject to upward and downward B.t.u. adjustment.
 ‡ Applicable only to Smith No. 1-36, Pfeiffer No. 1-25, McMinimy No. 1-19 and McMinimy No. 1-20 units.
 § Amendment dated July 22, 1970, which provides for increased rate.
 ¶ Contract amendment accepted effective as of Sept. 5, 1970.
 † Not applicable to acreage added by Supplement No. 7.
 ‡ Includes partial reimbursement for full 2.55 percent New Mexico Emergency School Tax.
 § Not used.

‡ Only insofar as it is applicable to acreage other than that covered by supplements Nos. 3 and 5.
 † Only insofar as it is applicable to New Mexico sales.
 ‡ These notices of change in rate insofar as they apply to acreage dedicated in Colorado after Sept. 28, 1960, are suspended by separate order.
 § Pressure base is 15.025 p.s.i.a.
 ¶ Accepted, subject to refund in Docket No. RI69-395, as of Sept. 3, 1970.
 † Or, for 5 months from the date of initial delivery of gas either from new wells or existing dedicated acreage or from old wells worked over, whichever is later.
 ‡ Applicable to acreage covered by basic contract and Supplement No. 1.
 § Applicable to acreage covered by Supplement No. 2.
 ¶ No rate schedule on file, pertains to contract dated Sept. 13, 1965.
 † Pertains to contract dated Sept. 17, 1966.
 ‡ No rate schedule on file. Applicant issued a small producer certificate in Docket No. CS87-21.

Phillips requests waiver of notice so that its proposed rate can become effective as of the date of filing without suspension, or, in the alternative, that its proposed rate, if suspended, be suspended for only 1 day from the date of filing. In support thereof, Phillips refers to certain statements made by the Commission in the notice of investigation issued July 17, 1970, in Docket No. R-389A. The proposed rulemaking in Docket No. R-389A has no relevance to Phillips' rate filing.² Phillips' requests are therefore denied. Since the proposed increase exceeds the applicable area increased rate ceiling set forth in the Commission's statement of general policy No. 61-1, as amended, it should be suspended for 5 months from the expiration of the statutory notice period.

Texaco's tax reimbursement increase under its FPC Gas Rate Schedule No. 324 includes partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax. The buyer, Southern Union, has protested the tax reimbursement claiming that Texaco is contractually entitled to only a portion of the reimbursement sought here. In view of the contract problem presented, the hearing in Docket No. RI69-395 shall concern itself with the contractual basis for the filing as well as the statutory lawfulness of the proposed rate. The proposed tax increase is accepted for filing, subject to refund in Docket No. RI69-395, as of September 3, 1970.

Petroleum's proposed increase under its FPC Gas Rate Schedule No. 2 does not include the 1 cent per Mcf minimum guarantee for liquids provided by the contract contained therein. A notice of change in rate will be required before Petroleum may collect the 1-cent guarantee for liquids in the future.

Union, Graham-Michaels, and Petroleum request effective dates for which adequate notice was not given. W. C. Tyrrell, Jr., requests a suspension period of 1 day for his proposed periodic rate increase to 17.5656 cents per Mcf. Good cause has not been shown for waiving the 30-day statutory notice period or for limiting the suspension period of Tyrrell's proposed increase to 1 day and such requests are denied.

All of the proposed increased rates and charges involved here exceed the applicable

area increased rate ceilings set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 70-11691; Filed, Sept. 4, 1970; 8:45 a.m.]

[Docket No. RI71-175, etc.]

KERR-McGEE CORP. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

AUGUST 25, 1970.

The respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas

Act: *Provided, however,* That the supplements to the rate schedules filed by respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.²

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before October 12, 1970.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Acting Secretary.

² If an acceptable general undertaking, as provided in Order No. 377 has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

¹ See Mobil Oil Corp., Docket No. RI71-40, order issued July 22, 1970.

² Does not consolidate for hearing or dispose of the several matters herein.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI71-175..	Kerr-McGee Corp.....	12	24	Phillips Petroleum Co. (Texas-Hugoton Field, Sherman County, Tex., R.R. District No. 10).	\$731	7-30-70	9-13-70	9-14-70	¹ 11.47801	² 12.69750	RI70-941.
RI71-176..	Petroleum Distributors, Inc.	3	³ 8	El Paso Natural Gas Co. (Ignacio-Bondad Field, La Plata County, Colo.).	18,469	7-30-70	8-30-70	8-31-70	³ 14.0	⁴ 15.0	
			⁴ 4	El Paso Natural Gas Co. (Basin Dakota Field and Ignacio-Bondad Field, San Juan County, N. Mex., San Juan Basin and La Plata County, Colo.).	3,650	7-30-70	8-30-70	8-31-70	13.0	⁵ 14.0	
RI71-177..	Skelly Oil Co.....	243	3	Southern Union Gathering Co. (acreage in San Juan County, N. Mex., San Juan Basin).	36	8-5-70	8-5-70	8-6-70	⁶ 13.0	⁷ 13.0551	
			244	2	do.....	1,348	8-5-70	8-5-70	8-6-70	⁸ 13.0	⁹ 15.0636
RI71-178..	Aztec Oil & Gas Co.....	32	2	do.....	2,755	8-6-70	8-6-70	8-7-70	¹⁰ 13.0	¹¹ 13.0551	
			2	do.....	1,344	8-11-70	9-11-70	9-12-70	¹² 27.104	¹³ 28.0	RI70-1718.
RI71-179..	Arthur N. Rupe, d.b.a. Artex Oil Co.	1	7	Equitable Gas Co. (Collins Settlement District, Lewis County, W. Va.).	1,344	8-11-70	9-11-70	9-12-70	¹⁴ 27.104	¹⁵ 28.0	RI70-1718.
RI71-180..	W. C. Tyrrell, Jr.....	(¹⁶)	(¹⁷)	El Paso Natural Gas Co. (Leases in Pecos County, Tex., R.R. District No. 8, Permian Basin).	145	8-3-70	8-3-70	8-4-70	16.5	16.5618	

* Unless otherwise stated, the pressure base is 14.65 p.s.i.a.

¹ Subject to downward B.t.u. adjustment.

² Sweet gas rate. Subject to a deduction of 0.4466 cent if gas is sour.

³ Only insofar as it is applicable to acreage covered by Supplement Nos. 3 and 5.

⁴ Only insofar as it is applicable to Colorado sales.

⁵ These notices of change in rate insofar as they relate to sales other than those described in footnotes 3 and 4 will be suspended by separate order.

⁶ Pressure base is 15.025 p.s.i.a.

⁷ Applicable to Pictured Cliffs formation.

⁸ Applicable to Mesa Verde and Dakota formation gas.

⁹ Or for 1 day from the date of initial delivery following completion of new drilling, drilling deeper and/or hydraulic fracturing operation, whichever is later.

¹⁰ Pressure base is 15.325 p.s.i.a.

¹¹ Pertains to contract dated Oct. 17, 1966.

¹² No rate schedule on file. Applicant issued a small producer certificate in Docket No. CS67-21.

¹³ The notice of change insofar as it relates to a proposed increased rate of 17.5656 cents per Mcf will be suspended by separate order.

Phillips gathers and processes the gas sold to it under Kerr-McGee's FPC Gas Rate Schedule No. 12 and resells the residue gas under its FPC Gas Rate Schedule No. 4 to Michigan Wisconsin at a rate of 16.22 cents per Mcf, plus applicable tax reimbursement, which is in effect subject to refund in Docket No. RI70-28. In these circumstances, we believe it appropriate to limit the suspension period for Kerr-McGee's proposed increase to 1 day.

The basic contracts related to Petroleum's increases are dated prior to the issuance of the Commission's statement of general policy No. 61-1, but contain agreements dedicating additional acreage in Colorado which are dated after the policy statement. Furthermore, the proposed rates do not exceed the initial service ceiling rate for Colorado. Petroleum's increases insofar as they relate to sales from acreage in Colorado committed to these contracts after the issuance of the policy statement shall be suspended for only 1 day. Rupe's increase will also be accorded the same treatment since the basic contract is dated subsequent to the policy statement and the proposed rate does not exceed the initial service ceiling for the area.

The increases proposed by Skelly and Aztec shall be suspended for only 1 day in accordance with the order issued July 28, 1970, in Docket No. G-7670 which, among other things, advised Skelly and Aztec that the rates proposed here would be suspended for only 1 day.

Tyrrell's proposed increased rate reflecting the increase in the Texas Production tax from 7 percent to 7.5 percent, exceeds the applicable area increased rate ceiling set forth in the policy statement, and should be suspended for 1 day from the date of filing in accordance with Order No. 390 issued October 10, 1969.

Petroleum and Rupe request effective dates for which adequate notice was not given. Good cause has not been shown for

granting such requests and they are denied.

[F.R. Doc. 70-11692; Filed, Sept. 4, 1970; 8:45 a.m.]

[Docket No. RI71-204]

CONSOLIDATED GAS SUPPLY CORP.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

AUGUST 28, 1970.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is

suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and \$154,102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before October 19, 1970.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Acting Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI71-204..	Consolidated Gas Supply Corp.	F-20	(1)	Transcontinental Gas Pipe Line Corp. (Block 101 Field, Vermillion Area, Offshore Louisiana).	\$10,800	7-31-70	8-31-70	9-1-70	18.5	20.0	

* Pressure base is 15.025 p.s.i.a.

¹ First Revised Sheet Nos. 524, 526, and 527 to FPC Gas Tariff, Original Volume No. 3

² The proposed rate is suspended for 1 day from the expiration of the statutory notice period or 1 day from the date of initial delivery, whichever is later.

The proposed rate increase from 18.5 cents to 20 cents per Mcf which was filed pursuant to Opinion No. 546-A involves the sale of third vintage gas well gas from Offshore Louisiana. This increase shall be suspended for 1 day from August 31, 1970, the expiration date of the 30-day statutory notice period, or 1 day from the date of initial delivery, whichever is later. Thereafter, the proposed rate may be placed in effect subject to refund under the provisions of section 4(e) of the Natural Gas Act pending the outcome of Docket No. AR69-1. Good cause has not been shown for waiving the statutory notice period as requested by Consolidated, and such request is denied.

[F.R. Doc. 70-11796; Filed, Sept. 4, 1970; 8:45 a.m.]

[Docket No. RP70-37]

CASCADE NATURAL GAS CORP. AND EL PASO NATURAL GAS CO.

Order Instituting Investigation

AUGUST 21, 1970.

On June 10, 1970, Cascade Natural Gas Corp. (Cascade) filed a petition with the Commission for an order requiring El Paso Natural Gas Co. (El Paso) to fully comply with Rate Schedule MDS-1 as filed in its FPC Gas Tariff, Original Volume No. 3. By its terms Rate Schedule MDS-1, which provides for high priority interruptible service, is only available to gas distributor customers in El Paso's Northwest Division "for the purpose of purchasing gas which seller may have available in order to displace gas Buyer would otherwise manufacture to meet its system requirements." Cascade asserts that for several years El Paso has offered MDS-1 service to customers who are not eligible for such service under the provisions of the tariff.¹ It claims substantial and irreparable loss of revenues because the rendition of such service results in misallocation of gas by making gas available under Rate Schedule MDS-1 which otherwise would be available under Rate Schedule I pursuant to which Cascade would be entitled to a greater share of the available interruptible gas.

In its answer filed July 13, 1970, in opposition to Cascade's petition El Paso does not deny Cascade's claim that it has made MDS-1 gas available to customers who are not eligible for such service pursuant to the tariff. El Paso answers, however, that market conditions justify a high priority interruptible service and

¹ Cascade itself has received MDS-1 gas although not eligible for such service.

claims that the distributors receiving such service have materially benefited, as have their markets. El Paso suggests that, if the Commission is disposed to an allocation different from that now employed under the MDS-1 Rate Schedule, it adopt one based upon the respective firm contract demands of the distributors requesting high priority interruptible service.

In a reply filed July 23, 1970, Cascade notes that El Paso does not deny the allegations of its petition. Cascade claims that El Paso's suggestion that a new high priority interruptible service be substituted for the present MDS-1 Rate Schedule constitutes an admission that undue preferences and discrimination result from its violation of its filed rate schedule. Cascade indicates that the new service suggested by El Paso may be a basis for an equitable solution of the problems raised but claims that El Paso's suggestion has not been supported in the manner required by the Commission's Regulations and is inherently ambiguous and not susceptible of evaluation. It again urges that an order be issued requiring El Paso to comply with its filed and effective Rate Schedule MDS-1 until lawfully changed.

Based on the pleadings, it appears that El Paso has made gas available under Rate Schedule MDS-1 in a manner contrary to its provisions for a number of years and that distributor customers have relied on such availability and developed their operations accordingly. A modification of El Paso's operating practices at this time could be disruptive to the operations of its customers who purchase under that rate schedule. Since those distributors, and other affected persons, have not had an opportunity to comment on the matters raised by Cascade's petition we conclude that the public interest would best be served by deferring action on Cascade's petition until after we have received views of all persons who may be interested in this matter and afforded them an opportunity to present evidence which may be pertinent to resolution of the issues raised. In reaching this conclusion consideration has been given to the fact that the practice in question has been a continuing practice of which Cascade has been aware and to the fact that Cascade has received MDS-1 service for a number of years although not eligible under the tariff.

The Commission finds: It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that an

investigation and hearing be instituted on the issues raised by Cascade's petition.

The Commission orders: (A) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, 14, 15, and 16 thereof, and the Commission's rules of practice and procedure, an investigation is hereby instituted to determine whether (1) El Paso should adhere strictly to the terms of its Rate Schedule MDS-1, (2) the availability provision of that rate schedule should be modified, (3) that rate schedule should be eliminated, (4) an additional or substitute high priority interruptible service should be established, or (5) any other changes should be made as a result of the issues raised by the petition filed by Cascade on June 10, 1970, in this docket.

(B) Any person desiring to be heard or to make any protest with reference to the matters presented in this proceeding should on or before September 15, 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 and 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. Persons wishing to participate as a party in any hearing herein must file petitions to intervene in accordance with the Commission's rules.

(C) Pursuant to the provisions of § 1.18 of the Commission's rules of practice and procedure, a prehearing conference before a duly designated presiding examiner shall commence at 10 a.m., e.d.s.t., on September 22, 1970, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C. 20426, for the purpose of defining the issues, reaching an agreement and stipulation thereon with respect to any facts relevant to this proceeding and, if necessary, to set dates for filing evidence and to prescribe procedures for hearing.

(D) A presiding examiner designated by the Chief Examiner for that purpose (see Delegation of Authority, 18 CFR 3.5(d)), shall preside at the prehearing conference in this proceeding and at hearings to be held at times he designates, shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in § 2.59 of the Commission's rules of practice and procedure.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 70-11795; Filed, Sept. 4, 1970;
8:47 a.m.]

[Docket No. CP69-174]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

AUGUST 28, 1970.

Take notice that on August 18, 1970, El Paso Natural Gas Co. (petitioner), Post Office Box 1492, El Paso, Tex. 79999, filed in Docket No. CP69-174 a petition to amend the Commission's order of March 10, 1969, in the same docket so as to authorize El Paso to install and operate additional facilities and to sell and deliver natural gas to Natural Gas Pipeline Company of America (Natural), pursuant to the letter agreement between the parties dated December 4, 1968, as supplemented July 17, 1970, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Applicant states that it and Natural have concluded that the quantities of gas contemplated to be delivered to Natural from wells connected to El Paso's Lockridge Field area gathering system will not be adequate for the purposes of the said letter agreement of December 4, 1968. Accordingly, Applicant proposes to install and operate a tap and side valve on its existing 12 $\frac{3}{4}$ -inch O.D. Worsham Field-to-Waha Plant pipeline and to sell and deliver to Natural at such point of delivery quantities of natural gas necessary to assure delivery of the full contracted quantities to Natural heretofore authorized by the Commission in accordance with the December 4, 1968, letter agreement, as supplemented on July 17, 1970.

Applicant states that the daily quantities of gas delivered to Natural at the said delivery point shall not exceed the difference between the daily quantities of gas delivered to Natural at the Lockridge delivery point and a daily quantity of 100,000 Mcf. Applicant further states that for all such quantities delivered by Applicant to Natural at the Worsham Field delivery point, Natural shall pay Applicant a negotiated rate comprised of the weighted average price per Mcf, paid each month by El Paso to its suppliers of gas in the Worsham Field area, plus one-tenth cent per Mcf.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before September 21, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to

the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-11794; Filed, Sept. 4, 1970;
8:47 a.m.]

[Docket No. CP71-9]

LOWELL GAS CO.

Order Authorizing Importation of Liquefied Natural Gas

AUGUST 28, 1970.

Lowell Gas Co. (Lowell) filed on July 9, 1970, an application in Docket No. CP71-9,¹ for an order pursuant to section 3 of the Natural Gas Act authorizing the importation of liquefied natural gas (LNG) from Canada. Supplements to the application were filed on August 11 and 14, 1970.

Lowell proposes to purchase and import from Gaz Metropolitan of Montreal, Canada, approximately 3,035,000 U.S. gallons of LNG at 6.283 cents per gallon, f.o.b. Montreal, to be delivered before October 7, 1970, and 2,731,500 gallons² at a winter rate of 12 cents per gallon, f.o.b. Montreal, for deliveries between October 7, 1970, and April 1, 1971. The LNG would be delivered to Lowell's storage tank in Tewksbury, Mass., by Lowell's affiliate, Gas Inc., by means of over-the-road cryogenic tank trucks. The average cost of transporting the LNG from Montreal to Tewksbury is estimated to be approximately 49 cents per Mcf.³

Lowell has recently completed the construction of liquefaction, storage, and vaporization facilities designed to liquefy gas purchased from its pipeline supplier, Tennessee Gas Pipeline Co. Lowell has experienced mechanical difficulties in the startup of its liquefaction facilities resulting in a lower than anticipated LNG inventory. Also, applicant has executed contracts⁴ for the sale of LNG to several Massachusetts gas distribution companies, which contract volumes Lowell expected to provide through its own liquefaction facilities. In order to honor these contract commitments, Lowell will sustain an operating loss on the purchase and resale of Canadian LNG.

Because the imported LNG would be used in whole or in part for sales for resale by Lowell either directly or by an arrangement involving exchange-displacement, the proposal is subject to the Commission's jurisdiction under section 7(c) of the Natural Gas Act. We therefore include a condition in this

¹ Notice of the Application was published in the FEDERAL REGISTER on July 23, 1970. (35 F.R. 11832).

² The total of 5,766,500 gallons is equivalent to approximately 480,000 Mcf.

³ The delivered costs would be \$1.25 per Mcf for summer purchases and \$1.94 per Mcf for the winter purchases, or an average of approximately \$1.58 per Mcf for all purchases.

⁴ Contained in the Aug. 14, 1970, supplement to the application.

order to the effect that Lowell shall file an application for authority to transport and sell LNG for resale in interstate commerce pursuant to section 7(c) of the Natural Gas Act within 15 days of the date of issuance of this order. The application for section 7(c) authorization shall be limited to the volumes of LNG for which section 3 import authority is granted herein and to the time period from the commencement of importation through March 31, 1971.

No protests or petitions to intervene in this proceeding were filed by any party. Additionally, the State Department and the Department of Defense have raised no objections to the proposal.⁵

It is clear that the proposed importation of LNG by Lowell is a limited operation, scheduled for completion by March 31, 1971. Lowell is in a favorable position to provide LNG for peak-shaving purposes to gas distributors in Massachusetts, and the implementation of this proposal will assist in alleviating projected natural gas and propane shortages in the New England area during the 1970-71 winter heating season. In our opinion, Lowell has made a prima facie showing that the LNG is needed to supplement available gas supply in its service area and in the New England area in general.

The Commission finds: The importation of liquefied natural gas by applicant, Lowell Gas Co., from Canada to the United States, as hereinabove described and as set forth in the application in this proceeding, will not be inconsistent with the public interest within the meaning of section 3 of the Natural Gas Act; *Provided*, That said importation be on the terms and conditions hereinafter set forth in the ordering paragraphs (A) through (G).

The Commission orders:

(A) Authorization is granted to applicant, Lowell Gas Co., to import liquefied natural gas from Canada to the United States, as hereinabove described and as set forth in the application in this proceeding, upon the conditions herein set forth and subject to the provisions of the Natural Gas Act and the Commission's regulations issued thereunder.

(B) The maximum amount of liquefied natural gas to be imported by applicant shall not exceed 5,766,500 gallons, with the final shipment to be unloaded at Tewksbury no later than March 31, 1971.

(C) The authorization granted by paragraph (A) above is conditioned as follows:

(i) Applicant shall secure all necessary Federal, State, and local authorizations for the transaction described above.

(ii) Applicant shall file statements or reports with the Commission from time to time under oath and in such detail as the Commission may require with respect to the whole or any part of the instant import operation.

⁵ Letters were received from the State Department and the Department of Defense on July 24, and July 27, 1970, respectively, and are a part of the record in this proceeding.

(iii) Applicant shall file a written statement with the Commission before initiating the proposed importation authorized herein, setting forth a copy of the transportation contract, and copies of all necessary authorizations secured by the transporter of the LNG.

(iv) Thirty days after the completion of the above-described proposal, Applicant will submit a written report to the Commission stating the actual volumes delivered both in gallons and Mcf equivalent under standard conditions (60° F., 14.73 p.s.i. at 1,000 B.t.u. per cubic foot) and the cost thereof, including taxes, duties, and any other costs incurred by applicant and resulting from the proposal described herein.

(D) In the event that the applicant should abandon or permanently cease for any reason whatsoever all or any part of the instant operations described herein, applicant shall notify the Commission immediately of said fact and the reasons therefor.

(E) The authorization granted herein is not transferable, and applicant shall not, during the term of the authorization granted by this order, materially change or alter its operations described herein without first obtaining the permission and approval of the Commission.

(F) The authorization granted in paragraph (A) above is conditioned upon the filing by applicant, within 15 days of the date of issuance of this order, of an application pursuant to section 7(c) of the Natural Gas Act for authority to transport and sell LNG for resale in interstate commerce for the period of time commencing with the initial importation through March 31, 1971, and for the volumes of LNG authorized for importation herein.

(G) The authorization granted herein will be without prejudice to the resolution of any and all issues which may be relevant to the Commission's determination of the pending application in *Distrigas Corporation*, Docket No. CP70-196, and the matters pending in the rulemaking proceeding in Docket No. R-377.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-11797; Filed, Sept. 4, 1970;
8:48 a.m.]

[Docket No. E-7553]

BUCKEYE POWER, INC.

Notice of Proposed Rate Schedule Changes

SEPTEMBER 4, 1970.

Take notice that on August 25, 1970, Buckeye Power, Inc. (Buckeye), file rate schedule supplements proposing to change existing rate schedules for its 28 wholesale cooperative customers effective October 1, 1970.

The existing rate schedules which Buckeye proposes to change are designated A-4 and S-1. Changes in both A-4 and S-1 involve raising demand and

energy charges. Changes in schedule S-1 also increase seasonal demand discounts and eliminate a 75 percent ratchet feature. Buckeye estimates that the proposed rate change would result in increased charges of \$1,245,000 to its member cooperatives for the 12-month period beginning October 1, 1970.

As justification for the rates, Buckeye states that operation under present schedules has been at a steadily growing financial loss and unless this increase is granted, cumulative deficits will continue to grow and net worth will deteriorate. According to Buckeye, unusual growth in their seasonal load pattern has brought about changes in cost-revenue patterns, resulting in inadequate revenues.

Copies of the filing have been served on customers and the interested State regulatory agency. Waiver of the 60-day notice was requested.

Any person desiring to be heard or to make any protest with reference to this application should on or before September 17, 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 the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing must file petitions to intervene in accordance with the Commission's rules.

The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 70-11940; Filed, Sept. 4, 1970;
10:16 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[PPD 639]

JAPANESE BEETLE AND CERTAIN OTHER PESTS

List of Approved Laboratories Authorized To Receive Interstate Shipments of Soil Samples for Processing, Testing, or Analysis

Pursuant to the Japanese Beetle, White-Fringed Beetle, European Chafer, Soybean Cyst Nematode, Witchweed, Imported Fire Ant, and Golden Nematode Quarantines (Notices of Quarantine Nos. 48, 72, 77, 79, 80, 81, 85; 7 CFR 301.48, 301.72, 301.77, 301.79, 301.80, 301.81, and 301.85), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), the following laboratories have been found to be operating under a compliance agreement and are hereby ap-

proved under said quarantines to receive interstate shipments of soil samples for processing, testing, or analysis.

LABORATORY AND ADDRESS

Abbott Labs., North Chicago, Ill.²
Abrams, J. C., Inc., El Paso, Tex.²
Agrico Chemical Co., Washington Court House, Ohio.
Agrico Chemical Co., Baltimore, Md.²
Agricultural Service Labs., Pharr, Tex.
Akron, University of, Akron, Ohio.²
Allied Chemical Corp., Morristown, N.J.
Alscope Limited, Bakersfield, Calif.²
Aluminum Company of America, Alcoa, Tenn.²
American Cyanamid, Princeton, N.J.
American Oil Co. Soil Labs., Rochelle, Ga.
American Oil Co. Soil Testing Lab, Yoder, Ind.
American Oil Co. Soil Labs, Holland, Tex.
American Pipe and Construction Co., South Gate, Calif.²
Ameron, South Gate, Calif.
Analysis Labs., Inc., Metairie, La.
Analytical Chemists & Engineers, El Paso, Tex.²
Anco Testing Lab., Inc., St. Louis, Mo.
Ansul Co. (The), Marinette, Wis.
Applied Oceanographics, Inc., San Diego, Calif.²
Arco Chemical Co., Fort Madison, Iowa.
Arizona, University of, Tucson, Ariz.²
Arizona State University, Tempe, Ariz.²
Arkansas, University of, Experiment Station, Fayetteville, Ark.
Arkansas, University of, Experiment Station, Marianna, Ark.
Asphalt Institute (The), College Park, Md.
Asphalt Technology, Bellmawr, N.J.
Astrotech Inc., Harrisburg, Pa.
Atlanta Testing & Engineering Co., Atlanta, Ga.
Auburn University Soil Testing Laboratory, Auburn, Ala.
Austin, Stephen F., State University, Nacogdoches, Tex.²
B. C. Labs., Bakersfield, Calif.²
Baker, Michael, Inc., Rochester, Pa.
Barbot, D.C., & Associates, Inc., Florence, S.C.
Barries, Victor Ruiz, Coral Gables, Fla.²
Barrow-Agee Labs., Inc., Memphis, Tenn.²
Beckman Instruments, Inc., Fullerton, Calif.²
Biological Testing & Research Lab., Lindsay, Calif.²
Boring Soils & Testing Co., Inc., Harrisburg, Pa.
Boswell, J. G., Co., Corcoran, Calif.²
Brandley, Reinard W., Sacramento, Calif.²
Braun, Skaggs, & Kevorkian Engr. Inc., Fresno, Calif.
Bristol Labs., Syracuse, N.Y.²
Brookside Research Labs., Inc., New Knoxville, Ohio.²
Brown & Root-Northrop IRL, Houston, Tex.²
Brucker & Thacker, St. Louis, Mo.
Builders International, Inc., New York, N.Y.²
Bunker Hill Co. (The), Kellogg, Idaho.²
Bustamante, Eduardo, El Paso, Tex.²
California, University of, Berkeley, Calif.²
California, University of, Davis, Calif.²
California, University of, Irvine, Calif.²
California, University of, Riverside, Calif.²
California, University of, Santa Barbara, Calif.²
California Institute of Technology, Pasadena, Calif.²
California Testing Labs., Los Angeles, Calif.
Campbell Soup Co., Camden, N.J.²
Campbell Soup Co., Riverton, N.J.
Capozzoli, Louis J., & Associates, Inc., Baton Rouge, La.
Carpenter Construction Co., Inc., Virginia Beach, Va.

See footnotes at end of document.

- Central Chemical Co. (The), Fresno, Calif.³
 Central Michigan University, Mount Pleasant, Mich.³
 Central Valley Lab., Fresno, Calif.
 Chemagro Corp., Kansas City, Mo.³
 Chembac Labs., Charlotte, N.C.
 Chemical Service Lab., Inc., Jeffersonville, Ind.
 Chevron Chemical Co., Fresno, Calif.
 Chevron Chemical Co., Richmond, Calif.
 Clarkson Lab. & Supply, Inc., San Diego, Calif.³
 Cleaver-Brooks, Milwaukee, Wis.³
 Clemson University, Clemson, S.C.
 Clinton Corn Processing Co., Clinton, Iowa.³
 Coastal Studies Institute, Baton Rouge, La.
 Coenen & Associates Engineers, Newport News, Va.
 Colorado, University of, Boulder, Colo.³
 Colorado State University, Fort Collins, Colo.³
 Commercial Testing & Engineering Co., Charleston, W. Va.
 Commercial Testing & Engineering Co., Norfolk, Va.
 Consolidated Cigar Corp., Glastonbury, Conn.³
 Construction Aggregates Corp., Ferrysburg, Mich.³
 Contractors & Engineers Service, Inc., Fayetteville, N.C.
 Contractors & Engineers Service, Inc., Goldsboro, N.C.
 Converse, Davis & Assoc., Pasadena, Calif.³
 Cook Well Strainer Co., Cincinnati, Ohio.³
 Core Labs., Inc., Houma, La.
 Core Labs., Inc., LaFayette, La.
 Core Labs., Inc., New Orleans, La.
 Core Labs., Inc., Shreveport, La.
 Core Labs., Inc., Dallas, Tex.
 Cornell Aeronautical Laboratory, Inc., Buffalo, N.Y.³
 Cornell University, Ithaca, N.Y.³
 Craig Testing Labs., Mays Landing, N.J.
 Crawford Marine Specialists, Inc., San Francisco, Calif.³
 Custom Farm Services, Inc., East Point, Ga.³
 Custom Farm Services, Inc., East Point, Ga.³
 Dade County Soils Lab., Homestead, Fla.
 Dames & Moore, Los Angeles, Calif.³
 Dames & Moore, San Francisco, Calif.³
 Dames & Moore, Atlanta, Ga.³
 Dames & Moore, New York, N.Y.³
 Dames & Moore, Houston, Tex.³
 D'Appolonia, E., Consulting, Pittsburgh, Pa.³
 Daby Three Expert Co., Kent, Ohio.
 Daylin Labs., Inc., Los Angeles, Calif.
 Del Monte Corp., San Leandro, Calif.
 Del Monte Corp., Walnut Creek, Calif.
 Delta Testing & Inspection, Inc., Baton Rouge, La.
 Delta Testing & Inspection, Inc., Lafayette, La.
 Delta Testing & Inspection, Inc., New Orleans, La.
 Denver, University of, Denver, Colo.³
 Dering, David A., & Associates, City of Industry, Calif.³
 Diamond Shamrock Corp., Painesville, Ohio.³
 Diaz, Alfonso M., El Paso, Tex.³
 Dickinson Laboratories, Inc., El Paso, Tex.³
 Diller, Paul R., Lancaster, Pa.³
 Dixie Labs., Inc., Mobile, Ala.
 Dixie Lime & Stone Co., Ocala, Fla.³
 Dow Chemical Co., Walnut Creek, Calif.³
 Dr. Wolf's Agricultural Labs., Fort Lauderdale, Fla.
 du Pont de Nemours, E. I. & Co., Inc., Wilmington, Del.
 Duke University, Durham, N.C.³
 Eagle Iron Works, Des Moines, Iowa.³
 Ecto Engineers & Associates, Baton Rouge, La.
 Elco Engineers & Associates, Houston, Tex.
 Eisenhower Labs. (The), Los Angeles, Calif.
 Elmco Corp., San Mateo, Calif.³
 Elmira College, Elmira, N.Y.³
 Empire Soils Investigations, Groton, N.Y.
 Engineers Labs., Inc., Jackson, Miss.
 Ezzo Research & Engineering Co., Linden, N.J.³
 Ecto Engineers & Associates, Houston, Tex.³
 Eustis Engineering Co., Metairie, La.
 Evans, Jay, Testing Lab., Albany, Ga.
 Evans, L. T., Inc., Los Angeles, Calif.
 Earlham College, Richmond, Ind.³
 Farm Clinic (The), West Lafayette, Ind.³
 Farr Company, El Segundo, Calif.³
 FEC Fertilizer Co., Homestead, Fla.
 Federal Chemical Co., Columbus, Ohio.
 Federal Chemical Co., Nashville, Tenn.
 Fertilizers, John Taylor, Sacramento, Calif.³
 Florida, University of, Gainesville, Fla.³
 Florida, University of, Lake Alfred, Fla.³
 Florida Department of Agriculture, Gainesville, Fla.³
 Florida Department of Agriculture, Pesticide Residual Program, Tallahassee, Fla.³
 Florida State University, Tallahassee, Fla.³
 Florida Testing Labs., Inc., St. Petersburg, Fla.
 Flowers Analytical Labs., Altamonte Springs, Fla.³
 Flowers Chemical Labs., Altamonte Springs, Fla.³
 Foley, Hubert L., Jr., New Albany, Miss.
 Food & Drug Research Labs., Inc., Maspeth, N.Y.³
 Ford County Farm Bureau, Melvin, Ill.
 Foundation Service Co. (The), Enola, Pa.
 Francis, Arthur (Mrs.), Robinson, Ill.³
 Fresno Field Station, Fresno, Calif.
 Froehling & Robertson, Inc., Richmond, Va.³
 Fruit Growers Lab., Inc., Santa Paula, Calif.³
 Fruco & Associates, St. Louis, Mo.
 Fuller Co., Allentown, Pa.³
 Fuller Co., Catsasauqua, Pa.³
 Geigy Chemical Corp., Ardsley, N.Y.³
 General Electric Research & Development Center, Schenectady, N.Y.³
 General Foods Corp., Woodburn, Ore.³
 General Testing Lab., Kansas City, Mo.
 Geo-Surveys, Inc., Camp Hill, Pa.
 Geo-Testing, Inc., San Rafael, Calif.³
 Geochemical Survey, Dallas, Tex.³
 Geologic Associates, Franklin, Tenn.
 Geologic Associates, Knoxville, Tenn.
 Georgia, State Highway Department of, Forest Park, Ga.³
 Georgia, University of, Athens, Ga.
 Georgia, University of, Experiment, Ga.
 Georgia, University of, Tifton, Ga.
 Georgia Testing Laboratory, Atlanta, Ga.
 Geotechnical Consultants, Inc., Glendale, Calif.
 Gillen Engineering Co., Metairie, La.
 Girdler Foundation & Exploration Co., Lenexa, Va.
 Glassmire, S. H., & Associates, Metairie, La.³
 Gonzalez, Oscar, El Paso, Tex.³
 Gore Engineering, Inc., Metairie, La.
 Gorrill, William R., Consulting Agency, Orlington, Maine.
 Grace, W. R., & Co., Fort Pierce, Fla.³
 Grace, W. R., & Co., Nashville, Tenn.
 Growers Chemical Corp., Milan, Ohio.
 Guerra, Enrique, El Paso, Tex.³
 Gulf Coast Testing Lab., Inc., Corpus Christi, Tex.
 Gulf Oil Corp., Forest City, Iowa.
 Gulf South Research Institute, Baton Rouge, La.
 Gulf South Research Institute, New Orleans, La.
 GX Laboratories, Inc., Golden, Colo.³
 Hampton Roads Testing Labs., Newport News, Va.
 Hanks, Abbot A., Testing Lab., San Francisco, Calif.
 Harding, Miller, Lawson & Associates, San Rafael, Calif.³
 Harris Laboratories, Inc., Phoenix, Ariz.³
 Harris Laboratories, Inc., Phoenix, Ariz.³
 Harris Laboratories, Inc., Lexington, Nebr.³
 Harris, Frederick R., Inc., Woodbridge, N.J.³
 Harvard University, Cambridge, Mass.³
 Harza Engineering Co., Chicago, Ill.³
 Hawley & Hawley, Assayers & Chemists, Inc., Tucson, Ariz.³
 Haynes, John H., Consulting Engineer, Dallas, Tex.
 Hazelton Labs., Inc., Falls Church, Va.
 Hector Supply Co., Miami, Fla.³
 Heinrichs Geoeexploration Co., Tucson, Ariz.³
 Heinz, H. J., Bowling Green, Ohio.
 Hemphill Corp., Tulsa, Okla.
 Herbert & Associates, Virginia Beach, Va.
 Hercules Inc., Wilmington, Del.
 Hoffmann-Laroche, Inc., Nutley, N.J.
 Holguin, Jose C., El Paso, Tex.³
 Holmes & Narver, Inc., San Francisco, Calif.³
 Horvitz Research Labs., Houston, Tex.
 Hunter College, New York, N.Y.
 Hyster Co., Portland, Ore.³
 Idaho, University of, Moscow, Idaho.³
 IIT Research Institute, Chicago, Ill.³
 Illinois, University of, Urbana, Ill.³
 Indiana Farm Bureau Co-op, Indianapolis, Ind.
 Indiana University, Bloomington, Ind.³
 Institute for Exploratory Research, Fort Monmouth, N.J.
 Illinois University of Department of Civil Engineering, Urbana, Ill.³
 International Agricultural Services, Inc., San Francisco, Calif.³
 International Mineral & Chemical Corp., Mulberry, Fla.
 International Mineral & Chemical Corp., Libertyville, Ill.³
 International Mineral & Chemical Corp., Union, Ill.
 International Mineral Engineers, Inc., Golden, Colo.³
 Interpace Corporation, Los Angeles, Calif.³
 Iowa State University, Ames, Iowa.³
 IRI-Research Institute, Inc., New York, N.Y.³
 Jackinowicz, Michael, Bronx, New York.³
 Jennings Labs., Virginia Beach, Va.
 Jersey Testing Labs., Atco, N.J.
 Jersey Testing Labs., Newark, N.J.
 Jewell, G. K. & Associates, Columbus, Ohio.
 Johnson Soil Engineering Lab., Palisades Park, N.J.
 Kaiser Agricultural Chemicals, Corp., Savannah, Ga.
 Kaiser Agricultural Chemicals, Corp., Liberty, Ind.
 Kaiser Aluminum & Chemical Corp., Permanente, Calif.³
 Kaiser Aluminum & Chemical Corp., Pleasanton, Calif.³
 Kalamazoo Public Museum, Kalamazoo, Mich.³
 Kansas, University of, Lawrence, Kans.³
 Kansas City Testing Lab., Inc., Kansas City, Mo.
 Kalo Innoculant Co., Quincy, Ill.
 Kentucky, University of, Lexington, Ky.
 Kleinfelder, J. H. & Assoc., Fresno, Calif.
 Korinek, Charles, Fort Scott, Kans.³
 Korn, Saul B., Brookline, Mass.³
 La Salle County Farm Bureau Soil Testing Lab., Ottawa, Ill.
 Lake Superior State College, Sault Ste Marie, Mich.³
 Langford & Meredith Labs., New Orleans, La.
 Larsen, Herluf T., Harrisburg, Pa.
 Larutan Corp. (The), Anaheim, Calif.³
 Lauratan of the South, Hiram, Ga.
 Law Engineering Testing Co., Atlanta, Ga.³
 Lawrence, E. (Mrs.), Salt Lake City, Utah.³
 Layne-Western Co., Kansas City, Mo.
 Layne-Western Co., Kirkwood, Mo.
 Lederle Labs., Pearl River, N.Y.³
 Lee, Nancy, Auburn, Maine.³
 LeRoy Crandall and Associates, Los Angeles, Calif.³
 LeViness, Edward, Bakersfield, Calif.³
 Libby, McNeill & Libby, Janesville, Wis.³
 Lilly, Eli, & Co., Greenfield, Ind.³
 Louisiana Department of Highways, Baton Rouge, La.

See footnotes at end of document.

- Louisiana State University-New Orleans, New Orleans, La.
Louisiana State University, Baton Rouge, La.²
Luna, Raul, El Paso, Tex.²
Maine, University of, Orono, Maine.
Maine Highway Commission, Bangor, Maine.
Maine Sugar Industries, Easton, Maine.²
Manchester College, North Manchester, Ind.
Mapco, Inc., Athens, Ill.
Marine Resource Consultants, Inc., Santa Monica, Calif.²
Maryland, University of, College Park, Md.²
Mason-Johnston & Associates, Inc., Dallas, Tex.
Massachusetts, University of, Amherst, Mass.²
Massachusetts Institute of Technology, Cambridge, Mass.²
Maurseth, Howe, Lockwood & Associates, Los Angeles, Calif.²
McCallum Inspection Co., Chesapeake, Va.¹
McClelland Engineers, Inc., Houston, Tex.²
McFadden, James D., Philadelphia, Pa.²
McKee, Arthur G., & Co., San Francisco, Calif.²
Mecom, John W., Houston, Tex.²
Memphis State University, Memphis, Tenn.
Merck & Co., Inc., Rahway, N.J.
Michigan, University of, Ann Arbor, Mich.²
Michigan State University Soil Testing Lab., East Lansing, Mich.²
Midwest Soil Testing Service, Danforth, Ill.
Mier, Ezra, Raleigh, N.C.
Miles Lab., Elkhart, Ind.
Miller-Warden-Western, Inc., Lincoln, Nebr.²
Minnesota, University of, St. Paul, Minn.²
Mississippi, University of, University, Miss.
Mississippi State University, State College, Miss.²
Missouri, University of, Columbia, Mo.²
Mitzel, Harvey F., Torrance, Calif.²
Mobile Chemical Co., Ashland, Va.²
Mobile Testing Lab., Corpus Christi, Tex.
Monsanto Co., St. Louis, Mo.²
Morse Labs., Sacramento, Calif.
Muesser, Rutledge, Wentworth & Johnston, New York, N.Y.²
M & T Chemicals, Inc., Rahway, N.J.
Na-Churs Plant Food Co., Marion, Ohio.²
Nalco Chemical Co., Chicago, Ill.²
National Aeronautics and Space Administration, Moffett Field, Calif.²
National Bulk Carriers, Inc., New York, N.Y.
National Labs., Evansville, Ind.
National Soil Services, Inc., Dallas, Tex.
National Soil Services, Inc., Houston, Tex.²
Nebraska, University of, Lincoln, Nebr.²
Nelson Labs., Stockton, Calif.²
Nevada, University of, Reno, Nev.²
New Life College, San Juan, Tex.²
New Mexico State University, Las Cruces, N. Mex.²
New York, City University of, Flushing, N.Y.²
New York, City University of, New York, N.Y.²
New York, State University of, Buffalo, N.Y.²
New York State University College, Geneseo, N.Y.²
New York University, Tuxedo Park, N.Y.²
Niagara Chemical Division of FMC Corp., Middleport, N.Y.¹
North Carolina Department of Geology, Raleigh, N.C.
North Carolina Department of Agriculture, Raleigh, N.C.
North Carolina Highway and Public Works Commission, Fayetteville, N.C.
North Carolina Highway and Public Works Commission, Raleigh, N.C.
North Carolina State University, Raleigh, N.C.²
North Carolina, University of, Chapel Hill, N.C.
Nu-ag, Inc., Rochelle, Ill.
Nutting, H. C., Co., Cincinnati, Ohio.
Ocean Science Capital Corp., Palo Alto, Calif.²
Ohio Florist Association, Columbus, Ohio.
Ohio State University, Columbus, Ohio.²
Oklahoma State University, Stillwater, Okla.²
Oklahoma Testing Labs., Oklahoma City, Okla.
Old Dominion University, Norfolk, Va.
Olson Management Service, Freeport, Ill.
O'Neal, Carl, & Associates, Dallas, Tex.
O'Neil, Dennis H., Riverside, Calif.²
Orchids, Gubler, Temple City, Calif.²
Oregon State University, Corvallis, Ore.²
Orozco, Jose, El Paso, Tex.²
Osborne Labs., Inc., Los Angeles, Calif.
Osterburg, Otto E., Freeport, Ill.²
Owens-Corning Fiberglass Corp., Granville, Ohio.²
Pacific Clay Products, Santa Fe Springs, Calif.²
Pan American Labs., Brownsville, Tex.²
Parke, Davis, & Co., Detroit, Mich.²
Paston, Louis, New York, N.Y.²
Pattison's Labs., Inc., Harlingen, Tex.²
Pemar International, Inc., Hialeah, Fla.²
Pennsylvania, University of, Philadelphia, Pa.²
Pennsylvania State University, University Park, Pa.²
Perry Lab., Los Gatos, Calif.²
Peters, Robert B., Co., Allentown, Pa.
Peto Seed Co., Inc., Saticoy, Calif.²
Pflizer, Charles, & Co., Inc., Groton, Conn.²
Pflizer, Charles, & Co., Inc., Maywood, N.J.²
Pittsburgh, University of, Pittsburgh, Pa.²
Pittsburgh Testing Lab., Pittsburgh, Pa.¹
Plains Lab., Lubbock, Tex.
Plant Science Associates, Inc., Winter Haven, Fla.
Plantation Field Lab., Fort Lauderdale, Fla.
Pope, W. I., Mobile, Ala.
Portland State College, Portland, Ore.²
Princeton University, Princeton, N.J.²
Purdue University, Lafayette, Ind.²
Pyatt, Henry Louis, Chester, Pa.²
Queens College, Flushing, N.Y.
Rabe, Fred N., Engineering, Inc., Fresno, Calif.
Ramirez, T., N. Miami, Fla.²
Rarden, William J., Naples, Fla.²
Rayos, Juan, El Paso, Tex.²
Reitz & Jens, Clayton, Mo.
Reynolds, Smith & Hills, Hollywood, Fla.²
Rice University, Houston, Tex.²
Richfield Oil Corp., Long Beach, Calif.
Rocky Mountain Geochemical, Prescott, Ariz.²
Rocky Mountain Technology, Inc., Golden, Colo.²
Rosales, Jesus Garcia, El Paso, Tex.²
Royster Co., Norfolk, Va.¹
Rutgers—The State University, New Brunswick, N.J.²
Salcido, Juan, Douglas, Ariz.²
Salim Sarkis Dominguez, Naco, Ariz.²
San Diego State College, San Diego, Calif.²
Schering Corp., Bloomfield, N.J.²
Scotland Soil Laboratory, Chrisman, Ill.
Scott, O. M., & Sons Seed Co., Marysville, Ohio.
Seabrook Farms, Seabrook, N.J.
Seich, Jean, (Miss.), Chicago, Ill.²
Shannon & Wilson Co., Seattle, Wash.²
Shilstone Testing Lab., Inc., Baton Rouge, La.
Shilstone Testing Lab., Inc., Lafayette, La.
Shilstone Testing Lab., Inc., Monroe, La.
Shilstone Testing Lab., New Orleans, La.
Shilstone Testing Lab., Inc., Houston, Tex.
Signal Oil & Gas Co., Los Angeles, Calif.²
Skyline Labs., Inc., Wheatridge, Colo.²
Smith, Charles M., Red Oak, Iowa.²
Smith-Douglas, Chesapeake, Va.
Soil Consultants, Inc., Charleston, S.C.
Soil & Plant Lab., Inc., Orange, Calif.²
Soil & Plant Lab., Inc., Santa Clara, Calif.²
Soils Mechanics Services, Mount Vernon, N.Y.²
Soil Mechanics & Foundation Engineers, Inc., Palo Alto, Calif.²
Soil Testing Services, Northbrook, Ill.²
Soto, Romualdo, El Paso, Tex.²
South Carolina, University of, Columbia, S.C.
South Dakota, University of, Vermillion, S. Dak.²
Southern California Testing Lab., Inc., San Diego, Calif.²
Southern Illinois Farm Foundation, Vienna, Ill.¹
Southern Labs., Mobile, Ala.
Southern Technical Services, Inc., Jackson, Miss.
Southern Testing & Research Labs., Wilson, N.C.
Southwestern Agricultural Testing Co., Fabens, Tex.²
Southwestern Irrigation Field Station, Brawley, Calif.
Southwestern Labs., Inc., Houston, Tex.¹
Southwestern Labs. of Louisiana, Inc., Alexandria, La.
Southwestern Labs. of Louisiana, Inc., Baton Rouge, La.
Southwestern Labs. of Louisiana, Inc., Monroe, La.
Southwestern Labs. of Louisiana, Inc., Shreveport, La.
St. Louis Testing Labs., Inc., St. Louis, Mo.
Standard Fruit Co., New Orleans, La.²
Standard Labs., Goodfield, Ill.
Standard Testing & Engineering Co., Oklahoma City, Okla.²
Starbeck, Harry L., Sacramento, Calif.²
Stauffer Chemical Co., Richmond, Calif.
Strawinski Lab., Long Beach, Calif.
Suerdrup and Parcel & Associates, Inc., St. Louis, Mo.
Sullivan County Farm Bureau Co-op, Sullivan, Ind.
Syracuse University Research Corp., Syracuse, N.Y.
Techlab, Inc., Cincinnati, Ohio.
Tenneco Chemicals, Inc., Piscataway, N.J.²
Tennessee, University of, Nashville, Tenn.
Teran, R. B., El Paso, Tex.²
Test, Inc., Memphis, Tenn.
Testing Engineers, Inc., San Diego, Calif.²
Tetco Engineering Testing, Corpus Christi, Tex.
Texas A. & M. University, College Station, Tex.²
Texas Highway Department Lab., Yoakum, Tex.
Texas Industries, Inc., Midlothian, Tex.²
Texas Instruments, Inc., Dallas, Tex.
Texas Soil Lab., McAllen, Tex.²
Texas Technological University, Lubbock, Tex.²
Texas, University of, Austin, Tex.²
Texas, University of, El Paso, Tex.²
Thompson, Vester J., Jr., Inc., Mobile, Ala.
Thornton & Co., Tampa, Fla.
Three Gee Dee, Pembroke, Fla.
Tippetts-Abbott-McCarthy-Stratton, New York, N.Y.²
T-M-T Chemical Co., Inc., Five Points, Calif.
Triple S. Lab., Inc., Loveland, Colo.²
Tri-State Soil Lab., Toledo, Ohio.
Trinity Testing Labs., Inc., Corpus Christi, Tex.
Trujillo, Alfredo N., Fabens, Tex.²
Twin City Testing & Engineering Lab., Inc., St. Paul, Minn.
Twin County Service Co., Murphysboro, Ill.
Twining Labs. Inc. (The), Fresno, Calif.²
Twining Lab. of Southern Calif., Long Beach, Calif.
Union Carbide Corp., Grand Junction, Colo.²
Union Carbide Corp., Niagara Falls, N.Y.²
Union Carbide Corp., South Charleston, W. Va.²
USDA, ARS, Crops Research Division, Beltsville, Md.¹
USDA, ARS, Crops Research Division, Weslaco, Tex.²
USDA, ARS, Entomology Research Division, Beltsville, Md.¹
USDA, ARS, Plant Protection Division, Pesticide Monitoring Lab., Gulfport, Miss.
USDA, ARS, Plant Protection Division, Pesticide Monitoring Lab., Omaha, Nebr.
USDA, ARS, Soil & Water Conservation Research Division, Fort Collins, Colo.²

See footnotes at end of document.

USDA, ARS, Soil & Water Conservation Research, Division, Beltsville, Md.¹
 USDA, FS, Division of Forest Insect and Disease Research, Washington, D.C.¹
 USDA, SCS, Engineering Division, Washington, D.C.¹
 USDA, SCS, Engineering & Watershed Planning Unit, Portland, Oreg.²
 USDA, SCS, Soil Survey, Riverside, Calif.²
 USDA, SCS, Soil Survey, Washington, D.C.¹
 U.S. Department of Commerce, National Bureau of Standards, Health Physics Section, Gaithersburg, Md.²
 USDOD, U.S. Army Corps of Engineers, Washington, D.C.¹
 USDOD, U.S. Army Corps of Engineers, Vicksburg, Miss.²
 USDOD, U.S. Air Force, Air Force Weapons Laboratory, Albuquerque, N. Mex.²
 USDOD, U.S. Army, Construction Engineering Research Lab., Champaign, Ill.²
 USDOD, U.S. Army Electronics Command, Institute for Exploratory Research, Fort Monmouth, N.J.²
 USDOD, U.S. Army, Department of Surgical Microbiology, Washington, D.C.²
 USDOD, U.S. Army, Terrestrial Sciences Center, Hanover, N.H.²
 USDOD, U.S. Department of the Navy, Naval Weapons Center, China Lake, Calif.²
 USHEW, Health Services and Mental Health Administration, National Communicable Disease Center, Atlanta, Ga.²
 USDI, Geological Survey, Washington, D.C.¹
 USDI, Geological Survey, Water Resources Division, Denver, Colo.²
 USDI, Bureau of Indian Affairs, Soil Testing Lab., Gallup, N. Mex.
 USDI, Bureau of Mines Research Center, College Park, Md.²
 USDI, Bureau of Reclamation, Division of Research, Denver, Colo.²
 U.S. Department of Transportation, Bureau of Public Roads, Washington, D.C.¹
 U.S. Labs., Inc., Oakland, Calif.²
 U.S. Plant, Soil, and Nutrition Lab., Ithaca, N.Y.²
 U.S. Salinity Lab., Riverside, Calif.²
 U.S. Terrestrial Plants Lab., Hanover, N.H.²
 U.S. Testing Co., Inc., Hoboken, N.J.²
 U.S. Testing Co., Inc., Memphis, Tenn.²
 Upjohn Co., Kalamazoo, Mich.²
 USS Agri-Chemicals, Decatur, Ga.
 USS Agri-Chemicals, Belmond, Iowa.
 USS Agri-Chemicals, Nashville, Tenn.
 Utah, University of, Salt Lake City, Utah.²
 Utah State University, Logan, Utah.
 Velarde Stone Co., El Paso, Tex.²
 Velsicol Chemical Corp., Chicago, Ill.²
 Vermont, University of, Burlington, Vt.
 Virginia Department of Highways, Richmond, Va.
 Virginia Polytechnic Institute, Blacksburg, Va.²
 Virginia Truck Experiment Station, Painter, Va.
 Virginia Truck Experiment Station, Virginia Beach, Va.
 Vistron Co., Lima, Ohio.
 Wahler, W. A., & Associates, Palo Alto, Calif.
 Walker Labs., Columbia, S.C.
 Walker Labs., Florence, S.C.
 Walton, Walt, San Jose, Calif.²
 Ward, Joseph S., Caldwell, N.J.
 Ware Lind Engineers, Inc., Jackson, Miss.
 Warf Institute, Inc., Madison, Wis.
 Washington, University of, Seattle, Wash.²
 Washington State University, Pullman, Wash.²
 Watson, J. C., Bridge Spring, S.C.²
 Weber State College, Ogden, Utah.²
 West Virginia Department of Highways, Charleston, W. Va.
 Western Ag Lab., Redlands, Calif.²
 Western Research Labs., Niagara Chemical Division FMC, Richmond, Calif.

See footnotes at end of document.

Wharton County Junior College, Wharton, Tex.
 William and Mary, College of, Williamsburg, Va.
 Winthrop College, Rock Hill, S.C.²
 Wisconsin, University of, Madison, Wis.²
 Wolf's, Dr., Agricultural Labs., Fort Lauderdale, Fla.²
 Woodward Research Corp., Herndon, Va.
 Woodson-Tenent Labs., Memphis, Tenn.
 Woodville Lime Products, Woodville, Ohio.
 Woodward Clyde & Associates, Kansas City, Mo.
 Woodward Clyde & Associates, Clifton, N.J.²
 Woodward-Clyde-Sherard & Associates, Denver, Colo.²
 Woodward-Clyde-Sherard & Associates, St. Louis, Mo.
 Wyoming, University of, Laramie, Wyo.²
 Yale University, New Haven, Conn.²
 Yeshiva University, New York, N.Y.²

(Secs. 8 and 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended, 33 F.R. 15485)

This supplemental regulation shall become effective upon publication in the FEDERAL REGISTER when it shall supersede the provisions of PPD 639 (35 F.R. 10601) which became effective July 1, 1970.

Under the provisions of the regulations supplemental to the notices of quarantine cited herein, soil samples for processing, testing, or analysis may be moved interstate from any regulated area specified in the regulations to laboratories approved by the Director and so listed by him. A laboratory may be approved if a compliance agreement is signed, samples are packaged to prevent spilling of soil, and soil residues, hazardous water residues and shipping containers are treated in accordance with specified procedures.

The Director of the Plant Protection Division has approved the above-listed laboratories as establishments which meet the qualifications required under the regulations. The listed establishments are, therefore, authorized to receive soil samples from the regulated areas specified in the regulations without certificates or permits attached.

This action relieves certain restrictions presently imposed. Therefore, it should be made effective promptly to be of maximum benefit to persons subject to the restrictions that are being relieved. Accordingly, it is found under the administrative procedure provisions of 5 U.S.C. 553, that notice and other public procedure with regard to this action are impracticable and unnecessary, and good cause is found for making this supplemental regulation effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 1st day of September 1970.

D. R. SHEPHERD,
 Director,
 Plant Protection Division.

[F.R. Doc. 70-11812; Filed, Sept. 4, 1970; 8:49 a.m.]

¹ National Compliance Agreement—applies to all branch laboratories in conterminous United States.

² Not connected with U.S. Government.

* Authorized to receive foreign samples.

DEPARTMENT OF COMMERCE

Business and Defense Services
 Administration

CENTRAL MICHIGAN 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. 70-00580-33-46040. Applicant: Central Michigan University, Mount Pleasant, Mich. 48858. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic NVD, the Netherlands.

Intended use of article: The article will be used for research involving studies of the fine structure of many algal species, with special emphasis on the scaled freshwater Chrysophytes. Ultrastructural changes that occur in algal organelles when the organisms are grown under varying conditions and concentrations of pesticides will be observed. Another project includes an examination of the gametes of various animals.

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 200 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 and which is presently being supplied by the Forgi Corp. 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 July 31, 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 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.

[F.R. Doc. 70-11771; Filed, Sept. 4, 1970; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

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. 70-00837-00-11000. Applicant: U.S. Department of the Interior, Bureau of Sport Fisheries and Wildlife, Patuxent Wildlife Research Center, Laurel, Md. 20810. Article: Mass marker, Model LKB 9010. Manufacturer: LKB Produkter A.B., Sweden.

Intended use of article: The article is an accessory for an existing gas chromatograph-mass spectrometer.

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 application relates to an accessory for a mass spectrometer that was previously imported for the use of the applicant institution. This accessory is being furnished by the manufacturer of the foreign instrument with which it is intended to be used. The Department

of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with the foreign article or can be adapted readily to the foreign instrument with which the article is intended to be used.

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

[F.R. Doc. 70-11786; Filed, Sept. 4, 1970; 8:47 a.m.]

GEORGIA INSTITUTE OF TECHNOLOGY

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. 70-00598-90-46040. Applicant: Georgia Institute of Technology, 225 North Avenue NW., Atlanta, Ga. 30332. Article: Electron microscope, Model JEM-50. Manufacturer: Japan Electron Optics Lab. Co., Ltd., Japan.

Intended use of article: The article will be used for educational purposes in graduate Chemistry courses and undergraduate courses in Special Problems Chemistry. The techniques of electron microscopy will be taught in order to permit students to prepare their own micrographs of solid state particles of substances such as carbon, TiC, MgO, NaCl, etc. These micrographs will permit particle size determination as well as analysis of particle morphology.

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, portable low 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 Forgiolo Corp. (Forgiolo). 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 June 24, 1970, and the National Bureau of Standards (NBS) in its memorandum dated July 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 the purposes for which such 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. 70-11772; Filed, Sept. 4, 1970; 8:45 a.m.]

MOUNT SINAI SCHOOL OF MEDICINE

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. 70-00571-33-46500. Applicant: Mount Sinai School of Medicine, Fifth Avenue and 100th Street, New York, N.Y. 10029. Article: Ultramicrotome, Model LKB 8800. Manufacturer: LKB Produkter A.B., Sweden.

Intended use of article: The article will be used in studies investigating lymphoid and hematopoietic tissues including bone marrow. The research will include use of ferritin labeled antibodies or other electron dense markers in attempts to investigate membrane receptor sites on immunologically competent cells. These studies will also attempt to quantify the number of reactive sites on membranes and require uniform thin sections.

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: Examination of the applicant's thin sections under the electron microscope will provide optimal information when such sections are uniform in thickness and have smoothly cut surfaces. Conditions for obtaining high quality sections depend to a large extent on the properties of the specimen being sectioned (e.g., hardness, consistency, toughness etc.), the properties of the embedding media and the geometry of the block. In connection with a prior case (Docket No. 69-00665-33-46500) which relates to the duty-free entry of an identical foreign article, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section." In connection with another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry of an identical foreign article, HEW advised that "ultra-thin sectioning of a variety of tissues having a wide range in density, hardness etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult." The foreign article has a cutting speed range of 0.1 to 20 millimeters/second (mm./sec.). The most closely comparable domestic instrument is the Model MT-2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2B ultramicrotome has a cutting speed range of 0.09 to 3.2 mm./sec. We are advised by HEW in its memorandum of June 18, 1970, that in sectioning hematopoietic tissues and immunologically competent cells the applicant will encounter specimens having a wide range of consistency. HEW further advises that cutting speeds in excess of 4 mm./sec. are pertinent to the sectioning of the softer or otherwise difficult sectioned specimens of such tissue. HEW cited as precedent its prior recommendations relating to Dockets Nos. 70-00203-33-46500 and 70-00056-33-46500 which conform in many particulars to the captioned application.

We, therefore, find that the Model MT-2B ultramicrotome 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. 70-11773; Filed, Sept. 4, 1970; 8:45 a.m.]

OHIO STATE 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. 70-00558-33-46040. Applicant: The Ohio State University, Department of Otolaryngology, 190 North Oval Drive, Columbus, Ohio 43210. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics NVD, The Netherlands.

Intended use of article: The primary area of study using the article is the morphology and cytochemistry of the ear in normal and pathological conditions. Projects involve inner ear study for an understanding of the distribution of two types of nerve endings, namely afferent and efferent, under the surface of the sensory hairs; morphological studies on the normal and diseased middle ear mucosa; and a study of cholesteatoma which is a common condition of ear infection and often causes fatal complications such as brain abscess.

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 and which is presently being supplied by the Forgio Corp. 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-B 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 July 30, 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 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.

[F.R. Doc. 70-11775; Filed, Sept. 4, 1970; 8:46 a.m.]

PENNSYLVANIA STATE UNIVERSITY

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

The following is a decision of 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. 70-00593-33-18300. Applicant: The Pennsylvania State University, Department of Geology and Geophysics, 202 Mineral Sciences Building, University Park, Pa. 16802. Article: Demagnetizer, Type NY-65, and accessories. Manufacturer: Geophysical Chemical Apparatus, Japan.

Intended use of article: The article will be used for magnetic cleaning of small rock samples prior to conducting paleomagnetic studies. Soft components of magnetization must be removed before meaningful results can be obtained.

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 capabilities for three axis tumbling and a 1,000 oersted magnetic field. The most

closely comparable domestic demagnetizer is the Model 990 Magnetreater manufactured by RFL Industries, Inc. (RFL). The RFL Model 990 does not provide either a three axis tumbling or a 1,000 oersted magnetic field. We are advised by the National Bureau of Standards (NBS) in a memorandum dated June 23, 1970, that the capabilities for both the three axis tumbling and the 1,000 oersted magnetic field are pertinent characteristics of the foreign article. For this reason, we find that the RFL Model 990 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 the purposes for which such 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. 70-11776; Filed, Sept. 4, 1970; 8:46 a.m.]

STATE UNIVERSITY COLLEGE, N.Y., 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. 71-00065-88-46040. Applicant: State University College, Department of Geological Sciences, New Paltz, N.Y. 12561. Article: Electron microscope, Model HS-8-1. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used to identify various clay minerals and nanofossils and to study the ultrastructure of fungal and bacterial spores. The primary research use will be in connection with thesis re-

search projects of graduate students following programs leading to the master of arts degree in geology, biology, chemistry and physics. Undergraduate and graduate courses in the natural sciences will use the electron microscope as a teaching tool. Application received by Commissioner of Customs: July 31, 1970.

Docket No. 71-00066-75-46070. Applicant: University of California, Los Alamos Scientific Laboratory, Post Office Box 990, Los Alamos, N. Mex. 87554. Article: Scanning electron microscope, Model JSM-U3 and accessories. Manufacturer: Japan Electron Optics Lab. Co., Ltd., Japan. Intended use of article: The article will be used to study the physical, mechanical, microstructural, and transport properties of potential reactor fuels and clads and to apply the apparatus also to the postirradiation examination of fast breeder reactor experimental fuel elements. Most of the materials which will be examined are highly toxic, radioactive (alpha, beta, and gamma) or both. Application received by Commissioner of Customs: July 31, 1970.

Docket No. 71-00067-01-77040. Applicant: University of Wyoming, Department of Chemistry, Box 3838 University Station, Laramie, Wyo. 82070. Article: Mass spectrometer, Model CH-5. Manufacturer: Varian MAT G.m.B.H., West Germany. Intended use of article: The article will be used in graduate and undergraduate research programs involving problems in organic, inorganic and physical chemistry. The specific materials to be studied include azides, high molecular weight metal-polypeptide complexes, organoberyllium compounds, ammine complexes of group IB and IIB elements, and aromatic complexes of antimony III chloride. Application received by Commissioner of Customs: August 1, 1970.

Docket No. 71-00068-00-46040. Applicant: Columbia University, 116th Street and Broadway, New York, N.Y. 10027. Article: Image intensifier. Manufacturer: Siemens A.G., West Germany. Intended use of article: The article is an accessory for an existing Elmiskop 101 electron microscope. Application received by Commissioner of Customs: August 1, 1970.

Docket No. 71-00069-33-46040. Applicant: The Ohio State University, Department of Pharmacology, 190 North Oval Drive, Columbus, Ohio 43210. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics NVD, The Netherlands. Intended use of article: The article will be used as a research tool in the elucidation of the mechanism of action of drugs at the subcellular level. Studies include observations of the cellular fine structure changes that are induced by drug interaction that is known to have produced a specific recorded pharmacological response and an attempt to localize drug accumulation at the fine structure and macromolecular level by autoradiographic and immunochemical methods. Application received by Commissioner of Customs: August 3, 1970.

Docket No. 71-00070-33-46040. Applicant: Stanford University, Purchasing

Department, 820 Quarry Road, Palo Alto, Calif. 94304. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics NVD, The Netherlands. Intended use of article: The aim of the research for which the article will be used is to elucidate the molecular structure of viruses, membranes and complex protein and nucleic acid molecules. Members of the Biochemistry Department are studying the synthesis of DNA; the structure and multiplication of viruses; the mechanism of genetic recombination in viruses; and the structure of cell membranes. Application received by Commissioner of Customs: August 5, 1970.

Docket No. 71-00071-99-64600. Applicant: University of Washington, Department of Civil Engineering, Room 304, More Hall, Seattle, Wash. 98105. Article: BBCURA flue dust sampling apparatus. Manufacturer: Air Flow Development Ltd., Canada. Intended use of article: The article will be used in a course for graduate engineers on the evaluation and design of air pollution equipment, the principles and design of the physical and chemical processes employed in the removal of gaseous pollutants, and to measure the concentration of particulate air pollutants in stacks. Application received by Commissioner of Customs: August 5, 1970.

Docket No. 71-00072-00-57000. Applicant: University of Washington, Seattle, Wash. 98105. Article: Cell compartment with automatic gas and temperature regulator (for automatic oxygen equilibrium analyzer). Manufacturer: Dr. Kiyohiro Imai of Osaka University, Japan. Intended use of article: The article will be used for a comparative study of the properties of many structurally different hemoglobins in order to gain information concerning the relationships between the structure and function of hemoglobin. Application received by Commissioner of Customs: August 5, 1970.

Docket No. 71-00073-01-42900. Applicant: Carnegie-Mellon University, Department of Chemistry, 4400 Fifth Avenue, Pittsburgh, Pa. 15213. Article: Superconductive magnet system. Manufacturer: Oxford Instrument Co., United Kingdom. Intended use of article: The article will be used in a program of nuclear chemistry research. The main application will be in Mössbauer effect experiments to study hyperfine interactions in crystals of transition metals, particularly iron, and rare-earth salts. Investigations of paramagnetic relaxation phenomena, magnetic ordering, and quadrupole coupling are to be carried out. Application received by Commissioner of Customs: August 5, 1970.

Docket No. 71-00074-33-43780. Applicant: Boston University, Department of Biology, 2 Cummington Street, Boston, Mass. 02215. Article: Osmometer, Type HO 66. Manufacturer: Simonsen & Weel, Denmark. Intended use of article: The article will be used for research on the determination of colloidal osmotic pressure of blood, blood substitutes, and other physiological solutions. Application

received by Commissioner of Customs: August 5, 1970.

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

[F.R. Doc. 70-11774; Filed, Sept. 4, 1970; 8:46 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. 70-00838-00-46040. Applicant: University of California at Davis, College of Engineering, Department of Electrical Engineering, Davis, Calif. 95616. Article: Accessories for an electron microscope. Manufacturer: Japan Electron Optics Lab. Co., Ltd., Japan.

Intended use of article: The accessories will be used for an existing JEM-7A electron microscope.

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 application relates to accessories for an electron microscope which was previously imported for the use of the applicant institution. These accessories are being furnished by the manufacturer of the instrument with which they are intended to be used. The Department of Commerce knows of no similar accessories being manufactured in the United States, which are interchangeable with the foreign articles or can be readily adapted to the foreign instrument with which such articles are intended to be used.

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

[F.R. Doc. 70-11777; Filed, Sept. 4, 1970; 8:46 a.m.]

UNIVERSITY OF CHICAGO

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. 70-00610-79-46040. Applicant: University of Chicago, Operator of Argonne National Laboratory, 9700 South Cass Avenue, Argonne, Ill. 60439. Article: Electron microscope, Model JEM-200. Manufacturer: Japan Electron Optics Lab. Co., Ltd., Japan.

Intended use of article: The article will be used as a primary tool in the study of fast neutron radiation damage of metals and alloys important to the liquid metal fast breeder reactor (LMFBR) program. The radiation damage suffered under LMFBR conditions results in dimensional and mechanical property changes. Important materials to the LMFBR program are austenitic stainless steels and refractory metals such as vanadium and molybdenum. Radiation damage induced by heavy ion bombardment will also be studied.

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 maximum accelerating voltage of 200 kilovolts. 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 Forglow Corp. (Forgflo). The Model EMU-4B has a specified maximum accelerating voltage of 100 kilovolts. We are advised by the National Bureau of Standards (NBS) in its memorandum dated July 31, 1970, that the higher accelerating voltage provides proportionately greater penetrating power and, consequently, higher resolution for a specimen of a given thickness. NBS further advises that due to the nature of the material on which research will be conducted with the use of the foreign article, relatively thick specimens must be used in the experiments and, therefore, the higher accelerating voltage of the foreign article is 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 being manufactured in the United States, which is of equivalent scientific value to the foreign

article for such purposes as this article is intended to be used.

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

[F.R. Doc. 70-11778; Filed, Sept. 4, 1970; 8:46 a.m.]

UNIVERSITY OF FLORIDA

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. 70-00260-33-46040. Applicant: University of Florida, Gainesville, Fla. 32601. Article: Electron microscope, Model HS-8. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used in a course in electron microscopy. For teaching, the applicant requires an instrument that is simple and convenient to operate. In addition to the teaching program, the electron microscope will be used by graduate students for thesis and dissertation research.

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 Forglow 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 August 5, 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.

[F.R. Doc. 70-11779; Filed, Sept. 4, 1970; 8:46 a.m.]

UNIVERSITY OF ILLINOIS

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. 70-00618-00-46070. Applicant: University of Illinois, Purchasing Division, 223 Administration Building, Urbana, Ill. 61801. Article: Multi-purpose specimen-stage. Manufacturer: Cambridge Instrument Co., Ltd., United Kingdom.

Intended use of article: The article will be used in conjunction with the scanning electron microscope in the study of the ultra-architecture of skeletal elements produced by marine invertebrates and in other investigations.

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

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

Reasons: The foreign article is an accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be adapted to the instrument with which the article is intended to be used.

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

[F.R. Doc. 70-11781; Filed, Sept. 4, 1970; 8:46 a.m.]

UNIVERSITY OF KANSAS

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. 69-00479-33-46500. Applicant: The University of Kansas, Lawrence, Kans. 66044. Article: Ultramicrotome, Model LKB 4800A, Ultratome I. Manufacturer: LKB Produkter A.B., Sweden.

Intended use of article: The article will be used to obtain exceedingly thin sections of embedded biological materials for visualization in the electron microscope. The need for an article capable of cutting sections as thin as 50 angstroms is related to studies of filaments of DNA (deoxyribonucleic acid), the genetic material, and cytoplasmic microtubules. Since the dimensions of DNA filaments and microtubules are at the macromolecular and molecular levels, a need exists to obtain sections as thin as possible.

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 application was received.

Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument available at the time the application was received was the Model MT-2 ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2 had a guaranteed minimum thickness capability of 100 angstroms.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated August 12, 1970, that a minimum thickness capability of less than 100 angstroms is pertinent to the applicant's research studies.

We, therefore, find that the Sorvall Model MT-2 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 was being

manufactured in the United States at the time the application was received.

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

[F.R. Doc. 70-11780; Filed, Sept. 4, 1970; 8:46 a.m.]

UNIVERSITY OF NEW MEXICO

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. 70-00614-33-46040. Applicant: University of New Mexico School of Medicine, Department of Pathology, 915 Stanford Drive NE., Albuquerque, N.M. 87106. Article: Electron microscope, Model MU-11-E-1. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used for investigation of immediate or very early ultrastructural changes in cells, cell fractions and macromolecular constituents of cells by ionizing radiation. Much of this work will be done using mammalian tissue, however, tissue culture systems, bacteria and viruses will also be employed. A major portion of the investigation is concerned with radiation damage at the macromolecular level, including but not limited to alterations of deoxyribonucleic acid molecules, cell membranes, ribosomes and enzymes. Mice will be used for the mammalian investigations. Hela and other tissue culture systems will be used for other aspects of the investigations.

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 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 Forgi Corp. (Forgflo). 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 August 5, 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. 70-11782; Filed, Sept. 4, 1970; 8:46 a.m.]

UNIVERSITY OF PENNSYLVANIA

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. 70-00573-33-77030. Applicant: University of Pennsylvania, School of Medicine, 36th Street and Hamilton Walk, Philadelphia, Pa. 19104. Article: NMR spectrometer, Model JNM-C-60H. Manufacturer: Japan Electron Optics Lab. Co., Ltd., Japan.

Intended use of article: The article will be used for research on the temperature dependence of proton exchange rates of model peptides N-methyl-acetamide, and N-acetylglycine-N-methylamide and their amide rotation rates; and of conformational changes of cyclic peptides, antibiotics, hormones, substrates and cofactors in order to determine energy differences between various conformers. The article will also be used for graduate student research and in the course "Biochemistry 521-522 Laboratory Rotation."

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 (Aug. 15, 1967).

Reasons: Captioned application is a resubmission of Docket No. 68-00076-33-77030 which was denied without preju-

dice 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) has 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 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 July 30, 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 internal or 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 instruments or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the initial application was received.

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

[F.R. Doc. 70-11783; Filed, Sept. 4, 1970; 8:46 a.m.]

UNIVERSITY OF TENNESSEE

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. 70-00386-99-46040. Applicant: University of Tennessee, Knoxville, Tenn. 37916. Article: Electron microscope, Model EM 9S. Manufacturer: Carl Zeiss, West Germany.

Intended use of article: The article will be used primarily as a teaching instrument for the training of advanced undergraduate students in research participation programs and in courses in experimental cell biology in the use of

the electron microscope. Graduate students will use the electron microscope in their research programs. These projects concern biomedical or health-related topics concerning basic cellular structure and function.

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 programing. 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 Forjflo Corp. (Forjflo). 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 July 27, 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.

[F.R. Doc. 70-11784; Filed, Sept. 4, 1970; 8:46 a.m.]

UNIVERSITY OF UTAH 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. 71-00075-33-46040. Applicant: University of Utah, Purchasing Department, Salt Lake City, Utah 84112. Article: Electron microscope, Model Elmiskop IA. Manufacturer: Siemens A.G., West Germany. Intended use of article: The article will be used for examination of selected pathologic specimens from patients (biopsies, autopsies); studies of plant and animal cell division, correlating light and electron microscopic observations; and studies of the effects of high cholesterol, cholic acid and taurocholic acid diets on the ultrastructure of rat liver, kidney, and vessels. Application received by Commissioner of Customs: August 5, 1970.

Docket No. 71-00076-33-46040. Applicant: Research Foundation of the State University of New York, 3435 Main Street, Buffalo, N.Y. 14214. Article: Electron microscope, Model Elmiskop 101. Manufacturer: Siemens A.G., West Germany. Intended use of article: The article will be used for the study of antigen-antibody reactions in single cells and tissues. The etiologies and pathogenesis mechanisms of experimental and human diseases will be investigated by using antibody labeled with ferritin, a protein which is visible in the electron microscope. Application received by Commissioner of Customs: August 6, 1970.

Docket No. 71-00077-33-45300. Applicant: The University of Texas at Houston, M. D. Anderson Hospital & Tumor Institute, 6723 Bertner, Houston, Tex. 77025. Article: Electron microprobe, Model MS-46. Manufacturer: CAMECA, France. Intended use of article: The article will be used to measure all of the important elements (at the atomic level) in the periodic table which comprise the structure of all of the tissues of the human body. Research concerns the study of cancer and allied diseases. Application received by Commissioner of Customs: August 6, 1970.

Docket No. 71-00078-22-43000. Applicant: University of Montana, Missoula, Mont. 59801. Article: Magnetometer, Model GM-102A. Manufacturer: Barringer Research, Ltd., Canada. Intended use of article: The article will be used to study the magnetism of rocks; the distribution of iron-bearing minerals in rocks within the first 25 km. of the earth's surface, and the geomagnetic field; and for standard operation of the magnetometer to measure the strength of the earth's magnetic field at discrete

points on the earth's surface (including water surfaces). Educational uses include four courses, Introduction to Geophysics, Magnetic and Electrical Fields of the Earth, Senior Problems in Geophysics, and Thesis for graduate students electing to do thesis work in the area of geomagnetism. Application received by Commissioner of Customs: August 7, 1970.

Docket No. 71-00079-33-46500. Applicant: Washington University School of Medicine, Division of Communicative Disorders, Department of Otolaryngology, 724 South Euclid, St. Louis, Mo. 63110. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used for obtaining ultrathin sections in a study of the receptor of hearing, the organ of corti, taken from various phyla including *amphibia* and *mammalia*. The cellular and subcellular organization of normal and of pathologic organs of corti will be examined. The role played in the development of the hearing organ by the endocrine glands and the effects of aging will be studied by ultrastructural and electrical means. Application received by Commissioner of Customs: August 7, 1970.

Docket No. 71-00080-33-46500. Applicant: University of California, San Diego, Post Office Box 109, La Jolla, Calif. 92037. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used for research concerning the relationship of connective tissue stroma cells to human cancer cells in tumor biopsies and the formation and localization of virus particles in cultures of human tissue explants. The relationship of the stroma cells and of the extracellular collagen to cancer cells as well as the formation of the collagen will be studied. Application received by Commissioner of Customs: August 7, 1970.

Docket No. 71-00081-80-30500. Applicant: Southwest Research Institute, 8500 Culebra Road, San Antonio, Tex. 78228. Article: Electromagnetic induction test unit. Manufacturer: Huntex, Ltd., Canada. Intended use of article: The article will be used to study the perturbation of magnetic fields by the introduction of metallic objects into the field. The experiments will consist of transporting metallic objects of various materials and shapes through the magnetic field and measuring the perturbation field by means of receiver coils. Application received by Commissioner of Customs: August 10, 1970.

Docket No. 71-00082-33-46040. Applicant: The University of Texas at Arlington, Arlington, Tex. 76010. Article: Electron microscope, Model EM 9S. Manufacturer: Carl Zeiss, Inc., West Germany. Intended use of article: The article will be used to investigate spermeogenesis, spermatogenesis, and the fine structure and cytochemistry of the reproductive ducts and androgenic glands of certain crustaceans; the cytopathology of virus-infected *drosophila*; and the fine structure and cytochemistry of cardiac muscle

of mammals subjected to cold acclimation. A course entitled "Biological Electron Microscopy" will train students in the principles and practice of electron microscopy as applied to cell biology. Application received by Commissioner of Customs: August 10, 1970.

Docket No. 71-00083-33-11000. Applicant: University of California, San Diego, Division of Metabolic Disease, Basic Science Building, Room 4054, La Jolla, Calif. 92037. Article: Gas Chromatograph-Mass Spectrometer, Model LKB 9000. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used for studies concerning the biochemical basis of phytanic acid storage disease; sterol and steroid hormone metabolism; inborn errors of metabolism, particularly those that are manifest early in life; a new class of chlorinated lipids; and for studies of a key process involved in coagulation of blood, namely, the formation of the fibrin clot. Application received by Commissioner of Customs: August 11, 1970.

Docket No. 71-00084-33-46040. Applicant: University of Southwestern Louisiana, Lafayette, La. 70501. Article: Electron microscope, Model EM 6B, and camera. Manufacturer: Associated Electrical Industries, Ltd., United Kingdom. Intended use of article: The article will be used for student training in electron microscopy and for microbiological research. One project concerns the electron microscopic and autoradiographic study of fungal hyphal tip growth and hyphal tip fusion. Emphasis will be placed on ultrastructural changes in hyphal wall and cell membrane during tip fusion. Application received by Commissioner of Customs: August 11, 1970.

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

[F.R. Doc. 70-11785; Filed, Sept. 4, 1970; 8:46 a.m.]

VETERANS ADMINISTRATION HOSPITAL, SAN FRANCISCO, 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. 987) 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. 70-00328-33-46500. Applicant: Veterans Administration Hospital, 4150 Clement Street, San Francisco, Calif. 94121. Article: Ultramicrotome, Model 8800A. Manufacturer: LKB Produkter A.B., Sweden.

Intended use of article: The article will be used in projects involving the electron microscope examination of experimental virus infections of nervous tissue, for studies of the ultrastructure of human and animal peripheral nerve and muscle, and for a study of the relationship between virus particles and cellular membranes. Ultrathin sections will be embedded in a variety of plastics.

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 foreign article was ordered October 7, 1969.

Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument available at the time the foreign article was ordered was the Model MT-2 ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2 had a guaranteed minimum thickness capability of 100 angstroms.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated August 12, 1970, that a minimum thickness capability of less than 100 angstroms is pertinent to the applicant's research studies.

We, therefore, find that the Sorvall Model MT-2 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 was being manufactured in the United States at the time the foreign article was ordered.

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

[F.R. Doc. 70-11787; Filed, Sept. 4, 1970; 8:47 a.m.]

WESTERN ILLINOIS 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. 70-00270-63-46500. Applicant: Western Illinois University, Macomb, Ill. 61455. Article: Ultramicrotome,

Model "OmU2". Manufacturer: C. Reichert Optische Werke A.G., Austria.

Intended use of article: The article will be used in a fine structure study of barley which is infected with the powdery mildew fungus, specifically the study concerning the events which occur in the initial penetration of the fungus into the host barley cell leading to fungal haustorial formation.

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 foreign article was ordered September 23, 1969.

Reasons: The foreign article has a guaranteed minimum thickness capability of at least 50 angstroms. The most closely comparable domestic instrument available at the time the foreign article was ordered was the Model MT-2 ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2 had a guaranteed minimum thickness capability of 100 angstroms.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated August 5, 1970, that a minimum thickness capability of less than 100 angstroms is pertinent to the applicant's research studies.

We, therefore, find that the Sorvall Model MT-2 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 was being manufactured in the United States at the time the foreign article was ordered.

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

[F.R. Doc. 70-11788; Filed, Sept. 4, 1970; 8:47 a.m.]

YALE 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. 70-00434-33-74600. Applicant: Yale University, Purchasing Division, 20 Ashmun Street, New Haven,

Conn. 06520. Article: Signal analyzer, Model BIOMAC 1000. Manufacturer: Data Lab., Ltd., United Kingdom.

Intended use of article: The article will be used to study properties of axons and to change during the action potentials. This will be done in order to determine how the structure of the axon changes during its activity. The optical properties to be studied are birefringence, light scattering, and fluorescence. In each case the optical property is measured by converting the light energy into electrical energy with the photodetector.

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 applicant ordered the foreign article (Apr. 30, 1969).

Reasons: The foreign article provides an active integrator which averages signal voltage over 85 percent of the address time at the fastest speeds. In addition, the article provides up to 1,000 addresses at rates as fast as 5 micro-seconds/address ($\mu\text{sec}/\text{address}$). All of these characteristics are pertinent to the purposes for which the foreign article is intended to be used. At the time the foreign was ordered the most closely comparable domestic instruments available were the Model 1062 manufactured by Fabri-Tek Instruments, Inc. (FTI), the Model 5480A manufactured by Hewlett Packard (HP), the Model PDP 8L manufactured by Digital Equipment Corp. (Digital), the Model C1000 manufactured by Technical Instrument Corp. (TIC), and the Model TDH9 manufactured by Princeton Applied Research (PAR). The FTI Model 1062, the HP Model 5480A, and the Digital Model PDP 8L make only a single instantaneous voltage measurement during each address; the TIC Model C1000 has a maximum speed of only 31.21 $\mu\text{sec}/\text{address}$ and the PAR Model TDH9 provides only 100 addresses.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated May 7, 1970, that the captioned application contained sufficient information to justify the choice of the foreign article on the basis of the article's pertinent characteristics.

We therefore, find that the Models 1062, 5480A, PDP 8L, C1000, and TDH9 are 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 was being manufactured in the United States at the time the foreign article was ordered.

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

[F.R. Doc. 70-11789; Filed, Sept. 4, 1970; 8:47 a.m.]

Maritime Administration

[Report No. 107]

LIST OF FREE WORLD AND POLISH
FLAG VESSELS ARRIVING IN CUBA
SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through August 4, 1970, exclusive of those vessels that called on Cuba on U.S. Government-approved noncommercial voyages and those listed in section 2. Pursuant to established U.S. Government policy, the listed vessels are ineligible to carry U.S. Government-financed cargoes from the United States.

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
Total all-flags (179 ships)	1,322,333
Cypriot (75 ships)	560,967
Aegis Banner	9,024
Aegis Fame	9,072
Aegle Hope (previous trips to Cuba as the Huntsmore—British)	5,678
Aida	7,292
Alfa	7,388
Alice (previous trips to Cuba—Greek)	7,189
Alitric	7,564
Alma	6,585
Alpa	9,159
Amarilis	8,959
Amfithea (previous trip to Cuba as the Antonia—Greek)	5,171
Angeliki	8,482
Anka	7,314
Annunciation Day	8,047
*Antigoni	3,174
Aragon (previous trips to Cuba—Somali)	7,248
*Ardena	7,261
Arendal	7,265
Areti (previous trips to Cuba—Lebanese)	7,176
Aria (previous trips to Cuba—Somali)	5,059
Arlon	3,570
Armar	5,089
Arosa	7,233
Athenian	9,943
Aurora	8,380
Azalea	9,506
Azure Coast II	7,638
Camelia	8,111
Claire (previous trips to Cuba—Lebanese)	5,411
*Cleo	7,590
Degedo	9,000
Diamondo	7,067
Dolphin	3,550
Dorine Papalios (previous trips to Cuba as the Formentor—British)	8,424
E. D. Papalios	9,431
Elpidoforos	4,963
Erato (previous trips to Cuba—Somali—and as the Eretria—Greek)	7,199
Felicle	7,096
Free Trader (previous trips to Cuba—Lebanese)	7,061
Gardenia	9,744
George	7,378
George N. Papalios	9,071

See footnotes at end of document.

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
Cypriot—Continued	
Georgios C. (previous trips to Cuba as the Huntsfield—British and Cypriot)	9,483
*Giannis	7,490
Gladiator	8,346
Happy Land	9,080
Herodemos	7,356
**Ibrahim K. (trips to Cuba—as the Marichristina—Lebanese)	7,124
Iena (previous trips to Cuba—Lebanese)	5,925
Irena (previous trips to Cuba—Greek)	7,232
Johnny	9,689
Katerina (previous trips to Cuba—Lebanese)	9,357
Kounistra (previous trips to Cuba as the Nicolaos Frangistas and the Nicolaos F.—Greek)	7,199
*Kypros	7,001
Lena	7,029
*Marco	7,622
Marika (previous trip to Cuba—Lebanese)	7,290
Mery (previous trips to Cuba—Greek)	7,258
Mimis N. Papalios	9,069
Miss Papalios	9,072
Mitera Irini (previous trips to Cuba as the Soclyve—British and Maltese)	7,291
Nedi 2	7,679
Newgate (previous trips to Cuba—British)	6,743
Noelle (previous trips to Cuba—Lebanese)	7,251
Olga (previous trips to Cuba—Lebanese and Greek)	7,265
Platres	7,244
Protokiltos	6,154
Sophia (previous trips to Cuba—Greek)	7,030
*Spyro	7,591
Suete	7,267
Thlos Costas (previous trips to Cuba—Somali)	7,258
Toula (previous trips to Cuba—Lebanese)	6,426
**Trojan (trips to Cuba as the Mauritanie—Moroccan)	10,392
Vassiliki (previous trips to Cuba—Lebanese)	7,192
Venturer	9,000
British (42 ships)	347,063
Antarctica	8,785
Arctic Ocean	8,791
Athelcrown (tanker)	11,149
Athelard (tanker)	11,150
Athelmonarch (tanker)	11,182
Avisfaith	7,868
Baxtergate	8,813
Changpaishan	8,929
Cheung Chau	8,566
Chiang Kiang	10,481
East Sea	9,679
Eastfortune	8,789
Eastglory	8,995
Fortune Enterprise	7,696
**Glendalough (trip to Cuba—as the Ardrossmore—British)	5,820
Green Walrus	9,443
Ho Fung	7,121
Huntsland	9,353
Hwa Chu	9,091
Hwang Ho	9,457
Jollity	8,819
Kinross	5,388
Magister	2,239
Nancy Dee	6,597
Nebula	8,907
Newheath	7,643
Oceantramp	6,185
Ocean Travel	10,419

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
British—Continued	
Peony	9,037
Purple Dolphin	9,420
Red Sea (previous trip to Cuba as the Grosvenor Mariner—British)	7,026
**Rosetta Maud (trips to Cuba as the Ardtara—British)	5,795
Ruthy Ann	7,361
Sea Amber	10,421
Sea Captain	7,385
Sea Coral	10,421
Sea Empress	9,841
Seasage	4,330
**Shun Wah (trip to Cuba as the Vercharmlan—British)	7,265
Venice	8,611
Vermont	7,381
Yunglutaton	5,414
Polish (21 ships)	150,590
Baltyk	6,984
Bialystok	7,173
Bytom	5,967
Chopin	9,231
Chorzow	7,237
Energetyk	10,876
Grodzic	3,379
Huta Florian	7,258
Huta Labedy	7,221
Huta Ostrowiec	7,179
Huta Zgoda	6,840
Hutnik	10,847
Kopalnia Bobrek	7,221
Kopalnia Czladz	7,252
Kopalnia Mieschowice	7,223
Kopalnia Siemianowice	7,165
Kopalnia Wujek	7,033
Narwik	7,065
Plast	3,184
Rejowiec	3,401
Transportowiec	10,854
Yugoslav (8 ships)	53,948
Agrum	2,449
Bar	8,776
Cetinje	8,229
Kolasin	7,217
Piva	7,519
Plod	3,657
Tara	7,499
Uleinj	8,602
Greek (6 ships)	40,477
Andromachi (previous trips to Cuba as the Penelope—Greek)	6,712
**Anna Maria (trips to Cuba as the Helka—British)	2,111
Eftynia	9,844
**Gold Land (trip to Cuba as the Amfred—Swedish)	2,838
**Lambros M. Fatsis (trips to Cuba as the La Hortensia—British)	9,486
**Pothite (trips to Cuba as the Huntsville—British)	9,486
Italian (6 ships)	53,930
Alderamine (tanker)	12,505
Ella (tanker)	11,021
*Probitas	8,150
San Francesco	9,284
Santa Lucia	9,278
Somalia	3,692
Lebanese (3 ships)	18,759
Antonis	6,259
Astr	5,324
Tony	7,176

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
French (3 ships)-----	6,980
**Atlanta (trip to Cuba as the Enee—French)-----	1,232
Circe-----	2,874
Nelle-----	2,874
Moroccan (3 ships)-----	22,354
Atlas-----	10,392
Marrakech-----	3,214
Toubkal-----	8,748
Somali (3 ships)-----	19,808
**Atlas (trip to Cuba—Finnish)-----	3,916
Hemisphere (previous trips to Cuba—British)-----	8,718
**Marie (trips to Cuba as the Stevo—Lebanese and Somali)-----	7,174
Netherlands (2 ships)-----	1,615
Melke-----	500
Tempo-----	1,115
Panamanian (2 ships)-----	17,543
**Ampuria (trips to Cuba as the Roula Marla—Greek)-----	10,608
**Robertina (trips to Cuba as the Anacreon—Greek)-----	6,935
Finnish (1 ship)-----	4,779
Someri-----	4,779
Guinean (1 ship)-----	852
**Drame Oumar (trip to Cuba as the Neve—French)-----	852
Japanese (1 ship)-----	8,627
Chokyu Maru-----	8,627
Maltese (1 ship)-----	5,333
Timios Stavros (previous trips to Cuba—British and Greek)-----	5,333
Pakistani (1 ship)-----	8,708
**Maulabaksh (trips to Cuba as the Phoenician Dawn and East Breeze—British)-----	8,708

SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuban trade so long as it remains the policy of the U.S. Government to discourage such trade; and

(b) That no other vessel under their control will thenceforth be employed in the Cuban trade, except as provided in paragraph (c); and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring

their employment in the Cuban trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY AND NAME OF SHIP	Gross tons
a. Since last report:	
Greek (1 ship)-----	8,078
Aliartos-----	8,078
b. Previous reports:	
Flag of registry (total)-----	129
British-----	45
Cypriot-----	8
Danish-----	1
Finnish-----	4
French-----	4
German (West)-----	1
Greek-----	30
Israeli-----	1
Italian-----	13
Japanese-----	1
Kuwaiti-----	1
Lebanese-----	9
Liberian-----	1
Norwegian-----	5
Somali-----	1
Spanish-----	6
Swedish-----	1
Yugoslav-----	2

SEC. 3. The following number of vessels have been removed from this list, since they have been broken up, sunk, or wrecked.

FLAG OF REGISTRY:	Broken up, sunk, or wrecked
British-----	23
Cypriot-----	32
Finnish-----	5
French-----	1
Greek-----	18
Italian-----	4
Lebanese-----	35
Maltese-----	2
Monaco-----	1
Moroccan-----	1
Norwegian-----	1
Pakistan-----	1
Panamanian-----	7
Singapore-----	1
South Africa-----	2
Swedish-----	1
Yugoslav-----	6
Total-----	141

SEC. 4. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through August 4, 1970.

Flag of registry	1970						Total							
	1963	1964	1965	1966	1967	1968		1969	Jan.	Feb.	Mar.	Apr.	May	June
British-----	133	180	126	101	78	62	45	4	4	6	4	6	2	751
Cypriot-----		1	17	27	42	68	115	8	16	10	16	21	11	332
Lebanese-----	64	91	58	25	16	16	4		1					275
Greek-----	99	27	23	27	29	7								212
Italian-----	16	20	24	11	11	10	15		1	1	3	2	1	115
Yugoslav-----	12	11	15	10	14	9	6		1	2				82
French-----	8	9	9	10	10	4	2	1						53
Finnish-----	1	4	5	11	12	8	2				1			44
Spanish-----	9	17												25
Norwegian-----	14	10												24
Moroccan-----	9	13	1											23
Maltese-----		2	6	1	4	8	1							23
Somalia-----						2	11	7						21
Netherlands-----		4	2											6
Sweden-----	3	3												6
Kuwaiti-----	2	1												3
Israeli-----		2												2
Japanese-----	1					1								2
Danish-----	1													1
German (West)-----	1													1
Haitian-----			1											1
Monaco-----				1										1
Subtotal-----	370	394	290	224	218	204	197	13	23	19	24	30	17	2,023
Polish-----	18	16	12	10	11	7	2			1				77
Grand total-----	388	410	302	234	229	211	199	13	23	20	24	30	17	2,100

NOTE: Trip totals in section 4 exceed ship totals in sections 1 and 2 because some of the ships made more than one trip to Cuba. Monthly totals subject to revision as additional data becomes available.

*Added to Report No. 106, appearing in the FEDERAL REGISTER issue of July 2, 1970.
 **Ships appearing on the list which have made no trips to Cuba under the present registry.

Dated: August 12, 1970.

By order of the Maritime Administrator.

JAMES S. DAWSON, JR.,
 Secretary.

[F.R. Doc. 70-11760; Filed, Sept. 4, 1970; 8:45 a.m.]

U.S. GOVERNMENT-SPONSORED COMMODITIES

Voyage Charter Rate Guidelines

In F.R. Doc. 69-11278 appearing in the FEDERAL REGISTER issue of September 19, 1969 (34 F.R. 14614), the voyage charter rate guidelines applicable to the movement of full shiploads of U.S. Government-sponsored commodities in U.S.-flag vessels were suspended for a period of six (6) months.

In F.R. Doc. 70-3488 (35 F.R. 4888, Mar. 20, 1970) the time of such suspension was extended, effective March 20, 1970, for an additional six (6) months; namely, September 20, 1970.

Notice is hereby given that the Acting Maritime Administrator has approved a further suspension of voyage charter rate guidelines up to and including March 20, 1971.

Dated: August 25, 1970.

By order of the Acting Maritime Administrator.

JAMES S. DAWSON, Jr.
Secretary.

[F.R. Doc. 70-11750; Filed, Sept. 4, 1970;
8:45 a.m.]

Office of the Secretary

[Dept. Administrative Order 216-6]

PROPOSED FEDERAL ACTIONS AFFECTING THE ENVIRONMENT

Preparation of Statements

The following order was issued by the Secretary of Commerce on August 19, 1970.

SECTION 1. Purpose. This order prescribes the policies and procedures to be followed throughout the Department in the preparation of statements on proposals for legislation and other major actions significantly affecting the quality of the environment. The intent of this order is to establish a system which requires careful consideration of those factors which should be examined within the Department with regard to actions having a significant impact on the environment.

Sec. 2. General. .01 Section 102 (2)(C) of the National Environmental Policy Act of 1969, Public Law 91-190 (Attachment A)¹ and Executive Order 11514 (Attachment B)² require all Federal agencies to include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on:

- a. The environmental impact of the proposed action,
- b. Any adverse environmental effects which cannot be avoided should the proposal be implemented,
- c. Alternatives to the proposed action,
- d. The relationship between local short-term uses of man's environment

and the maintenance and enhancement of long-term productivity, and

e. Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

.02 The section of the law cited above further prescribes that prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, which are authorized to develop and enforce environmental standards, shall be made available to appropriate officials, as well as the public, and shall accompany the proposal through the existing agency review processes.

Sec. 3. Policies. .01 The Department shall, to the maximum extent possible, cooperate fully in the national effort to improve environmental quality, including extending its services to other Federal, State, and local agencies for assistance in evaluating the impact of Federal actions on the environment.

.02 Effective immediately, no major action shall be taken or approved within the Department that significantly affects the environment unless a detailed environmental statement has been prepared and approved, as provided herein.

.03 Heads of operating units shall establish procedures to assure that all relevant program matters within their respective areas of responsibility are reviewed to assess the need for statements on the impact of environmental quality.

.04 The Department is responsible for the preparation of environmental statements on only those actions related to responsibilities formally delegated or assigned to the Department. Environmental statements shall normally not be prepared by operating units on actions in support of matters which are the primary responsibility of other agencies.

Sec. 4. Scope and responsibilities. .01 Heads of operating units shall be responsible with respect to actions enumerated below for determining whether such action has or is likely to have a significant impact on the environment, and therefore, requires an environmental statement.

.02 For purposes of this order, "actions" include, but are not limited to:

- a. Recommendations or reports relating to legislation and appropriations;
- b. Projects and continuing activities directly undertaken by Federal agencies supported in whole or in part through Federal contracts, grants, subsidies, loans, or other forms of funding assistance or involving a Federal lease, permit, license, certificate, or other entitlement for use; and
- c. Adoption of, or changes in, policies or procedures.

.03 Secretarial Officers shall determine procedures for review of statements prepared by operating units under their direction.

.04 The Office of the General Counsel may issue instructions covering preparation and review of environmental statements to accompany legislative proposals and reports of the Department.

.05 The Administrator, Business and Defense Services Administration (BDSA), has been assigned the responsibility of serving as the focal point for coordinating the Department's efforts to improve environmental quality. He shall provide guidance and assistance to operating units in the preparation of environmental statements. As part of this overall responsibility, he is charged with reviewing environmental statements prepared within the Department to assure that such statements meet the guidelines established by the Council on Environmental Quality. Attachment C³ contains Interim Guidelines for Statements on Proposed Federal Action Affecting the Environment, issued April 30, 1970, by the Council.

Sec. 5. Preparation, review and coordination of environmental statements.

.01 All actions which relate to, or involve, environmental considerations shall be reviewed at the earliest opportunity by heads of operating units to determine the effect on the environment. This shall include such statements to accompany annual budget estimates as required by the O/Management and Budget and in accordance with procedures provided by the Assistant Secretary for Administration. The criteria prescribed in subsections 5 (b) and (c) of the Interim Guidelines shall be used in determining if an action will have a significant effect on the environment.

.02 An environmental statement shall be prepared for each action which will likely have a significant impact on the environment and will include the information required in Attachment D.⁴ Specifically, it shall be the responsibility of heads of operating units to:

a. Circulate draft statements for comment to appropriate officials and agencies within and outside the Federal Government, in accordance with existing procedures for obtaining such comments. Normally, a minimum of 30 calendar days will be allowed by operating units for the receipt of comments. (Refer to sections 8 and 9 of the Interim Guidelines.)

b. Give careful consideration to comments in the preparation of final environmental statements and assure that copies of any comments accompany the environmental statements.

c. Review and certify that environmental statements comply with the requirements provided by law and regulation.

d. Assure that all statements accompany the action item through any reviews required by existing Departmental procedures.

e. Forward twelve (12) copies of each draft and final environmental statement to the Administrator, BDSA.

³ Attachment C: See 35 F.R. 7391, May 12, 1970.

⁴ Attachment D filed as part of original document.

¹ Attachment A: See 83 Stat. 852.

² Attachment B: See 35 F.R. 4247, Mar. 7, 1970.

03 The Administrator, BDSA, shall review, coordinate, and transmit draft and final environmental statements to the Council on Environmental Quality, as provided in section 10(b) of the Interim Guidelines. In addition, he shall make the statements, and the comments and views obtained with respect to them, available to the public as provided by 5 U.S.C. 552 (the Freedom of Information Act).

Sec. 6. *Implementation of actions requiring environmental statements.* Unless specifically authorized by the appropriate Assistant Secretary or other official reporting directly to the Secretary, no action for which an environmental statement is required shall be taken until 30 days after submission of the statement to the Office of the Administrator, BDSA.

Effective date: August 19, 1970.

LARRY A. JOBE,
Assistant Secretary
for Administration.

[F.R. Doc. 70-11790; Filed, Sept. 4, 1970;
8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 12-INV]

CERTAIN PRODUCTS CONTAINING NEOMYCIN AND OTHER DRUGS

Drugs for Veterinary Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following preparations by Pitman-Moore, Inc., Camp Hill Road, Fort Washington, Pa. 19034:

1. Neo-Polycin Ophthalmic; each gram contains 4.29 milligrams of neomycin sulfate (equivalent to 3 milligrams of neomycin base), 500 units of bacitracin, and 10,000 units polymyxin B sulfate.

2. Neo-Polycin Ophthalmic Solution; each milliliter contains 2.85 milligrams of neomycin sulfate (equivalent to 2 milligrams of neomycin base), 5,000 units of polymyxin B sulfate, and 0.02 milligram of gramicidin.

3. Neo-Polycin HC Ophthalmic; each gram contains 4.29 milligrams of neomycin sulfate (equivalent to 3 milligrams of neomycin base), 10,000 units of polymyxin B sulfate, 500 units of bacitracin, and 10 milligrams hydrocortisone acetate.

4. Neo-Polycin HC; each gram contains 8,000 units of polymyxin B sulfate, 400 units of zinc bacitracin, 4.29 milligrams of neomycin sulfate (equivalent to 3 milligrams of neomycin base) and 10 milligrams hydrocortisone acetate.

The Academy evaluated these ophthalmic preparations as probably effective, stating that adequate documenta-

tion was not presented for veterinary application. The Academy stated:

1. The claims for these preparations should be reduced to those substantiated by adequate documentation.

2. All topical ophthalmic preparations containing corticosteroids, with or without an antimicrobial agent, are contraindicated in the initial treatment of corneal ulcers. They should not be used until the infection is under control and corneal regeneration is well underway.

The Food and Drug Administration concurs with the findings of the Academy.

Eye preparations containing a steroid are veterinary prescription drugs and must bear the statement "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian."

This announcement is published (1) to inform the holders of new animal drug applications of the findings of the Academy and the Food and Drug Administration and (2) to inform all interested persons that such articles to be marketed must be the subject of approved new animal drug applications and otherwise comply with all other requirements of the Federal Food, Drug, and Cosmetic Act.

Holders of new animal drug applications are provided 6 months from the date of publication hereof in the FEDERAL REGISTER to submit adequate documentation in support of the labeling used.

Each holder of a new animal drug application which became effective prior to October 10, 1962, is requested to submit updating information as needed to make the application current with regard to manufacture of the drug, including information on drug components and composition, and also including information regarding manufacturing methods, facilities, and controls, in accordance with the requirements of section 512 of the act.

Written comments regarding this announcement, including requests for an informal conference, may be addressed to the Bureau of Veterinary Medicine, Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852.

The holder of the new animal drug applications for the listed drugs has been mailed a copy of the NAS-NRC reports. Any other interested person may also obtain a copy by writing to the Food and Drug Administration, Press Relations Staff, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 512, 52 Stat. 1050-51, 82 Stat. 343-51; 21 U.S.C. 352, 360b) and under authority delegated to the Commissioner of Foods and Drugs (21 CFR 2.120).

Dated: August 27, 1970.

SAM D. FINE,
Associate Commissioner
for Compliance.

[F.R. Doc. 70-11800; Filed, Sept. 4, 1970;
8:48 a.m.]

[DESI 901V]

CERTAIN PRODUCTS CONSIDERED TO BE PESTICIDE CHEMICALS AND NEW ANIMAL DRUGS

Drugs for Veterinary Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the efficacy of pesticide chemicals having drug claims. The following products are subject to registration as economic poisons by the United States Department of Agriculture under the Federal Insecticide, Fungicide, and Rodenticide Act as well as being subject to the new animal drug provisions of the Federal Food, Drug, and Cosmetic Act:

1. Milvonique; contains 1 percent bithionol, 0.1 percent thenyldiamine hydrochloride (as base), 0.2 percent lindane (gamma isomer of benzene hexachloride), 2 percent benzyl alcohol, 5 percent camphor, 2 percent phenol, and 69.7 percent mineral oil; by Winthrop Laboratories, 90 Park Avenue, New York, N.Y. 10016.

2. Rot-O-Tox; contains 1.15 percent rotenone C.P., 25.8 percent pine oil, 50.4 percent neatsfoot oil, 22.65 percent acetone and water; by L. A. Mosher Co., 268 Spring Street NW., Atlanta, Ga. 30301.

3. Led-O-San; contains 1.55 percent calcium polysulfide and 0.20 percent hexachlorophene; by Agricultural Division, American Cyanamid Co., Post Office Box 400, Princeton, N.J. 08540.

4. Thera-Tergent; contains on a weight/weight basis 5.895 percent triethanolamine thiocyanate, 0.098 percent *p*-chloro-*meta*-xylenol, 0.088 percent methylparaben, and 0.011 percent propylparaben; by Warren-Teed Pharmaceuticals, Inc., Subsidiary of Rohm and Hass Co., 582 West Goodale Street, Columbus, Ohio 43215.

5. Ortho Tack Wash; contains 45 percent captan; by the Chevron Chemical Co., Ortho Division, 940 Hensley Street, Richmond, Calif. 94801.

6. Selen; a suspension containing 0.9 percent selenium disulfide on a weight/weight basis; by Abbott Laboratories, North Chicago, Ill. 60064, and Diamond Laboratories, Inc., Des Moines, Iowa 50304.

7. Dyrex; as tablets containing 7.3, 10.9, 14.6, or 18.2 grams, and as granules in bottles containing 18.2 grams (0.86-oz. size bottle) or 36.4 grams (1.71-oz. size bottle) of *O,O*-dimethyl 2,2,2-trichloro-1-hydroxyethyl phosphonate; by Fort Dodge Laboratories, Inc., Fort Dodge, Iowa 50502.

8. Smealarba 335; contains 3 percent gamma isomer of benzene hexachloride (from lindane), and 35 percent pine oil; by Haver-Lockhart Laboratories, Post Office Box 676, Kansas City, Mo. 64141.

9. Franklin EQ Screw Worm Remedy; contains 3 percent gamma isomer of benzene hexachloride (from lindane 99 percent) and 35 percent pine oil; by O. M.

Franklin Serum Co., Division of American Home Products Corp., Post Office Box 22335, Wellshire Station, Denver, Colo. 80222.

10. Dr. Rogers' Screw-Worm Smear 62; contains 35 percent diphenylamine, 35 percent benzol, 8.00 percent turkey red oil, and 20 percent lampblack; by Texas Phenothiazine Co., Fort Worth, Tex. 76106.

The Academy concluded that product No. 1 is probably effective in the treatment of sarcoptic mange and that more information is needed for the treatment of demodectic mange in dogs. The Academy stated that there are no well-controlled clinical studies demonstrating efficacy for this product. Each active ingredient in a preparation containing more than one drug must be effective, or contribute to the effectiveness of the preparation, to warrant acceptance as a therapeutic ingredient.

The Academy concluded that product No. 2 is probably effective for the treatment of sarcoptic mange and that more information is needed for the treatment of demodectic mange in cats and dogs. There are no well-controlled clinical studies demonstrating efficacy for this product.

The Academy concluded that product No. 3 is effective for sarcoptic mange and probably not effective for ringworm and staphylococci. The Academy report also stated that more supporting evidence is needed for label claims in ringworm and staphylococci infections. Also, the product needs more complete evaluation by manufacturer and label revisions to insure safety and proper use.

The Academy concluded that product No. 4 is probably not effective as an insecticidal agent for dogs and cats. The Academy believes that evidence for efficacy in regard to treatment of lice, fleas, and mange is inadequate to support the claims. N-substituted thiocyanates have insecticidal activity, but triethanolamine thiocyanate is not in this class of compounds; the manufacturer must provide documentation of insecticidal activity of triethanolamine thiocyanate.

The Academy concluded that product No. 5 is an effective topical antifungal preparation. The Food and Drug Administration has concluded that data available supports a label claim for ringworm (girth itch) on horses caused by *Trichophyton* spp. or *Microsporum* spp.

The Academy concluded that product No. 6 is probably not effective as an insecticidal agent. None of the references cited provided evidence that selenium disulfide has any insecticidal properties against demodectic mange mites, lice, or fleas; the label implies such action.

The Academy concluded regarding item No. 7 that these drugs are effective as equine anthelmintics for the removal of bots (*Gastrophilus intestinalis*, *Gastrophilus nasalis*), strongyles (*Strongylus*), large roundworms (*Ascaris equorum*), and pinworms (*Oxyuris equi*) from horses. The granules are not recommended for strongyles.

The Academy concluded that products Nos. 8 and 9 are effective for the treatment and prevention of screw-worm in-

festation, and for use in killing and to aid in preventing screw-worm infestation in wounds of livestock, and for fleece-worms and other secondary blow flies. The label formulations suggest that these are liquid preparations and if so the label should be changed to indicate that treatment should be repeated twice weekly until wounds heal. The following statement should be added on labels; "Not effective in some populations or strains of screw-worms which are resistant to this product."

The Academy concluded that product No. 10 is effective for topical treatment of screw-worm infestation in cattle, sheep, goats, horses, and swine. The label should be modified by adding the statement; "Not effective in some populations or strains of screw-worms which are resistant to this product."

The Food and Drug Administration, based on available data, concurs in the Academy's evaluation of the drug claims for the named products.

This evaluation is concerned only with these drugs' effectiveness and safety to the animal to which administered. It does not take into account the safety for food use of food derived from drug-treated animals. Nothing herein will constitute a bar to further proceedings with respect to questions of safety of the drugs or their metabolites as residues in food products derived from treated animals.

This announcement is published (1) to inform the holders of new animal drug applications of the findings of the Academy and the Food and Drug Administration and (2) to inform all interested persons that such articles to be marketed must be the subject of approved new animal drug applications and otherwise comply with all other requirements of the Federal Food, Drug, and Cosmetic Act.

Holders of new animal drug applications are provided 6 months from the date of publication hereof in the FEDERAL REGISTER to revise their labeling in accordance with the above statements on the individual products or submit adequate documentation in support of the labeling used. Any labeling submitted concerning pesticidal drugs must not only be approved by the Food and Drug Administration but must also be acceptable to the U.S. Department of Agriculture with regard to compliance with the Federal Insecticide, Fungicide and Rodenticide Act.

An announcement concerning Lin-70, an insecticidal drug containing lindane, was published in the FEDERAL REGISTER of February 6, 1969 (34 F.R. 1783). Said drug must be registered under the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act.

Each holder of a new animal drug application which became effective prior to October 10, 1962, is requested to submit updating information as needed to make the application current with regard to manufacture of the drug, including information on drug components and composition, and also including information regarding manufacturing methods, facilities, and controls, in accordance with

the requirements of section 512 of the act.

Written comments regarding this announcement, including requests for an informal conference, may be addressed to the Bureau of Veterinary Medicine, Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852.

The holders of the new animal drug applications for the listed drugs have been mailed a copy of the NAS-NRC reports. Any other interested person may also obtain a copy by writing to the Food and Drug Administration, Press Relations Staff, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 512, 52 Stat. 1050-51, 82 Stat. 343-51; 21 U.S.C. 352, 360b) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: August 27, 1970.

SAM D. FINE,
Associate Commissioner
for Compliance.

[F.R. Doc. 70-11801; Filed, Sept. 4, 1970;
8:48 a.m.]

[Docket No. FDC-D-169; NADA No. 6-376V]

FORT DODGE LABORATORIES, INC.

Ringet; Notice of Withdrawal of Approval of New Animal Drug Application

A notice of opportunity for a hearing on the matter of withdrawing approval of the new animal drug application for Ringet was published in the FEDERAL REGISTER of June 16, 1970 (35 F.R. 9868).

Fort Dodge Laboratories, Inc., Fort Dodge, Iowa 50501, holder of new animal drug application No. 6-376V covering the drug Ringet, did not file a written appearance of election regarding whether they wished to avail themselves of the opportunity for a hearing within the 30-day period provided for in said notice, nor did any other interested person. This is construed as an election by Fort Dodge Laboratories, Inc., and any other possibly interested person, not to avail themselves of the opportunity for a hearing.

Based on the grounds set forth in and the response to said notice, the Commissioner of Food and Drugs concludes that approval of new animal drug application No. 6-376V should be withdrawn. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345-47; 21 U.S.C. 360b (e)) and under authority delegated to the Commissioner (21 CFR 2.120), approval of new animal drug application No. 6-376V, including all amendments and supplements thereto, is hereby withdrawn effective on the date of signature of this document.

Dated: August 27, 1970.

SAM D. FINE,
Associate Commissioner
for Compliance.

[F.R. Doc. 70-11799; Filed, Sept. 4, 1970;
8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-332]

ALLIED-GULF NUCLEAR SERVICES ET AL.

Notice of Hearing on Application for Construction Permit

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), and the regulations in Title 10, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities," and Part 2, "Rules of Practice," notice is hereby given that a hearing will be held at 10 a.m. local time, on October 20, 1970, in the Barnwell County Courthouse, Main Street, Barnwell, S.C., to consider the application filed under section 104b. of the Act by Allied-Gulf Nuclear Services, Allied Chemical Nuclear Products, Inc., and Gulf Energy & Environmental Systems, Inc., for a construction permit for the Barnwell Nuclear Fuel Plant to be located in Barnwell County, S.C., about 7 miles west of the town of Barnwell.

The hearing will be conducted by the Atomic Safety and Licensing Board designated by the Atomic Energy Commission, consisting of Dr. A. Dixon Callihan, Oak Ridge, Tenn.; Dr. Stuart G. Forbes, San Bernardino, Calif.; and J. D. Bond, Esq., Derwood, Md., Chairman. Dr. Clarke Williams, Upton, Long Island, N.Y., has been designated as a technically qualified alternate, and Samuel W. Jensch, Esq., Washington, D.C., has been designated as an alternate qualified in the conduct of administrative proceedings.

A prehearing conference will be held by the Board in Room 2010, Federal Office Building No. 7, 726, Jackson Place (entrance on 17th Street) NW., Washington, D.C., October 5, 1970, at 10 a.m., local time, to consider the matters provided for consideration by 10 CFR 2.752 and section II of Appendix A to 10 CFR Part 2.

The Director of Regulation proposes to make affirmative findings on Item Nos. 1-3 and a negative finding on Item 4 specified below as the basis for the issuance of a construction permit to the applicants.

1. Whether in accordance with the provisions of 10 CFR 50.35(a);

(a) The applicants have described the proposed design of the facility including, but not limited to, the principal architectural and engineering criteria for the design, and have identified the major features or components incorporated therein for the protection of the health and safety of the public;

(b) Such further technical or design information as may be required to complete the safety analysis and which can reasonably be left for later consideration, will be supplied in the final safety analysis report;

(c) Safety features or components, if any, which require research and development have been described by the applicants and the applicants have identified, and there will be conducted, a

research and development program reasonably designed to resolve any safety questions associated with such features or components; and

(d) On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest date stated in the application for completion of construction of the proposed facility, and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facility can be constructed and operated at the proposed location without undue risk to the health and safety of the public.

2. Whether the applicants are technically qualified to design and construct the proposed facility;

3. Whether the applicants are financially qualified to design and construct the proposed facility; and

4. Whether the issuance of a permit for the construction of the facility will be inimical to the common defense and security or to the health and safety of the public.

In the event that this proceeding is not a contested proceeding, as defined by 10 CFR 2.4 of the Commission's rules of practice, the Board will, without conducting a de novo evaluation of the application, consider the issues of whether the application and the record of the proceeding contain sufficient information, and the review by the Commission's regulatory staff has been adequate, to support the findings proposed to be made and the construction permit proposed to be issued by the Director of Regulation.

In the event that this proceeding becomes a contested proceeding, the Board will consider and initially decide, as the issues in this proceeding, Items Nos. 1 through 4 above as the basis for determining whether a construction permit should be issued to the applicants.

As they become available, the application, the proposed construction permit, the applicants' summary of the application, the report of the Commission's Advisory Committee on Reactor Safeguards (ACRS), and the Safety Evaluation by the Commission's regulatory staff will be placed in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., where they will be available for inspection by members of the public. Copies of this notice of hearing, the proposed construction permit, the ACRS report, the applicants' summary of the application, and the regulatory staff's Safety Evaluation will also be available at the Office of the County Commissioners, Barnwell County Courthouse, Main Street, Barnwell, S.C., for inspection by members of the public each weekday between the hours of 9 a.m. to 5 p.m. Copies of the proposed construction permit, the ACRS report, and the regulatory staff's Safety Evaluation may be obtained by request to the Director of the Division of Materials Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Any person who wishes to make an oral or written statement in this pro-

ceeding setting forth his position on the issues specified, but who does not wish to file a petition for leave to intervene, may request permission to make a limited appearance pursuant to the provisions of 10 CFR 2.715 of the Commission's rules of practice. Limited appearances will be permitted at the time of the hearing in the discretion of the Board, within such limits and on such conditions as may be fixed by the Board. Persons desiring to make a limited appearance are requested to inform the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, by September 30, 1970.

Any person whose interest may be affected by the proceeding who does not wish to make a limited appearance and who wishes to participate as a party in the proceeding must file a petition for leave to intervene.

Petitions for leave to intervene, pursuant to the provisions of 10 CFR 2.714 of the Commission's rules of practice, must be received in the Office of the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, or the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., not later than September 30, 1970, or in the event of a postponement of the prehearing conference, at such time as the Board may specify. The petition shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by Commission action, and the contentions of the petitioner in reasonably specific detail. A petition which sets forth contentions relating only to matters outside the Commission's jurisdiction will be denied. A petition for leave to intervene which is not timely filed will be denied unless the petitioner shows good cause for failure to file it on time.

A person permitted to intervene becomes a party to the proceeding, and has all the rights of the applicants and the regulatory staff to participate fully in the conduct of the hearing. For example, he may examine and cross-examine witnesses. A person permitted to make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of the hearing as specified in the issues set out above. A member of the public does not have the right to participate unless he has been granted the right to intervene as a party or the right of limited appearance.

An answer to this notice, pursuant to the provisions of 10 CFR 2.705 of the Commission's rules of practice, must be filed by the applicant on or before September 30, 1970.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Pending further order of the Board, parties are required to file, pursuant to the provisions of 10 CFR 2.708 of the Commission's rules of practice, an original and 20 copies of each such paper with the Commission.

With respect to this proceeding, the Commission has delegated to the Atomic Safety and Licensing Appeal Board the authority and the review function which would otherwise be exercised and performed by the Commission. The Commission has established the Appeal Board pursuant to 10 CFR 2.785 of the Commission's rules of practice, and has made the delegation pursuant to paragraph (a) (1) of this section. The Appeal Board is composed of the Chairman and Vice-Chairman of the Atomic Safety and Licensing Board Panel and a third member who is technically qualified and designated by the Commission. The Commission has designated Dr. Lawrence Quarles, Dean of the School of Engineering and Applied Science, The University of Virginia, as this third member.

Dated at Germantown, Md., this 3d day of September 1970.

UNITED STATES ATOMIC
ENERGY COMMISSION,
W. B. McCool,
Secretary of the
Commission.

[F.R. Doc. 70-11912; Filed, Sept. 4, 1970;
8:51 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 22471; Order 70-8-112]

BAKERSFIELD AVIATION SERVICES, INC.

Order To Show Cause Regarding Establishment of Service Mail Rate

Issued under delegated authority August 27, 1970.

The Postmaster General filed a notice of intent August 14, 1970, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above captioned air taxi operator, a final service mail rate of 72 cents per great circle aircraft mile for the transportation of mail by aircraft between Fresno and Los Angeles, via Bakersfield, Calif., based on five round trips per week.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Beechcraft, Model E-18-S, twin-engine aircraft.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and

the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order¹ to include the following findings and conclusions:

The fair and reasonable final service mail rate to be paid to Bakersfield Aviation Services, Inc., in its entirety by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be 72 cents per great circle aircraft mile between Fresno and Los Angeles, via Bakersfield, Calif., based on five round trips weekly.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and regulations promulgated in 14 CFR Part 302, 14 CFR Part 298, and 14 CFR 385.16(f):

It is ordered, That:

1. Bakersfield Aviation Services, Inc., the Postmaster General, Hughes Air Corp., United Air Lines, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Bakersfield Aviation Services, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served upon Bakersfield Aviation Services, Inc., the Postmaster General, Hughes Air Corp., and United Air Lines, Inc.

¹ This order to show cause is not a final action and is not regarded as subject to the review provisions of 14 CFR Part 385. These provisions will be applicable to final action taken by the staff under authority delegated in § 385.16(g).

This order will be published in the FEDERAL REGISTER.

[SEAL]

HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-11833; Filed, Sept. 4, 1970;
8:51 a.m.]

[Docket No. 20993; Order 70-9-3]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Issued under delegated authority September 1, 1970.

By Order 70-8-46, dated August 12, 1970, action was deferred, with a view toward eventual approval, on an agreement adopted by the International Air Transport Association (IATA), relating to specific commodity rates. In deferring action on the agreement 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action.

No petitions have been received within the filing period, and the tentative conclusions in Order 70-8-46 will herein be made final.

Accordingly, it is ordered, That:

Agreement CAB 21753, R-23 and R-24, be and it hereby is approved: *Provided*, That approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

This order will be published in the FEDERAL REGISTER.

[SEAL]

HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-11834; Filed, Sept. 4, 1970;
8:51 a.m.]

[Dockets Nos. 22444, 22445]

LINEAS AERIAS DE NICARAGUA, S.A. (LANICA)

Notice of Postponement of Prehearing Conference

Notice is hereby given that the prehearing conference on the above applications, which was assigned to be held on September 8, 1970, is postponed and will be held on September 28, 1970, at 1:30 p.m., e.d.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., September 2, 1970.

[SEAL]

HYMAN GOLDBERG,
Hearing Examiner.

[F.R. Doc. 70-11893; Filed, Sept. 4, 1970;
8:51 a.m.]

CIVIL SERVICE COMMISSION DEPARTMENT OF TRANSPORTATION Notice of Title Change in Noncareer Executive Assignment

By notice of March 26, 1968, F.R. Doc. 68-3610, the Civil Service Commission

authorized the Department of Transportation to fill by noncareer executive assignment the position of Deputy Assistant Secretary for Research and Technology, Office of the Assistant Secretary for Research and Technology. This is notice that the title of this position is now being changed to Deputy Assistant Secretary for Systems Development and Technology, Office of the Assistant Secretary for Systems Development and Technology.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 70-11832; Filed, Sept. 4, 1970;
8:51 a.m.]

EDUCATION SPECIALIST, FOREST SERVICE

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage for the single position of Education Specialist, GS-1710-11, Regional Office, Forest Service, Department of Agriculture, Atlanta, Ga. This finding is self-canceling when the position is filled.

Assuming other legal requirements are met, an appointee to this position may be paid for the expense of travel and transportation to first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 70-11831; Filed, Sept. 4, 1970;
8:50 a.m.]

SUPERVISORY RESEARCH FORESTER, FOREST SERVICE

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on August 17, 1970, for the single position of Supervisory Research Forester, GS-460-15 Chief, Forest Products Marketing Branch, Division of Forest Economics and Marketing Research, Forest Service, Department of Agriculture, Washington, D.C.

Assuming other legal requirements are met, the agency may pay the travel and transportation expenses of an appointee to this position to first post of duty. The finding is self-canceling when the position is filled.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 70-11830; Filed, Sept. 4, 1970;
8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 18949; FCC 70-907]

CENTRAL COAST BROADCASTERS, INC.

Memorandum Opinion and Order Designating Hearing

In regard to petition of Central Coast Broadcasters, Inc., Santa Maria, Calif., Docket No. 18949, File No. SR-5692-N, for nonduplication protection.

1. In Central Coast Broadcasters, Inc., FCC 69-868, 18 FCC 2d 886, stay denied, FCC 69-1117, 20 FCC 2d 134, the Commission ordered Cable TV of Santa Barbara, Inc., and Cable TV of Santa Barbara County, Inc. (both hereinafter referred to as Cable TV), operators of CATV systems of Santa Barbara and the southern portion of Santa Barbara County, Calif., to continue to carry Station KCOY-TV, Santa Maria, Calif., and to afford it program exclusivity against Television Broadcast Stations KNBC and KNXT, both Los Angeles, Calif., in accordance with the provisions of § 74.1103 (e), (f), and (g) of the Commission's rules. Since extraordinary relief was granted pursuant to § 74.1109 of the rules, the Commission did not determine whether § 74.1103(e) would otherwise govern. Upon petitions by Cable TV for review,¹ the U.S. Court of Appeals for the Ninth Circuit reversed the Commission's order and remanded the case for a limited evidentiary hearing. Cable TV of Santa Barbara, Inc. v. Federal Communications Commission (Case No. 24,827 Ninth Circuit, June 8, 1970).

2. In its decision, the Ninth Circuit affirmed the Commission's judgment that the extraordinary relief provisions of § 74.1109 of the rules encompass the ordering of program exclusivity in a case where § 74.1103 may not apply; however, the court concluded that the reasonableness of such relief was related to the inadequately explored questions of "the quality, present and potential, of the KCOY signal at the headend of the Cable TV system" and whether program exclusivity "will force an unacceptable inferior KCOY signal on Cable TV subscribers." (Slip Op. pp. 15, 17.) The court determined that a hearing was appropriate, and set down the following requirements:

The only matter which need be inquired into * * * is whether, as to programs for which nonduplication has been ordered, it is technically feasible to receive in Santa Barbara, over the Cable TV system, a KCOY signal of reasonably comparable quality to the signals the Cable TV system would be

¹ Central Coast Broadcasters, Inc., licensee of Station KCOY-TV, and Key Television, Inc., licensee of Television Broadcast Station KEYT, Santa Barbara, Calif., were intervenors. In its decision, the Ninth Circuit treated the presentations of Cable TV and Key Television, Inc., as in effect requests for an agency hearing in a remanded proceeding.

capable of transmitting to Santa Barbara if freed from the nonduplication order. Specific findings of fact on this issue should be formulated. If the Commission finds that the Cable TV signal under the nonduplication order will be substantially inferior, but it nevertheless determines to reissue a nonduplication order, the Commission shall articulate its reasons for concluding that the viewing interests of Santa Barbara residents must be thus sacrificed. (Slip Op., pp. 17-18.)

The court further indicated that Cable TV's evidence that KCOY-TV is not receivable off-the-air in Santa Barbara has no further relevance, in view of its holding that the Commission nevertheless has the power to order program exclusivity under § 74.1109. Similarly, we conclude that the Review Board's findings in Docket No. 16430 should not be relied upon.

Accordingly, it is ordered, That pursuant to § 74.1109 of the Commission's rules and sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, a hearing is ordered at a time and place before an Examiner to be specified by subsequent order upon the following issues:

1. To determine the quality, present and potential, of Station KCOY-TV's signal at Cable TV's headend.

2. To determine whether to require Cable TV to provide nonduplication for Station KCOY-TV's signal.

It is further ordered, That the burden of proceeding with the introduction of evidence and the burden of proof with respect to Issue 1 is hereby placed on Central Coast Broadcasters, Inc.

It is further ordered, That Cable TV of Santa Barbara, Inc., Cable TV of Santa Barbara County, Inc., Central Coast Broadcasters, Inc., Key Television, Inc., and Chief, Broadcast Bureau are made parties to this proceeding.

It is further ordered, That to avail themselves of the opportunity to be heard, the parties herein, pursuant to § 1.221 of the Commission's rules, in person or by attorney, shall within twenty (20) days of the mailing of this order file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

Adopted: August 26, 1970.

Released: September 1, 1970.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-11842; Filed, Sept. 4, 1970;
8:51 a.m.]

[Dockets Nos. 18946, 18947; FCC 70-897]

CROW, INC., AND RICHLAND AVIATION, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In regard applications of Crow, Inc., Mansfield, Ohio, Docket No. 18946, File

No. 117-A-L-30, and Richland Aviation, Inc., Mansfield, Ohio, Docket No. 18947, File No. 32-A-L-40, for aeronautical advisory station to serve the Mansfield-Lahm Airport, Mansfield, Ohio.

1. The Commission's rules (§ 87.251 (a)) provide that only one aeronautical advisory station may be authorized to operate at a landing area. The above-captioned applications both seek Commission authority to operate an aeronautical advisory station at Mansfield-Lahm Airport, Mansfield, Ohio, and, therefore, are mutually exclusive. Accordingly, it is necessary to designate the applications for hearing. Except for the issues specified herein each applicant is qualified.

2. In view of the foregoing: *It is ordered*, That pursuant to the provisions of section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications are hereby designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order on the following issues:

a. To determine which applicant would provide the public with better aeronautical advisory service based on the following considerations:

(1) Location of the fixed-base operation and proposed radio station in relation to the landing area and traffic patterns;

(2) Hours of operation;

(3) Personnel available to provide advisory service;

(4) Experience of applicant and employees in aviation and aviation communications;

(5) Ability to provide information pertaining to primary and secondary communications as specified in § 87.257 of the Commission's rules;

(6) Proposed radio system including control and dispatch points; and

(7) The availability of the radio facilities to other fixed-base operators.

(b) To determine in light of the evidence adduced on the foregoing issues which, if either, of the applications should be granted.

4. *It is further ordered*, That to avail themselves of an opportunity to be heard, Crow, Inc., and Richland Aviation, Inc., pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this order file with the Commission, in triplicate, a written appearance stating an intention to appear on the date set for hearing and present evidence on the issues specified in this order. Failure to file a written appearance within the time specified may result in dismissal of the application with prejudice.

Adopted: August 31, 1970.

Released: September 1, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-11843; Filed, Sept. 4, 1970;
8:51 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRO- DUCED OR MANUFACTURED IN THE HUNGARIAN PEOPLE'S REPUBLIC

Entry or Withdrawal From Warehouse for Consumption

SEPTEMBER 1, 1970.

On August 13, 1970, the U.S. Government, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, concluded a new comprehensive bilateral cotton textile agreement with the Government of the Hungarian People's Republic concerning exports of cotton textiles and cotton textile products from the Hungarian People's Republic to the United States over a 5-year period beginning on August 1, 1970, and extending through July 31, 1975. Among the provisions of the agreement are those establishing an aggregate limit for the 64 Categories and within the aggregate limit specific limits on Categories 5 and 39.

On March 24, 1970, the Chairman of the President's Cabinet Textile Advisory Committee issued, pursuant to Article 3 of the Long-Term Arrangement Regarding International Trade in Cotton Textiles, a directive regarding exports of cotton textiles in Category 26 (other than duck) from the Hungarian People's Republic. On March 26, 1970, the Chairman of the President's Cabinet Textile Advisory Committee issued, pursuant to Article 3 of the Long-Term Arrangement Regarding International Trade in Cotton Textiles, a directive regarding exports of cotton textiles in Category 19 from the Hungarian People's Republic. The letter published below cancels and supersedes the aforementioned letters.

Accordingly, there is published below a letter of August 31, 1970, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amounts of cotton textiles in Categories 5 and 39 produced or manufactured in the Hungarian People's Republic which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning August 1, 1970, and extending through July 31, 1971, be limited to the designated level. The letter published below and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

STANLEY NEHMER,
Chairman, Interagency Textile
Administrative Committee,
and Deputy Assistant Secre-
tary for Resources.

SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

AUGUST 31, 1970.

DEAR MR. COMMISSIONER: This directive cancels and supersedes the directive issued to you on March 24, 1970, by the Chairman, President's Cabinet Textile Advisory Committee, regarding imports of cotton textiles in Category 26 (other than duck)¹ produced or manufactured in the Hungarian People's Republic and the directive issued to you on March 26, 1970, by the Chairman, President's Cabinet Textile Advisory Committee regarding imports of cotton textiles in Category 19 produced or manufactured in the Hungarian People's Republic.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of August 13, 1970, between the Governments of the United States and the Hungarian People's Republic, and in accordance with Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the 12-month period beginning August 1, 1970 and extending through July 31, 1971, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles in Categories 5 and 39 produced or manufactured in the Hungarian People's Republic, in excess of the following levels of restraint:

Category	12-month levels of restraint ²
5.....square yards.....	1, 100, 000
39.....dozen pair.....	57, 000

² These levels have not been adjusted to reflect any entries made on or after August 1, 1970.

Cotton textiles in Categories 5 and 39 produced or manufactured in the Hungarian People's Republic and which have been exported prior to August 1, 1970, shall not be subject to this directive.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of August 13, 1970, between the Governments of the United States and the Hungarian People's Republic which provide, in part, that within the aggregate limit, the limitations on Categories 5 and 39 may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968

¹ The T.S.U.S.A. Nos. for duck fabric not covered by that directive are:

320...01 through 04, 06, 08
321...01 through 04, 06, 08
322...01 through 04, 06, 08
326...01 through 04, 06, 08
327...01 through 04, 06, 08
328...01 through 04, 06, 08

(33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Hungarian People's Republic and with respect to imports of cotton textiles and cotton textile products from the Hungarian People's Republic have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. V, 1965-69). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

MAURICE H. STANS,
Secretary of Commerce, Chairman,
President's Cabinet Textile
Advisory Committee.

[F.R. Doc. 70-11824; Filed, Sept. 4, 1970;
8:50 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[811-1169]

CFC INDUSTRIES, INC.

Notice of Filing of Application for Order Declaring That Company Has Ceased To Be an Investment Company

SEPTEMBER 1, 1970.

Notice is hereby given that CFC Industries, Inc. (Applicant), c/o Valicenti Leighton Reid & Pine, 70 Pine Street, New York, N.Y. 10005, a New York corporation registered as a management closed-end nondiversified 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 set forth therein which are summarized below.

Applicant represents that on February 10, 1967, the shareholders of Applicant authorized the dissolution of Applicant and the distribution of its assets and approved a proposal that Applicant cease to be an investment company. A certificate of dissolution was accepted for filing by the secretary of state of the State of New York on February 2, 1968. By letter dated November 12, 1967, all shareholders were advised of the dissolution and were requested to surrender their shares so that liquidating distributions could be made. Applicant further represents that as of August 4, 1970, all but 99 shareholders owning a total of 6,363 shares have surrendered their certificates. Applicant's only asset consisting of cash in the amount of \$4,569.94 as of August 4, 1970, is held in a special saving account at Chemical Bank New York Trust Co.

for distribution to said shareholders who have not surrendered their share certificates or for escheat to the proper governmental authorities.

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 September 24, 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, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should 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 stated 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, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 70-11816; Filed, Sept. 4, 1970;
8:49 a.m.]

[70-4914]

MASSACHUSETTS ELECTRIC CO.

Notice of Proposed Issuance and Sale of First Mortgage Bonds and Preferred Stock at Competitive Bidding and Amendment of Bylaws

SEPTEMBER 1, 1970.

Notice is hereby given that Massachusetts Electric Co. (Mass Electric), 20 Turnpike Road, Westborough, Mass. 01581, an electric utility subsidiary company of New England Electric System (NEES), a registered holding company, has filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6(a), 6(b),

and 7 of the Act and Rule 50 thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Mass Electric proposes to issue and sell, subject to the competitive requirements of Rule 50 under the Act, \$20 million principal amount of first mortgage bonds, Series L, ----- percent, due ----- The interest rate of the bonds (which shall be a multiple of one-eighth of 1 percent) and the price, exclusive of accrued interest, to be paid to Mass Electric (which will be not less than the principal amount nor more than 102¾ percent thereof) will be determined by the competitive bidding. The bonds will bear interest from October 1, 1970, and will be issued under a first mortgage indenture and deed of trust dated as of July 1, 1949, between Mass Electric and State Street Bank and Trust Co., as trustee, and indentures supplemental thereto including an 11th supplemental indenture to be dated as of October 1, 1970.

Mass Electric also proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 100,000 shares of its cumulative preferred stock, ----- percent series; par value \$100 per share. The dividend rate of the preferred stock (which will be a multiple of \$0.04) and the price, exclusive of accrued dividends, to be paid to Mass Electric (which will be not less than \$100 nor more than \$102.75 per share) will be determined by the competitive bidding.

Mass Electric further proposes to amend its bylaws so as to permit it to issue preferred stock with a provision prohibiting, for a period of not more than 5 years, the refunding thereof by the issuance of debt securities at lower interest costs or other preferred stocks at lower dividend costs.

Mass Electric will designate to prospective bidders on the second full business day prior to the time designated for the submission of bids: (1) The date on which the bonds shall mature, which date shall be a date not less than five nor more than 30 years from the date of issuance, (2) whether or not the bonds shall be redeemable during the first 5 years of their term in connection with a refunding at a lesser effective interest cost to the company, and (3) whether or not the new preferred stock shall be redeemable during the first 5 years after issuance in connection with a refunding by the issuance of debt securities at a lesser effective interest cost or other preferred stocks at a lesser effective dividend cost to Mass Electric.

The proceeds from the sale of the bonds and the preferred stock will be applied to the payment of then outstanding short-term notes (estimated at \$28 million) evidencing borrowings made for capitalizable construction expenditures or to reimburse the treasury therefor.

The application-declaration states that the fees and expenses to be incurred by Mass Electric in connection with the bonds are estimated at \$75,000, including charges of \$31,500 for services of the

[812-2710]

OCCIDENTAL LIFE INSURANCE COMPANY OF CALIFORNIA AND OCCIDENTAL'S SEPARATE ACCOUNT FUND C

Notice of Application for Exemptions

SEPTEMBER 1, 1970.

system service company, at cost, and accountants' fees of \$1,750. The fees and expenses in connection with the preferred stock are estimated at \$35,000, including charges of \$16,500 for services of the system service company, at cost, and accountants' fees of \$1,750. The fees of counsel for the underwriters are to be paid by the successful bidders, and the amounts are to be supplied by amendment. The only cost to be incurred by Mass Electric in connection with the proposed amendment of the bylaws consists of charges, at cost, for services of the system service company, estimated not to exceed \$1,000. Mass Electric has applied to the Massachusetts Department of Public Utilities for approval of the proposed issue and sale of bonds and preferred stock and the use of the proceeds therefrom. A copy of the order entered therein is to be supplied by amendment. It is represented that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than September 30, 1970, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 70-11818; Filed, Sept. 4, 1970; 8:49 a.m.]

Notice is hereby given that Occidental Life Insurance Company of California (Occidental), Hill and Olive Streets at 12th Street, Los Angeles, Calif., and Occidental's Separate Account Fund C (the fund) (herein collectively called applicants) have filed an application pursuant to section 6(c) of the Investment Company Act of 1940 (Act), for an order exempting Applicants from the provisions of sections 17(f), 22(d), and 27(c)(2) of the Act, and Rule 17f-2 thereunder. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

Occidental established the Fund pursuant to California law on February 26, 1969, as a separate account to offer individual variable annuity contracts providing retirement benefits. The Fund is an open-end diversified management company registered under the Act.

Section 17(f) provides, in pertinent part, that a registered management investment company may maintain its securities and investments in its own custody in accordance with such rules, regulations, and orders as may be adopted by the Commission in the interest of investors. Rule 17f-2 requires, in pertinent part, that such assets be placed in a bank or other company whose functions and physical facilities are supervised by Federal or State authority subject to specified requirements of the rule, one of which limits the persons who shall have access to such assets to only certain specified individuals. Applicants request an exemption from the provisions of section 17(f) and Rule 17f-2 to permit custody of the securities and other investments of the Fund to be held by Occidental in Occidental's own vault and, to the extent necessary, to permit representatives of the California Commissioner of Insurance and authorized representatives of other authorized state insurance authorities to have access to the vault and securities therein.

Applicants represent that Occidental is a substantial insurance company, subject to extensive and detailed supervision and regulation by the California Commissioner of Insurance, as well as the insurance authorities of all other States of the United States (except New York). The application states that the vault maintained by Occidental is comparable to the vaults in most banks and that Occidental keeps therein securities and other investments of a value in excess of

\$1 billion. Access to the securities of the Fund may be had only by two or more officers or responsible employees of Occidental acting jointly, one from a group of 10 officers and employees and the other from another group of seven officers and employees. Occidental's financial records and affairs are audited annually by independent certified public accountants and the assets of the Fund will be physically checked and verified at least annually by independent certified public accountants representing the Fund. Applicants assert that access to such securities and investments by authorized representatives of the California Commissioner of Insurance and authorized representatives of other State insurance authorities will facilitate the regulatory functions of such authorities and will provide an additional protection for variable annuity contract owners.

Section 22(d) provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus. This section has been construed as prohibiting variations in the sales load except on a uniform basis.

Applicants propose initially to offer individual retirement contracts based on the Fund. These contracts provide that the proceeds from (1) other variable annuity contracts registered under the 1940 Act, (2) proceeds from variable or fixed annuity contracts of Occidental not registered under the 1940 Act, and (3) maturity and cash surrender values of life insurance policies issued by Occidental can be invested in the Fund without sales load. The Act permits such an investment with respect to proceeds from other variable annuities registered under the Act as contemplated by (1) above. However, section 22(d) would prohibit such an investment from the proceeds of contracts not registered under the Act as contemplated by (2) above, and investments from the proceeds of insurance policies as contemplated by (3) above. Applicants request exemption from section 22(d) so as to permit, (1) the transfer of funds as provided in the Contract from all variable and fixed accumulation accounts of Occidental, whether or not they are registered under the Act, to the Fund without the imposition of an additional sales charge, and (2) the transfer of funds received on the maturity of Occidental insurance policies or amounts received on the surrender of such policies to the Fund without the imposition of any additional sales charge.

Applicants assert that from the point of view of equitable treatment of contract owners, no unfair discrimination would exist under the proposed elimination of such charges. In all cases a sales charge on the premiums under Occidental insurance contracts and on the contributions to annuity contracts of Occidental not registered under the Act will

have been paid. The purpose of eliminating the sales charges on such transactions is to avoid accumulating such sales charges. Applicants also assert that such elimination of charges is in the interest of investors and the public; that no unfair discrimination between contract owners participating in the Fund would result therefrom; and that such elimination of charges would be consistent with the policies of the Act.

Section 27(c)(2) prohibits a registered investment company issuing periodic payment plan certificates, or a depositor or underwriter for such company, from selling such certificates, unless the proceeds of all payments, other than the sales load, are deposited with a bank as trustee or custodian and held under an indenture or agreement containing, in substance, the provisions required by sections 26(a)(2) and (3) for trust indentures of a unit investment trust. Section 26(a)(2) requires that the trustee or custodian segregate and hold in trust all securities and cash of the trust and places certain restrictions on charges which may be made against the trust income and corpus and excludes from expenses which the trustee or custodian may charge against the trust any payments to the depositor or principal underwriter, other than a fee not exceeding such reasonable amount as the Commission may prescribe, for performing bookkeeping and other administrative services delegated to them by the trustee or custodian. Section 26(a)(3) governs the circumstances under which the trustee or custodian may resign. The equity investment fund contracts which provide for deferred variable annuities may be deemed to be periodic payment plan certificates under the Act.

Applicants state that the proceeds from payments received on behalf of participants in equity investment fund contracts after permitted deductions, and the portfolio of securities in which they will be invested, will constitute a separate account of Occidental established under California insurance law and chargeable only with liabilities arising out of such contracts. Applicants also assert in all its dealings with contract holders, Occidental functions as a regulated insurance company. As such, it is subject to extensive and detailed supervision and inspection by the California Insurance Commissioner. Such control, it is asserted, provides ample assurance against misfeasance and affords the essential protection which a trusteeship under section 26(a)(2) would provide. And California law provides that the assets of the Fund will not be charged with liabilities other than those arising out of the contracts which participate in the Fund. In addition, under California law the contractual obligations of Occidental to the participants cannot be abandoned until such obligations have been discharged. Under no condition can it legally abrogate such undertakings.

Applicants request an exemption from these requirements on the grounds that Occidental's status as a regulated insurance company, and its obligations as an

insurance company to its equity investment fund contract owners provide substantially the protection contemplated by these requirements.

Applicants have consented to the requested exemption being subject to the conditions that the charges under the contracts for administrative services referred to in section 26(a) shall not exceed such reasonable amounts as the Commission shall prescribe, and that the Commission shall reserve jurisdiction for such purpose and that the payment of sums and charges out of the assets of the Fund shall not be deemed to be exempted from regulation by the Commission by reason of the requested order, provided that the consent of Applicants to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payment of sums and charges out of such assets other than charges for administrative services. Applicants reserve the right in any proceeding before the Commission or in any suit or action in any court to assert that the Commission has no authority to regulate the payment of such other sums or charges.

Section 6(c) authorizes the Commission to exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from the provisions of the Act and rules promulgated thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is hereby given that any interested person may, not later than September 21, 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 Applicants at the address stated 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, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 70-11817; Filed, Sept. 4, 1970;
8:49 a.m.]

FEDERAL RESERVE SYSTEM

BARNETT BANKS OF FLORIDA, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), by Barnett Banks of Florida, Inc., which is a bank holding company located in Jacksonville, Fla., for prior approval by the Board of Governors of the acquisition by applicant of 80 percent or more of the voting shares of The American Bank in Auburndale, Auburndale, Fla., a proposed new bank.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

By order of the Board of Governors,
August 28, 1970.

[SEAL] ELIZABETH L. CARMICHAEL,
Assistant Secretary.

[F.R. Doc. 70-11821; Filed, Sept. 4, 1970;
8:50 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 143]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

SEPTEMBER 1, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 26377 (Sub-No. 14 TA), filed August 26, 1970. Applicant: LEONARDO TRUCK LINES INC., Route 1, Granger, Wash. 98932. Applicant's representative: Earle V. White, Farley Building, 2400 Southwest Fourth Avenue, Portland, Ore. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas, and bananas and commodities described in section 203(b)(6) of the Interstate Commerce Act*, when being simultaneously transported in the same vehicle, from Los Angeles, Long Beach, San Diego, and San Francisco, Calif.; Portland, Ore.; and Seattle, Wash.; to ports of entry on the international boundary line between the United States and Canada located in the States of Washington, and Idaho, for 180 days. Supporting shipper: Slade & Stewart, Ltd., Post Office Box 3687, Seattle, Wash. 98124; Vance Bros. Ltd., Post Office Box 500, Trail, British Columbia, Canada. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, Ore. 97204.

No. MC 29392 (Sub-No. 15 TA), filed August 26, 1970. Applicant: LES JOHNSON CARTAGE, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: James R. Ziperski (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting *Precast and prestressed concrete*

products and the equipment, materials, and supplies used in the erection and installation thereof, from points in Winnebago County, Wis., to points in Illinois, for 150 days. Supporting shipper: Duwe Precast Concrete Products, Inc., Post Office Box 1277, Oshkosh, Wis. 54901 (W. Robert Bruce, Secretary-Assistant Treasurer). 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 57778 (Sub-No. 13 TA), filed August 24, 1970. Applicant: MICHIGAN REFRIGERATED TRUCKING SERVICE, INC., 6134 West Jefferson Avenue, Detroit, Mich. 48209. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48021. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, the commodities classified as (a) meats, meat products, and meat byproducts, (b) dairy products; and (c) articles distributed by meatpacking houses*, in the appendix to the report in Modification of Permits—Packinghouse Products, 46 M.C.C. 23, 48 M.C.C. 628, and *advertising materials, table sauces, condiments, and specialty food items, and fresh and frozen fish*, in vehicles equipped for mechanical refrigeration, between Chicago, Ill., and its commercial zone, and points in Michigan located on and east of U.S. 27 and on and south of M-78 from Lansing to Flint, Mich., and on and south of M-21 from Lansing to Port Huron, Mich., for 150 days. NOTE: Applicant intends to tack with MC-57778, Sub-4, at Detroit, Jackson, Lansing, and other points. Supporting shippers: There are approximately 15 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 protest to: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower Building, 10 Witherell Street, Detroit, Mich. 48226.

No. MC 103993 (Sub-No. 559 TA), filed August 26, 1970. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Ralph H. Miller (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Undercarriages and frames*, for trailers designed to be drawn by passenger automobiles, from Boise, Idaho, to Seattle, Wash., for 180 days. Supporting shipper: Hus-Key Manufacturing Co., Inc., Boise, Idaho. Send protests to: District Supervisor J. H. Gray, Interstate Commerce Commission, Bureau of Operations, Room 204, 345 West Wayne Street, Fort Wayne, Ind. 46802.

No. MC 113024 (Sub-No. 96 TA), filed August 26, 1970. Applicant: ARLINGTON J. WILLIAMS, INC., Rural Delivery No. 2, Smyrna, Del. 19977. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington,

D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rubber hose*, for account of Electric Hose & Rubber Co., from Wilmington, Del., to points in Anderson, Dallas, and Tarrant Counties, Tex., for 180 days. Supporting shipper: Electric Hose & Rubber Co., Post Office Box 910, Wilmington, Del. 19899. Fred H. Evick. Send protests to: Paul J. Lowry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 206 Old Post Office Building, 129 East Main Street, Salisbury, Md. 21801.

No. MC 117815 (Sub-No. 164 TA), filed August 26, 1970. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, 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), from the plantsite and storage facilities utilized by the Rath Packing Co. at Waterloo, Iowa, to Chicago, Ill., for 150 days. Supporting shipper: The Rath Packing Co., Post Office Box 330, Waterloo, Iowa 50704. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 119407 (Sub-No. 5 TA), filed August 26, 1970. Applicant: ASHLINE TRUCKING, INC., 14 Beech Street, Corinth, N.Y. 12822. Applicant's representative: W. Norman Charles, 80 Bay Street, Glens Falls, N.Y. 12801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed cars, scrap metal*, from points in Albany, Columbia, Fulton, Greene, Montgomery, Saratoga, Schenectady, Warren, and Washington Counties, N.Y., to Boston, Mass., for 150 days. Supporting shipper: J. H. French, Post Office Box 37, Greenfield Center, N.Y. 12833. Send protests to: Charles F. Jacobs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Building, Albany, N.Y. 12207.

No. MC 124796 (Sub-No. 69 TA), filed August 21, 1970. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 East Salt Lake Avenue, Post Office Box 1257, City of Industry, Calif. 91747. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vinyl plastic*, from New York, N.Y., and Clifton, N.J., to points in Illinois, Michigan, Missouri, Ohio, and Texas; and (2) *returned, rejected, or refused shipments of Vinyl Plastic and materials, equipment, and supplies* utilized in the manufacture, sale, and distribution of vinyl plastic, from points in Illinois, Michigan, Missouri, Ohio, and Texas; to New York, N.Y., and Clifton, N.J. All restricted

against the transportation of commodities in bulk or those which, by reason of size or weight, require special equipment and further restricted to traffic which either originates or terminates at the plantsites or warehouse facilities utilized by W. R. Grace & Co. All limited to a transportation service to be performed under continuing contract, or contracts, with W. R. Grace & Co., for 180 days. Supporting shipper: W. R. Grace & Co., Golding Drive, Corinth, Miss. 38834. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 124796 (Sub-No. 70 TA), filed August 21, 1970. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 East Salt Lake Avenue, Post Office Box 1257, City of Industry, Calif. 91747. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bone cloth and aluminum clips*, from Boston, Holyoke, and Woburn, Mass., to Los Angeles, Calif.; Denver and Greeley, Colo.; Chicago, Ill.; Cedar Rapids, Iowa; Emporia, Kans.; Livonia, Mich.; Dakota City and Omaha, Nebr.; Garland, Friona, Plainview, and Sweetwater, Tex. Restricted against the transportation of commodities in bulk or those which by reason of size or weight require special equipment. All restricted to the transportation of shipments which originate at the plantsites or warehouse facilities utilized by W. R. Grace & Co. and limited to a transportation service to be performed under continuing contract with W. R. Grace & Co., for 150 days. Supporting shipper: Converted Plastics Group of W. R. Grace & Co., Post Office Box 464, Duncan, S.C. 29664. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 124878 (Sub-No. 4 TA), filed August 26, 1970. Applicant: LAPADULA AIR FREIGHT TRANSFER, INC., 149-04 New York Boulevard, Jamaica, N.Y. 11434. Applicant's representative: Edward M. Alfano, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives and commodities in bulk), between J. F. Kennedy International Airport at New York, N.Y.; Newark Municipal Airport at Newark, N.J.; Logan International Airport at Boston, Mass.; Hancock Airport at Syracuse, N.Y.; Friendship International Airport at Baltimore, Md.; and International Airport at Windsor Locks, Conn. Restricted to shipments having an immediately prior or immediately subsequent movement by air, for 180 days. Supporting shippers: The Flying Tiger Line Inc., Cargo Building 84, Kennedy International Airport, Jamaica, Long Island, N.Y. 10034; Seaboard World Airlines, Seaboard World Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. Send protests to: Anthony

Chiusano, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

MOTOR CARRIERS OF PASSENGERS

No. MC 48501 (Sub-No. 15 TA), filed August 21, 1970. Applicant: INDIANA MOTOR BUS COMPANY, 715 South Michigan Street, South Bend, Ind. 46624. Applicant's representative: Harry J. Harman, 1110-1112 Fidelity Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage, express, and newspapers* in the same vehicle with passengers, restricted to the transportation of traffic having a prior or subsequent movement by air (1) between South Bend, Ind., and O'Hare International Airport, Chicago, Ill.; (2) between South Bend, Ind., and Midway Airport, Chicago, Ill., for 180 days. Supported by: John R. Kagel, 1024 Riverside Drive, South Bend, Ind.; Dr. C. Joseph Sequin, 19024 Staffordshire Drive, South Bend, Ind.; Frank Edgerton, 1356 Oak Ridge Drive, South Bend, Ind.; Stephen A. Seall, 2020 Dorwood Drive, South Bend, Ind.; Bruce R. Bancroft, 2705 Marine Street, South Bend, Ind.; M. O. Wolfe, 19475 Widener Lane, South Bend, Ind.; Dr. Thomas P. Bergin, 52797 Kenilworth Road, South Bend, Ind.; Donald E. Bouffard, Jr., 4822 Huntly Court, South Bend, Ind. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, Room 204, 345 West Wayne Street, Fort Wayne, Ind. 46802.

No. MC 134850 (Sub-No. 1 TA), filed August 26, 1970. Applicant: RAFAEL LOZANO, doing business as LOZANO & SONS TRAVEL AGENCY, 505 South Sixth Street, Maywood, Ill. 60153. Applicant's representative: Samuel Ruff, 2109 Broadway, East Chicago, Ind. 46312. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, between points in Cook County, Ill., and Eagle Pass, Tex., limited to nine passengers, for 150 days. Supported by: Salvador Gonzalez, 100½ South Fifth Avenue, Maywood, Ill.; Jesus Balderos, 1650 Taft Avenue, Eagle Pass, Tex.; Gilberto Rodriguez, 1650 Taft Avenue, Eagle Pass, Tex.; Mague Balderos, 1650 Taft Avenue, Eagle Pass, Tex.; Juan Sanchez, 1115 North 21st Avenue, Melrose Park, Ill.; Guillermo Fernandez, 505 South Sixth Avenue, Maywood, Ill.; Hilda Camacho, 612 South Fifth Avenue, Maywood, Ill.; Guadalupe Mata, 505 South Sixth Avenue, Maywood, Ill.; Rosa Delgado, 141 North 21st Avenue, Melrose Park, Ill. Send protests to: Andrew J. Montgomery, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, Ill. 60604.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[F.R. Doc. 70-11835; Filed, Sept. 4, 1970;
8:51 a.m.]

[Notice 144]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

SEPTEMBER 2, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 13123 (Sub-No. 61 TA), filed August 28, 1970. Applicant: WILSON FREIGHT COMPANY, 3636 Follett Avenue, Cincinnati, Ohio 45223. Applicant's representative: P. M. Shepherd (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except class A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, and those injurious or contaminating to other lading, serving Dover, Tenn., as an off-route point in connection with applicant's regular operations to and from Nashville, Tenn., and Hopkinsville, Ky., for 180 days. Note: Applicant intends to tack with Docket No. MC 13123 and Sub and interline at any authorized point therein. Supporting shipper: Nactor Store Fronts, Inc., Dover, Tenn. 37058. Send protests to: Emil P. Schwab, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5514-B Federal Building, 550 Main Street, Cincinnati, Ohio 45202.

No. MC 76025 (Sub-No. 21 TA), filed August 28, 1970. Applicant: OVERLAND EXPRESS, INC., 651 First Street SW., Post Office Box 2667, New Brighton, Minn. 55112. Applicant's representative: James F. Sexton (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail, chain, and food business houses, and, in connection therewith, *equipment, materials, and supplies* used in the conduct of such business, between points in the Minneapolis-St. Paul, Minn., commercial zone as defined by the Commission, on the one hand, and, on the other,

Grand Island, Lincoln, and Norfolk, Nebr., for the account of Nash-Finch Co., for 180 days. Supporting shipper: Nash-Finch Co., Minneapolis, Minn. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 89523 (Sub-No. 19 TA), filed August 27, 1970. Applicant: MIDSTATES TRUCKING CO., 2517 North Grand Street, Enid, Okla. 73701. Applicant's representative: R. F. Hayes (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Household, laundry, scouring, and cleaning supplies and compounds, and animal litter*, from Houston, Tex., to points in Oklahoma, for 180 days. Supporting shipper: The Clorox Co., Wade M. Kleninger, General Traffic Manager, Post Office Box 24305. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, Okla. 73102.

No. MC 94350 (Sub-No. 275 TA), filed August 27, 1970. Applicant: TRANSIT HOMES, INC., Post Office Box 1628, Haywood Road at Transit Drive, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr., Post Office Box 1628, Greenville, S.C. 29602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, in sections, mounted on wheeled undercarriages, from points of manufacture Pembroke, N.C., to points east of the Mississippi River, including Louisiana and Minnesota, for 180 days. Supporting shipper: United Research Homes, Pembroke, N.C. Send protests to: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 300 Columbia Building, 1200 Main Street, Columbia, S.C. 29201.

No. MC 105566 (Sub-No. 21 TA), filed August 27, 1970. Applicant: SAM TANKSLEY TRUCKING, INC., Post Office Box 1119, 1507 Independence, Cape Girardeau, Mo. 63701. Applicant's representative: Thomas F. Kilroy, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter*, from Warsaw, Ind., to points in California, for 180 days. Supporting shipper: R. R. Donnelley & Sons Co., 2223 Martin Luther King Drive, Chicago, Ill. 60616. Send protests to: District Supervisor J. P. Werthmann, Bureau of Operations, Interstate Commerce Commission, Room 3248, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 108449 (Sub-No. 317 TA) (Amendment), filed August 10, 1970, published in the FEDERAL REGISTER issue of August 19, 1970, and republished as amended, this issue. Applicant: INDIAN-HEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113.

Applicant's representative: Larry L. Gass (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied natural gas*, in bulk, in tank vehicles; (1) from San Diego, Calif., to Waterton, Colo.; (2) from Eau Claire, Wis., to Waterton, Colo.; (3) from Oak Creek, Wis., to Waterton, Colo.; (4) from Birmingham, Ala., to Easley, S.C.; (5) from Memphis, Tenn., to Easley, S.C.; (6) from Philadelphia, Pa., to Easley, S.C.; (7) from Erlanger, Ky., to Easley, S.C.; (8) from ports of entry near Champlain, N.Y. and Highgate Springs, Vt., to Boston, Mass.; (9) from Eau Claire, Wis., to Chicago, Ill., and points in Cook, Du Page, Lake, Kane, and Will Counties, Ill.; and (10) from Oak Creek, Wis., to Chicago, Ill., and points in Cook, Du Page, Lake, Kane, and Will Counties, Ill., for 180 days. NOTE: The purpose of this republication is to include (and Highgate Springs, Vt.), requested by applicant. Supporting shipper: American LNG Co., Oak Brook, Ill. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 113539 (Sub-No. 5 TA), filed August 27, 1970. Applicant: PORTER TRANSPORTATION CO., 210 Falulah Road, Fitchburg, Mass. 01420. Applicant's representative: Arthur A. Wentzell, Post Office Box 764, Worcester, Mass. 01613. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Penetration grade asphalt cement*, liquid, from international boundary at Highgate Springs, Vt., to Lunenburg, Mass., for 150 days. Supporting shipper: P. J. Keating Co., Post Office Box 345, Fitchburg, Mass. 01420. Send protests to: District Supervisor Joseph W. Balin, Bureau of Operations, Interstate Commerce Commission, 338 Federal Building and U.S. Courthouse, 436 Dwight Street, Springfield, Mass. 01103.

No. MC 115331 (Sub-No. 287 TA), filed August 28, 1970. Applicant: TRUCK TRANSPORT, INCORPORATED, 1931 North Geyer Road, St. Louis, Mo. 63131. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitro-carbonitrate*, in containers, from the Monsanto Co. plantsite at or near Bonne Terre, Mo., to points in Craig and Rogers Counties, Okla.; Gallatin, Jackson, Madison, Perry, Peoria, Randolph, Saline, and St. Clair Counties, Ill.; and Ozark, Ark.; and Central City, Ky.; for 180 days. Supporting shipper: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166. Send protests to: District Supervisor J. P. Werthmann, Interstate Commerce Commission, Bureau of Operations, Room 3248, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 118989 (Sub-No. 54 TA), filed August 27, 1970. Applicant: CONTAINER TRANSIT, INC., 5223 South Ninth Street, Milwaukee, Wis. 53221. Appli-

cant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic products*, from Portland, Ind., to points in Illinois, Kentucky, Michigan, Ohio, Mississippi, Tennessee, Virginia, Alabama, Georgia, South Carolina, Pennsylvania, Wisconsin, Missouri, Iowa, Minnesota, Arkansas, West Virginia, and North Carolina, for 180 days. Supporting shipper: Dukor Plastics of Indiana, Division of Dukor Industries, Inc., Highway 27 North, Portland, Ind. 47371 (John Da Pra, president-general manager). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 119789 (Sub-No. 37 TA), filed August 27, 1970. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6188, Dallas, Tex. 75222. Applicant's representative: James T. Moore (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic fibers*, from Waynesboro, Va., to Los Angeles, Calif., for 180 days. NOTE: Applicant does not intend to tack. Supporting shipper: Thikol, Fibers Division, Box 460, Waynesboro, Va. 22980. 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 123263 (Sub-No. 4 TA), filed August 27, 1970. Applicant: BELGIUM TRUCKING CO., INC., Belgium, Wis. 53004. Applicant's representative: Philip H. Porter, 121 South Pinckney Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry animal and poultry feed and feed concentrates*, in bulk, in bags, and in bulk and in bags in mixed shipments, from Bloomington, Monmouth, Mount Pulaski, Ill., and Richmond, Ind., to points in Minnesota, the Upper Peninsula of Michigan, and Wisconsin, for 180 days. Supporting shipper: Ralston Purina Co., Post Office Box 389, Fond du Lac, Wis. 54935 (Harold E. Guenther, Traffic Manager). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 128279 (Sub-No. 12 TA), filed August 28, 1970. Applicant: ARROW FREIGHTWAYS, INC., Post Office Box 3783, 4800 Jefferson NE., Albuquerque, N. Mex. 87110. Applicant's representative: Jerry R. Murphy, 708 LaVeta NE., Albuquerque, N. Mex. 87108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, commodities in bulk, household goods as defined by the Commission, articles of unusual value, and those requiring special equipment), between Albuquerque,

N. Mex., and Cochiti Dam site and Cochiti City, N. Mex., for 150 days. Note: Applicant proposes to interline with any authorized common carriers at Albuquerque, rail or motor, and with itself within presently authorized territory, also at Albuquerque, N. Mex. Supporting shipper: Guy F. Atkinson Co., 10 West Orange Avenue, South San Francisco, Calif. 94080. Send protests to: William R. Murdoch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10515 Federal Building, U.S. Courthouse, Albuquerque, N. Mex. 87101.

No. MC 128862 (Sub-No. 4 TA), filed August 27, 1970. Applicant: B. J. CECIL TRUCKING, INC., Post Office Box C, Claypool, Ariz. 85532. Applicant's representative: Earl Carroll, 363 North First Avenue, Phoenix, Ariz. 85003. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Copper cement*, from U.S. Natural Resources, Tyrone, N. Mex., to Kennecott Refining Co., McGill, Nev.; Ammeric Smelting and Refining Co., El Paso, Tex.; Inspiration Consolidated Copper Co., Miami, Ariz., for 180 days. Supporting shipper: Aaron Ferer & Sons Co., 909 Abbott Drive, Omaha, Nebr. 68102. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3427 Federal Building, Phoenix, Ariz. 85025.

No. MC 134880 TA, filed August 27, 1970. Applicant: RICHMOND TRANSFER LIMITED, 425 Alexander Street, Vancouver, British Columbia, Canada. Applicant's representative: J. Stewart Black, 7342 Government Road, Burnaby 2, British Columbia, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper products*, manufactured or sold by Scott Paper, Ltd., from international boundary between the United States and Canada at or near Blaine or Lynden, Wash., to Bellingham, Wash. Return of empty pallets from Bellingham, Wash., international boundary at or near Blaine or Lynden, Wash., for 180 days. Supporting shipper: Scott Paper, Ltd., Box 760, New Westminster, British Columbia, Canada. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[F.R. Doc. 70-11836; Filed, Sept. 4, 1970;
8:51 a.m.]

[Notice 583]

MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 2, 1970.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-72197. By order of August 28, 1970, the Motor Carrier Board, upon reconsideration, approved the transfer to Guy & Fortin, Inc., St. Pamphile, CTE. L'Islet, Quebec, Canada, of the operating rights in certificate No. MC-126509, issued September 16, 1965, to Bellechasse Transport, Inc., St. Henri De Levis, Quebec, Canada, authorizing the transportation of lumber, wood laths, and wood shingles, from ports of entry on the United States-Canada boundary line at or near Jackman, and Coburn Gore, Maine, Derby Line, Norton Mills, and St. Albans, Vt., and Rouses Point, N.Y., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, and Delaware, restricted to traffic originating at points in Montmagny, Bellechasse, Dorchester, Levis, and Quebec Counties, Quebec, Canada. Frank J. Weiner, 6 Beacon Street, Mass. 02108, attorney for applicants.

No. MC-FC-72205. By order of August 28, 1970, the Motor Carrier Board, on reconsideration, approved the transfer to J & N Investment Co., a corporation, doing business as North Kansas City Tow, Kansas City, Mo., of certificates Nos. MC-116111 and MC-116111 (Sub-No. 6) issued April 25, 1967, and October 7, 1968, respectively, to North Kansas City Tow Service, Inc., North Kansas City, Mo., authorizing the transportation of: Wrecked, disabled, or repossessed motor vehicles, and replacements, therefore, between Kansas City, Mo., on the one hand, and, on the other, points in Iowa, Missouri, Nebraska, Oklahoma, Kansas, Arkansas, and Illinois. Pacey L. Wohlner, 900 Walnut Street, Kansas

City, Mo. 64106, attorney for applicants.

No. MC-FC-72267. By order of August 28, 1970, the Motor Carrier Board approved the transfer to Gayle T. McGarry, doing business as Eagle Transfer & Storage Co., Lewiston, Idaho, of certificate No. MC-89153 issued to Kenneth W. Wyatt, doing business as Eagle Transfer and Storage Co., Lewiston, Idaho, authorizing the transportation of: General commodities and Household Goods between points in Idaho, and Washington, within 25 miles of Lewiston, Idaho. Jerry V. Smith, attorney, 302 Weisgerber Building, Lewiston, Idaho 83501.

No. MC-FC-72313. By order of August 28, 1970, the Motor Carrier Board approved the transfer to William D. Mehlhop, doing business as Syracuse Transfer, 886 Poplar Street, Syracuse, Nebr. 68446, of certificate of registration No. MC-98876 (Sub-No. 1), issued November 13, 1963, to Robert L. Morrissey, doing business as Syracuse Transfer, Syracuse, Nebr. 68446, evidencing a right to engage in transportation in interstate commerce as described in Certificate of Public Convenience and Necessity No. M-10285 dated July 31, 1953, issued by the Nebraska State Railway Commission.

No. MC-FC-72325. By order of August 28, 1970, the Motor Carrier Board approved the transfer to General Delivery Co., Chicago, Ill., of the operating rights in certificate No. MC-41183 issued June 26, 1951, to Goldberg's Motor Service, Inc., Chicago, Ill., authorizing the transportation of general commodities with the usual exceptions, between the Chicago, Ill., commercial zone on the one hand, and, on the other, points in specified counties in Illinois and Indiana. Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603, attorney for applicants.

No. MC-FC-72326. By order of August 28, 1970, the Motor Carrier Board approved the transfer to Dee Trucking, Inc., Newark, N.J., of the operating rights in permits Nos. MC-124694 and MC-124694 (Sub-No. 1) issued January 11, 1963 and February 26, 1963, respectively to John J. Hegarty, New York, N.Y., authorizing the transportation of various commodities from and to specified points in New York, New Jersey, and Pennsylvania. Herman B. J. Weckstein, 60 Park Place, Newark, N.J. 07102, attorney for applicants.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[F.R. Doc. 70-11837; Filed, Sept. 4, 1970;
8:51 a.m.]

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